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Foreword

This thirteenth issue of the EPC Documentation Bulletin covers the term of office of the Portuguese Presidency (1 January to 30 June 1992) and the British Presidency (1 July to 31 December 1992). It includes:

- the official declarations of the European Council, of the Foreign Ministers and of the Twelve, including statements in international conferences and organizations;
- all documents related to the European Parliament, i.e. replies to oral and written questions, statements and reports presented by the Presidency (or abstracts thereof) on matters of EPC.

All documents and index information published in the EPC Documentation Bulletin are now accessible on-line as a full-text database at the Commission of the European Communities. This database allows for searches on all index-terms and on the texts themselves. We hope that public access to this database via telecommunication networks will be possible in the near future.

We would like to thank all those who helped us in collecting material for this issue. Our gratitude specially goes to Ms Emir Lawless from the European Documentation Centre at the EUI, and to Ms Julia Valerio and Ms Caterina Tomei, who helped in the preparation of this issue.

The Editors

How to use the EPC Bulletin

The documents issued in the framework of European political cooperation are normally published in English or in French if no official English version is available.

They have been given a unique document number for quick reference in the index of the Bulletin and for purposes of citation. It is our hope that the EPC Documentation Bulletin will become the standard reference work for public domain EPC documents.

The document number indicates the year in which the document is issued, as well as the place of that document in the EPC Bulletin. Documents are ordered chronologically, and numbered consecutively throughout the volume covering one year.

The cumulative index of the EPC Bulletin refers to document numbers, and therefore to the place of a document in a given volume. If for technical reasons a document can not be included in the volume concerning the year in which it was issued, it will be published in a later volume. In the cumulative index a reference to such a document will be accompanied by a reference to the volume in which the document can be found.

At the beginning of each document basic information concerning the date of issue, the city of issue, the country holding the Presidency and its status can be found.

At the end of each issue the cumulative index can be found, which contains different classes of information for which the documents have been specifically analysed. This index has been developed by members of the European Policy Unit and the Institut für Europäische Politik, aided by a group of experts which includes senior diplomats and scholars of several European Community Member States. It is designed to cover all aspects of European political cooperation, its structure and activity. Thus one will find the following classes of information:

- The category *EPC structure and procedure* contains all references to statements of EPC which comment on or illustrate the working of EPC or its relation with the European Communities.
- The category *Contacts* reports all official relations with third countries, international organizations and political groupings.
- *Geographical reference categories* indicate countries, regions and subregions, whenever these are intrinsically dealt with.
- The category *International organizations and political groupings* does the same for all international organizations, political groupings and conferences of relevance to EPC.
- Finally, issues are classified by subject matter in the general *Issues* category.

The index is open-ended to enable the inclusion of new issues as they arise on the agenda of European political cooperation. It is cumulative from one issue of the EPC Bulletin to the next. By consulting the index in the most recent issue, the user should thus be able to trace all EPC documents relating to a specific country or subject matter and issued during the entire period covered by the Bulletin.

List of Abbreviations

A-ALC	Asian-African Legal Consultative Committee
ABM	Anti-ballistic missile
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
ACP	African, Caribbean and Pacific States
A.C.P.	Pays d'Afrique, des Caraïbes et du Pacifique
ADD	Association for Development and Democracy
A.D.D.	Association pour la Démocratie et le Développement
A.E.L.E	Association européenne de libre-échange
AEMM	ASEAN/EC Ministerial Meeting
A.G., A.G.N.U.	Assemblée générale des Nations Unies
A.I.D.	Association internationale de développement
A.I.E.A.	Agence internationale de l'énergie atomique
AJIV	ASEAN industrial joint ventures
AMU	Arab Maghreb Union
A.N.A.S.E.	Association des nations de l'Asie du Sud-Est
ANC	African National Congress (South Africa)
A.N.C.	Congrès national africain (Afrique du Sud)
A.P.D.	Assistance publique au développement
APLA	Azarian People's Liberation Army (South Africa)
ARC	Groupe arc-en-ciel (PE); Rainbow Group (EP)
A.S.E.	Agence spatiale européenne
ASEAN	Association of South-East Asian Nations
Azapo	Azanian People's Organization (South Africa)
B	Belgium; Belgique
BLEU	Belgo-Luxembourg Economic Union
Bull. EC	Bulletin of the Commission of the European Communities; Bulletin des Communautés européennes
C.A.C.	Comité administratif de coordination
C.A.E.M.	Conseil d'assistance économique mutuelle (Comecon)
CAP	Common agricultural policy
CARICOM	Caribbean Community and Common Market
C.C.G.	Coopération du Golfe
C.C.I.	Corps commun d'inspection (O.N.U.)
C.C.Q.A.B.	Comité consultatif pour les questions administratives et budgétaires
CD	Conference on Disarmament
CDE	Conference on Confidence- and Security-Building Measures and Disarmament in Europe
C.D.H.	Commission des droits de l'homme

List of Abbreviations

CDM	Citoyens du monde (US)
CDU	Christlich-Demokratische Union (Deutschland)
C.E.	Communautés européennes
C.E.E.	Communauté économique européenne
CELAD	High-Level Intergovernmental Group of Coordinators
CERD	Committee on the Elimination of Racial Discrimination
CFE	Conventional armed forces in Europe
C.F.P.I.	Commission de la fonction publique internationale
CHD	Conference on the Human Dimension
CHR	Commission on Human Rights
C.I.C.R.	Comité international de la Croix-Rouge
C.I.J.	Cour internationale de justice
CIREFCA	International Conference on Central American Refugees
CIS	Commonwealth of Independent States
CMEA	Council for Mutual Economic Assistance (Comecon)
CMO	Comprehensive multidisciplinary outline
CND	Commission for Narcotic Drugs
CNR	Committee on Natural Resources
CNRSE	Committee on New and Renewable Source of Energy
C.N.U.C.E.D.	Conférence des Nations unies sur le commerce et le développement
C.N.U.D.	Commission des Nations unies du désarmement
COCOM	Coordinating Committee for Export Controls
CODESA	Convention for a Democratic South Africa
COM	Communist and Allies Group (EP); Groupe communiste et apparentés (PE)
Comecon	See CMEA
COPAZ	Commission for the Consolidation of Peace
COREPER	Committee of Permanent Representatives to the European Communities (Comité des représentants permanents auprès des Communautés Européennes)
COSATU	Council for South African Trade Unions
COST	Coopération européenne dans le domaine de la recherche scientifique et technique
CPA	Comprehensive plan of action
CPC	Committee for Programme and Coordination
C.P.C.	Commission pour le programme et la coordination
C.P.E.	Coopération politique européenne
CPSU	Communist Party of the Soviet Union; Parti communiste de l'Union soviétique
CSBM	Confidence and security building measures
CSCE	Conference on Security and Cooperation in Europe
C.S.C.E.	Conférence sur la sécurité et la coopération en Europe
CSCM	Conference on Security and Cooperation in the Mediterranean

C.S.C.M.	Conférence sur la sécurité et la coopération en Méditerranée
CSDHA	Centre for Social Development and Humanitarian Affairs
CSFR	Czech and Slovak Federal Republic
CSO	Council of Senior Officials
CSU	Christlich-Soziale Union (Bayern)
CSW	Commission on the Status of Women
D	Federal Republic of Germany; République fédérale d'Allemagne
DDA	Department for Disarmament Affairs (UN)
DK	Denmark; Danemark
Doc.	Document
DPRK	Democratic People's Republic of China
DR	Group of the European Right (EP); Groupe des droites européennes (PE)
DR	Drachma
DTCD	Department for Technical Cooperation for Development
E	Spain; Espagne
EBRD	European Bank for Reconstruction and Development
EC	European Communities
ECE	Economic Commission for Europe
ECHO	Emergency Coordination and Relief Office
ECIP	EC investment partner
ECLAT	High Level Group of Coordinators
ECMM	European Community Monitor Mission (Former Yugoslavia)
ECOFIN	Council of Finance Ministers of the European Community
ECOMSA	European Community Observer Mission in South Africa
ECOSOC	Economic and Social Council
E.C.O.S.O.C.	Conseil économique et social
ECSC	European Coal and Steel Community
Ecu, E.C.U.	Unité monétaire européenne
ECU	European currency unit
ED	European Democratic Group (EP); Groupe des démocrates européens (PE)
EDF	European Development Fund
EDU	Europol drugs unit
EEA	European Economic Area
EEC	European Economic Community
EFTA	European Free Trade Association
EIB	European Investment Bank
EMS	European Monetary System
EMU	Economic and Monetary Union; European Monetary Union
ENMOD	Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques
EOHR	Egyptian Organization for Human Rights
EP	European Parliament

List of Abbreviations

EPC	European political cooperation
EPLF	Eritrean People's Liberation Front
EPP	European People's Party; Group of the European People's Party (Christian Democratic Group) (EP)
ESA	European Space Agency
ESCWA	Economic and Social Commission for Western Asia
EURAD	Europe against drugs
EUROPOL	European Police Office
F	France
FAO	Food and Agriculture Organization
FEOGA	Fonds européen d'orientation et de garantie agricole
FICSA	Federation of International Civil Servants Associations
F.I.C.S.A.	Fédération des associations de fonctionnaires internationaux
F.I.D.A.	Fonds international de développement agricole
F.I.N.U.L.	Force intérimaire des Nations unies pour le Liban
F.I.S.E.	Fonds des Nations unies pour l'enfance
F.I.O.M.	Fédération internationale des organisations de travailleurs de la métallurgie
FLS	Forward-looking strategies
F.M.I.	Fonds monétaire international
FMLN	Farabundo Marti National Liberation Front (El Salvador)
FRG	Federal Republic of Germany
FRY	Federal Republic of Yugoslavia (Serbia and Montenegro)
FUM	Friends United Meeting (CSCE)
GATT	General Agreement on Tariffs and Trade
G.A.T.T.	Accord général sur les tarifs douaniers et le commerce
GCC	Gulf Cooperation Council
GDR	German Democratic Republic
GEF	Global environment facility
GNP	Gross national product
GR	Greece; Grèce
GSP	Generalized System of Preferences
H.C.R., H.C.N.U.R.	Haut commissariat des Nations Unies aux réfugiés
HE	His Excellency
HONLEA	Heads of National Law Enforcement Agencies
HRD	Human Resource Development
HRTF	Human rights task force
I	Italy; Italie
IAEA	International Atomic Energy Agency
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
ICARA	International Conference on Assistance to Refugees in Africa
I.C.A.R.A.	Conférence internationale sur l'assistance aux réfugiés en Afrique
ICCPR	International Covenant on Civil and Political Rights

ICDAIT	International Conference on Drug Abuse and Illicit Traffic
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICSC	International Civil Service Commission
ICSU	International Council of Scientific Unions
IDA	International Development Association
IEPG	Independent European Programme Group
IFAD	International Fund for Agricultural Development
IGC	Inter-governmental Conference
IIP	International investment partners
ILC	International Law Commission
ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
INC/FCCC	Inter-governmental Negotiating Committee for a Framework Convention on Climate Change
INF	Intermediate-range nuclear forces
INSTRAW	International Research and Training Institute for the Advancement of Women
IRA	Irish Republican Army
IRL	Ireland; Irlande
ITTA	International Tropical Timber Agreement
ITTO	International Tropical Timber Organization
JCC	Joint Cooperation Committee
JIU	Joint inspection unit
JNA	Jugoslovenska Narodna Armija (Yugoslav National Army)
JO	Journal officiel (des Communautés européennes)
KGB	Komitet Gosudarstvdenoi Bezopasnosti; Committee of State Security (USSR); Comité de la sécurité d'Etat (U.R.S.S.)
L	Luxembourg
L	Liberal and Democratic Group (EP); Groupe libéral et démocratique (PE)
LAIA	Latin American Integration Association
LDC	Less developed countries, developing countries
LLDC	Least developed countries
LTTE	Liberation Tigers of Tamil Eelan
MBFR	Mutual and balanced force reductions
MECU	Million ECU (European currency unit)
MEP	Member of European Parliament
MERCOSUR	Treaty on the Establishment of a Common Market in the Southern Cone of the South American Continent
MFN	Most favoured nation
MINURSO	UN Mission for the Referendum in Western Sahara
MLL	Minimum living level

List of Abbreviations

MNR	Mozambique National Resistance
MPE	Membre du Parlement européen
MTCR	Missile Technology Control Regime
MTN	Multilateral trade negotiations
NAFTA	North American Free Trade Agreement
NASA	National Aeronautics and Space Administration (United States)
NATO	North Atlantic Treaty Organization
NACTU	National Council of Trade Unions (South Africa)
NDP	New Democratic Party
NERS	National emergencies relief services
NGO	Non-governmental organization
NI	Non-inscrits (PE); Non-attached (EP)
NL	The Netherlands; Pays-Bas
NLD	National League for Democracy
NMC	National Manpower Commission (South Africa)
N.P.F.	Nation la plus favorisée
N.P.S.A.	Nouveau programme substantiel d'action
NPT	Non-Proliferation Treaty, Treaty on the Non-Proliferation of Nuclear Weapons
NRSE	New and Renewable Source of Energy
O.A.C.I.	Organisation de l'aviation civile internationale
OAS	Organization of American States
OAU	Organization of African Unity
OCT	Overseas countries and territories
ODA	Official development assistance
ODIHR	Office for Democratic Institutions and Human Rights
O.E.A.	Organisation des Etats américains
OECD	Organization for Economic Cooperation and Development
OIC	Organization of the Islamic Conference
O.I.T.	Organisation internationale du travail
OJ	Official Journal (of the European Communities)
O.L.P.	Organisation pour la libération de la Palestine
O.M.I.	Organisation maritime internationale
O.M.S.	Organisation mondiale de la santé
ONCE	UN Observer Group on Central America
O.N.G.	Organisation non gouvernementale
ONUCA	United Nations Observer Group on Central America
O.N.U.	Organisation des Nations unies
O.N.U.D.I.	Organisation des Nations unies pour le développement industriel
ONUSAL	Observadores de las Naciones Unidas en El Salvador
OPANAL	Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
O.T.A.N.	Organisation du traité de l'Atlantique Nord
O.U.A.	Organisation de l'unité africaine

P	Portugal
PAC	Pan-Africanist Congress
PDD	Partnership for Democracy and Development
PE	Parlement européen
PF	Progressive Federal Party of South Africa; Parti progressiste fédéral (Afrique du Sud)
PHARE	Poland and Hungary: aid for economic restructuring
PKK	Kurdish Workers Party
PLO	Palestine Liberation Organization
P.M.A.	Pays les moins avancés
P.M.D.	Pays les moins développés
PNET	Peaceful Nuclear Explosions Treaty
P.N.U.D.	Programme des Nations unies pour le développement
POW	Prisoner of war
PPE	Parti populaire européen; Groupe du parti populaire européen (Groupe démocrate-chrétien) (PE); Group of the European People's Party (Christian Democratic Group) (EP)
PTBT	Partial Test Ban Treaty
P.V.D.	Pays en voie de développement (developing countries)
QC	Queen's Council
RDE	Groupe des rénovateurs et du rassemblement des démocrates européens (PE); Group of the European Renewal and Democratic Alliance (EP)
Res.	Resolution(s); Résolution(s)
R.F.A.	République fédérale d'Allemagne
RPF	Rwandan Patriotic Front
RSA	Republic of South Africa
R.S.A.	République sud-africaine
R.S.F.Y.	République fédérale socialiste de Yougoslavie
S	Socialist Group (EP); Groupe socialiste (PE)
SA	South Africa
SACCOLA	South African Consultative Committee on Labour Affairs
SADCC	Southern African Development Coordination Conference
SADF	South African Defence Forces
SALT	Strategic Arms Limitation Talks; Négociations sur la limitation des armements stratégiques
SAP	Structural Adjustment Programmes
SARC	South Asia Regional Cooperation
SCR	Security Council resolution
SDI	Strategic Defence Initiative
SEA	Single European Act
SELA	Latin American Economic System
SFRY	Social Federal Republic of Yugoslavia

List of Abbreviations

S.I.D.A.	Syndrome d'immuno-déficience acquise
SLL	Supplemented living level
SLORC	State Law and Order Restoration Council (Burma)
S.M.E.	Système monétaire européen
SNAP	Substantial new programme of action
SNC	Supreme National Council
SSOD	Special Session on Disarmament
START	Strategic Arms Reduction Treaty
STD	Science and Technology for Development
SWAPO	South West African People's Organization
TEM	ASEAN/EC Trade Experts Meeting
TEMPUS	Trans-European Cooperatin Scheme for University Studies
T.N.P.	Traité de non-prolifération, traité sur la non-prolifération des armes nucléaires
TPA	Turkish Peace Association
TREVI	Terrorisme, radicalisme et violence international
TTBT	Threshold Test Ban Treaty
TWA	Trans-World Airlines
UAE	United Arab Emirates
UDF	Union Defence Force (South Africa)
UDI	Unilateral Declaration of Independence; Déclaration unilatérale d'indépendance
U.E.B.L.	Union économique belgo-luxembourgeoise
U.E.O.	Union de l'Europe occidentale
UK	United Kingdom of Great Britain and Northern Ireland
U.M.A.	Union du Maghreb Arabe
UN	United Nations
UNAFRI	United Nations African Institute for the Prevention of Crime and the Treatment of Offenders
UNAVEM	United Nations Angola Verification Mission
UNCED	United Nations Conference on Environment and Development
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Conference on Trade and Development
UNDC	United Nations Disarmament Commission
UNDCP	United Nations International Drug Control Programme
UNDOF	United Nations Disengagement Observer Force
UNDP	United Nations Development Programme
UNDRO	United Nations Disaster Relief Coordinator
UNEP	United Nations Environmental Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
U.N.E.S.C.O.	Organisation des Nations unies pour l'éducation, la science et la culture
UNFDAC	United Nations Fund for Drug Abuse Control
UNGA	United Nations General Assembly

UNGOMAP	United Nations Good Offices Mission for Afghanistan and Pakistan
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDIR	United Nations Institute for Disarmament Research
UNIDO	United Nations Industrial Development Organization
UNIFIL	United Nations Interim Force in Lebanon
UNIIMOG	United Nations Iran-Iraq Military Observer Group
Unisa	University of South Africa; Université de l'Afrique du Sud
UNITAR	United Nations Institute for Training and Research
U.N.I.T.A.R.	Institut des Nations Unies pour la Formation et la Recherche
UNOSOM	United Nations Operation in Somalia
UNPAARD	United Nations Programme of Action for African Economic Recovery and Development
UPILD	Political Union for Independence, Freedom and Democracy in Laos
UNPROFOR	United Nations protection force (Former Yugoslavia)
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
U.N.R.W.A.	Office de secours et de travaux des Nations unies pour les réfugiés de Palestine dans le Proche-Orient
UNSCOM	United Nations Special Commission
UNSCR	United Nations Security Council Resolution
UNTAC	United Nations Transitional Authority in Cambodia
UNTAG	United Nations Transition Assistance Group
UNTSO	United Nations Truce Supervision Organization in Palestine
UPILD	Political Union for Independence, Freedom and Democracy in Laos
URNG	Guatemalan National Revolutionary Union (Union Revolucionaria Nacional Guatemalteca)
U.R.S.S.	Union des républiques socialistes soviétiques
US; USA	United States of America
U.S.A.	Etats-Unis d'Amérique
USSR	Union of Soviet Socialist Republics
WEU	Western European Union
WFC	World Food Council
WFP	World Food Programme
WHO	World Health Organization
YNA	Yugoslav National Army
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union
ZOPFAN	Zone of Peace, Freedom and Neutrality in South-East Asia

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91/474. Questions No 402/91 by Mr Cravinho (S), 471/91 by Mr Barros Moura (CG), 1255/91 by Ms Oddy (S) and 1905/91 by Mr Ribeiro (CG) on further violation of human rights in East Timor, on joint appropriation of East Timor's oil by Indonesia and Australia, on the situation in East Timor and bilateral agreements with Indonesia and on East Timor

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written questions in the European Parliament (from 11 March 1991, 19 March 1991, 14 June 1991)

Question No 402/91:

According to reliable information, Indonesian repression in East Timor has escalated recently leading to several cases of human rights violations in the form of executions, torture and violence of all kinds. Attention has been drawn to these events by the media and organizations based in Community countries and other countries such as Australia. Amnesty International has just published an alarming condemnation of the extent and seriousness of documented cases. Since this is one of the most important subjects on the agenda of the meeting of the UN's Commission on Human Rights in Geneva:

What position have the Foreign Ministers meeting in EPC adopted or do they intend to adopt to condemn the human rights violations committed in East Timor by Indonesia?

Within the Framework of EPC, the Portuguese Government has no doubt referred to the need for Community action against the occupation of East Timor by Indonesia in flagrant violation of international law and its resolutions:

When did the Portuguese Government raise this matter and what measures were proposed on each of the occasions when it did so? Since the Foreign Ministers obviously do not support the violation of human rights and territorial annexation, how can they explain the ineffectiveness to date of the pressures that the Community has no doubt exerted on Indonesia?

Question No 471/91:

In a letter of 16 November 1990 to the co-presidents of the ACP/EEC Joint Assembly concerning its resolution of 27 September 1990,¹ the Australian Ambassador to Brussels states: '[...] Australia does not accept that any oil or gas which may be found in the Timor Gap Treaty belongs to the people of East Timor'. It appears to follow that any such oil or gas belongs to Indonesia, the country which is in illegal and forcible occupation of East Timor and with which Australia signed the treaty concerned; in this case, the treaty would seem to have no purpose.

What action have the Foreign Ministers meeting in Political Cooperation taken to date, in accordance with the successive resolutions of Parliament, to put an end to this scandalous violation of the rights of the people of East Timor?

Question No 1255/91:

When did the Foreign Ministers meeting in European political cooperation last consider the position of East Timor?

Will the Foreign Ministers meeting in European political cooperation insist that the UN Secretary-General, in applying UN General Assembly Resolution 37/30 of 1982, involve representa-

tives of the people of East Timor in any negotiations and include an act of self-determination verifiable by international observers acceptable to the people of East Timor?

Question No 1905/91:

In view of UN Resolutions 384, 389 and 688 and the fact that – as the UN Secretary-General has repeatedly said, *inter alia* before the European Parliament – Portugal still administers the above territory which is occupied by Indonesia, although the latter is violating international law and pursuing a policy of genocide, is European political cooperation willing to tolerate the fact that a Member State, namely Belgium, is party to a bilateral agreement, one of the provisions of which grants a loan of 500 Million Bfrs to Indonesia?

Answer:

It is not within the competence of European political cooperation to dictate one Member State's bilateral aid policy in a third country.

The Community and its Member States are following developments in East Timor closely, including the human rights situation which continues to be a source of concern. They view favourably the authorization given to a Special Rapporteur on torture to visit the area.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights. The Community's views were set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991,² which argued that the promotion and safeguarding of human rights is an essential cornerstone of relations between the Community and its Member States and third countries and a legitimate and permanent duty of the world community and of all states acting individually or collectively.

The Community and its Member States reiterate their support for the contacts between Portugal and Indonesia under the auspices of the Secretary-General and welcome in this context that the two countries have agreed on the terms of references of the proposed visit of the Portuguese parliamentary delegation to East Timor. They express the hope that this visit will help to create an atmosphere conducive to a just, comprehensive and internationally acceptable settlement in line with the purposes and principles of the UN Charter, including respect for human rights and for fundamental freedoms, giving full consideration to the legitimate interests and aspirations of the people of East Timor.

¹ OJ C 27, 4.2.1991, p. 45.

² EPC Bulletin, Doc. 91/194.

91/475. Question No 698/91 by Ms Oddy and Mr Smith (S) and 977/91 by Mr Arbeloa Muru (S) on Sri Lanka and on terrorism in Sri Lanka

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 19 April 1991, 17 May 1991)

Question No 698/91:

What steps have the Foreign Ministers meeting in Political Cooperation taken to ensure that the declaration of the twelve Member States of 19 October 1990 on violation of human rights in Sri Lanka has been complied with?

Question No 977/91:

At the meeting of the Committee on Development and Cooperation held from 20 to 22 March 1991 in Luxembourg, H.E. the Ambassador of Sri Lanka made clear his disappointment at the lack of understanding shown by Parliament and the European Community concerning terrorism in this country.

Does European political cooperation consider that, in its various statements, it has failed to stress sufficiently the damage done by terrorists in Sri Lanka on the one hand and the democratic nature of the current regime on the other?

Answer:

Questions No 698/91 and No 977/91 both deal with the internal situation in Sri Lanka and with human rights.

The Community and its Member States remain deeply concerned about the continued reports of killings and disappearances in Sri Lanka. This concern has been conveyed to the Sri Lankan authorities on several occasions since October 1990. In their dialogue with the Sri Lankan authorities, the Community and its Member States have acknowledged the particular difficulties faced by the democratically elected Sri Lankan Government to overcome the challenge posed by terrorist activities in the country. But in combating such activities they have urged the Sri Lankan Government to observe its international obligations in the field of human rights.

The Community and its Member States have welcomed as positive moves the appointment by the Sri Lankan Government since November 1990 of a special task force (now retitled 'the Officials Group') and other bodies to monitor human rights, and have encouraged the Sri Lankan Government to ensure that these bodies are allowed to be effective. So far only limited progress has been made. They welcome the visit, in June, of representatives of Amnesty International to Sri Lanka. They also welcome the recent visit of members of the Working Group on Disappearances of the United Nations Commission on Human Rights to that country, and express the hope that the visit of the Special Rapporteur will soon take place.

The Community and its Member States stress that they consider human rights to be a fundamental element in their relations with other countries and that they will therefore continue to address this topic in their dealings with the Sri Lankan Government.

91/476. Question No 996/91 by Ms Oddy (S) on Cyprus

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 17 May 1991)

When will the Foreign Ministers meeting in Political Cooperation discuss the position of Cyprus and in particular the implementation of UN resolution[s] relating to the Turkish invasion?

Answer:

As the honourable Member is aware, the question of Cyprus, including the implementation of the relevant UN resolutions, receives due attention in the framework of EPC.

In the context of the 46th UNGA, the Community and its Member States reiterated once again their support for the unity, independence, sovereignty and territorial integrity of Cyprus, in accor-

dance with the relevant UN resolutions, and explicitly stated their support for the Secretary-General's efforts aimed at finding a just and viable solution to this question.

91/477. Question No 1120/91 by Mr Arbeloa Muru (S) on political prisoners in Tibet

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 5 June 1991)

Are the Foreign Affairs Ministers meeting in European political cooperation familiar with the list of 81 non-violent political prisoners in Tibet which was published in September 1989 by the Tibetan Information Network in London, and supplemented by Asia Watch? How many of these prisoners are still in prison today?

Answer:

The Community and its Member States are aware of the list of 81 non-violent political prisoners in Tibet which was published in September 1989 by the Tibetan Information Network in London and supplemented by Asia Watch.

In addition, the authorities in Tibet have recently indicated the figure of 89 prisoners detained for 'counter-revolutionary' offences. However, no further details are known.

91/478. Question No 1225/91 by Mr Arbeloa Muru (S) on 'disappearances' in the Philippines

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Have the Foreign Ministers meeting in European political cooperation concerned themselves with the numerous 'disappearances' which have occurred in the Philippines in recent months, or with those 'disappeared' who have reappeared later in the hands of the police or the military, some of whom have been tortured and others murdered, such as Efrén Concepción and Diómedes Abawag, both of whom were beheaded?

Answer:

The Community and its Member States take note of the specific cases the honourable Member refers to which have not been discussed in the EPC framework.

Nevertheless, the Philippine authorities are fully aware of the Community and its Member States' position concerning the respect for, and promotion and safeguarding of, human rights, which they consider an essential cornerstone of their relations with other countries and a legitimate and permanent duty of the world community. They will continue to take up these views with the Philippine authorities, and will address the general human rights situation in the Philippines in the framework of the 46th United Nations General Assembly.

91/479. Question No 1226/91 by Mr Arbeloa Muru (S) on imprisonment of a political activist in Taiwan

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Could the Foreign Ministers meeting in European political cooperation take any initiative towards securing the release of the Taiwanese political activist and member of the opposition party PPD, Huang Hua, from his 10-year prison term?

Answer:

The Community and its Member States are of the opinion that the sentence of the Taiwanese political activist Huang Hua is unduly harsh. However, Ministers meeting in the framework of European political cooperation, due to the absence of diplomatic relations with Taiwan, are not in a position to consider an initiative as put forward by the honourable Member.

91/480. Question No 1346/91 by Mr Sarlis (PPE) on arson attack on a Greek tourist bus in Istanbul

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 24 June 1991)

On 9 April 1991 a Greek tourist bus was subjected to an arson attack and burst into flames as it was about to leave an Istanbul hotel for a tour of the city thirty-four tourists were burnt to death.

The preparator of this monstrous crime was reportedly a member of a fanatical Turkish religious organization.

Will the Ministers meeting in European political cooperation respond by making appropriate representations to the Turkish Government, urging it to take the requisite measures to protect the lives of innocent Community nationals from such criminal acts by fanatics in Turkey?

Answer:

The specific question put forward by the honourable Member does not fall within the competence [of EPC].

91/481. Question No 1478/91 by Ms Ernst de la Graete (V) on the EEC/China Agreement and human rights in China

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 16 July 1991)

At the meeting of the Foreign Ministers of the European Community of 2 and 3 June 1991 in Dresden, the Italian Foreign Minister, Mr De Michelis, proposed a political agreement between the European Community and China.

How does EPC view this proposal, given the lack of progress made by this country in respect of human rights since the crushing of the pro-democracy demonstrations in Peking and the continued occupation of Tibet?

Answer:

The Italian Foreign Minister's proposal for an EC/China Agreement has not been discussed in any detail in the EPC framework.

As the honourable Member will be aware, the Community and its Member States have repeatedly called on the Chinese authorities to respect human rights in China and Tibet. Following the brutal repression of demonstrators in Peking in 1989, the Community and its Member States took various measures to express their profound concern at the flagrant violations of human rights which occurred, including an embargo on arms trade, the suspension of bilateral ministerial and high-level contacts, reduction of programmes of cultural, scientific and technical cooperation and postponement of new cooperation projects. The Community and its Member States reaffirmed their position when troika Ministers met the Chinese Foreign Minister in September 1990 in the margins of the 45th UNGA. The Chinese Foreign Minister emphasized then that China was irreversibly committed to a policy of reform and openness. He stressed China's commitment to human rights and recalled China's participation in the relevant UN Commission and accession to the various UN conventions on human rights.

Following these assurance, and bearing in mind China's constructive role during the Gulf crisis and increasingly on the Cambodian question, the Community and its Member States agreed on 22 October 1990 to ease gradually the restrictions imposed in 1989 on ministerial and high-level contacts, cultural, scientific and technical cooperation and new cooperation projects, in the belief that such contacts would offer opportunities to encourage the Chinese to pursue once again a policy of reform and openness and to respect human rights. However given continuing concerns about arrests and trials of political prisoners in China, the Community and its Member States decided nevertheless to maintain an embargo on arms sales and on military cooperation.

The Community and its Member States will continue to follow closely the human rights situation in China and in Tibet and to take up vigorously the question of violations of those rights with the Chinese authorities at a high-level, as was done when the ministerial troika met the Chinese Foreign Minister in September 1991 in the margins of the 46th UNGA. They will continue to stress their firm conviction, enshrined in the declaration on human rights issued at the Cooperation European Council in June 1991,¹ that the promotion and safeguarding of human rights is the legitimate concern of the whole international community.

The Community and its Member States will conduct a renewed discussion on cooperation with China including the democratization and human rights situation before the end of 1991.

¹ *EPC Bulletin*, Doc. 91/194.

91/482. Question No 1920/91 by Mr Verhagen (PPE) on military logistical support to the Ethiopian population

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 2 September 1991)

On 13 June 1991 Parliament appealed to EPC to take initiatives at UN and EC level to counteract the disastrous consequences of the power vacuum in Ethiopia.

What initiatives has the EPC taken since then? Is it considering offering military logistical support at UN or EC level for the purposes of food distribution and the protection of refugees, the civilian population and former belligerents?

Answer:

The Community and its Member States have been following very closely recent developments in Ethiopia. Since 13 June, the situation in the country has changed dramatically.

Peace has been restored as a result of substantive talks between those involved in the hostilities and a charter has been adopted which explicitly guarantees individual human rights, including freedom of expression and association. In accordance with the charter's provisions the Council of Representatives of Ethiopia recently elected Mr Meles Zenawi as Head of State. In August a Council of Ministers was appointed. A series of ministerial visits have been mounted to many countries including EC Member States, in which Ethiopian Ministers have taken the opportunity to explain further their policies and discuss future aid needs.

The Community and its Member States have expressed on several occasions their satisfaction with these encouraging developments which they hope will lead Ethiopia to a new era of peace, democracy and development. They have repeatedly reiterated their readiness to support this process. In the meantime they will continue to provide humanitarian relief for the Ethiopian people who continue to suffer the effects of the 30 years' civil war it has endured.

91/483. Question No 1964/91 by Ms Ewing (ARC) on compensation for ex-Japanese prisoners of war

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 15 September 1991)

What action will the Foreign Ministers meeting in Political Cooperation take to raise the issue of financial compensation for ex-Japanese prisoners of war? Do they know of any international fund that can be availed of to assist ex-prisoners of war?

Answer:

The specific question raised by the honourable Member does not fall within the competence of Foreign Ministers meeting in Political Cooperation.

91/484. Question No 1985/91 by Mr Moorhouse (ED) on Mr Kostas Dimitriou, Greek prisoner of conscience

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 15 September 1991)

The Foreign Ministers have been asked to exert pressure on the Greek authorities to reassess their human rights record.

Could they, in particular, press the case of Kostas Dimitriou and approximately 400 other Jehovah Witnesses who have been given sentences of four years' imprisonment because of their refusal on religious grounds to perform military service?

Answer:

The honourable Member's question does not fall within EPC's competence.

91/485. Question No 2004/91 by Ms Oddy (S) on sanctions against South Africa

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 23 September 1991)

Will the Foreign Ministers meeting in Foreign Cooperation accept the principle that sanctions against South Africa need to be maintained?

Answer:

As the honourable Member of Parliament is fully aware, in the light of the positive developments which had taken place at that stage in South Africa, the European Council in Rome, 14 and 15 December 1990,¹ decided to encourage the process aimed at the complete abolition of apartheid through a gradual review of the existing restrictive measures along the lines decided upon by the European Council in Dublin, 25 and 26 June 1990.² Desiring to contribute to combating unemployment and improving the economic and social situation in South Africa, the European Council decided to lift with immediate effect the ban on new investment.

It also declared that as soon as legislative action was taken by the South African Government to repeal the 'Group Areas Act' and the 'Land Acts', the Community and its Member States would proceed to a further easing of the restrictive measures of 1986 (import bans on gold coins and iron and steel products).

After the tabling of the bills to repeal the above-mentioned acts, the Twelve agreed to lift the remaining restrictive measures decided upon in 1986, subject to the waiting reserve entered by one Member State.

The European Council of Luxembourg, 28 and 29 June 1991,³ noting with satisfaction the progress achieved in de-segregation in the field of sports, decided to support the principle of renewing sporting contacts with South Africa at the international level on a case by case basis, whenever unified and non-racial sporting bodies have been set up.

Restrictive measures decided upon in 1985 remain however, still in force.

¹ *EPC Bulletin*, Doc. 90/472.

² *EPC Bulletin*, Doc. 90/269.

³ *EPC Bulletin*, Doc. 91/199.

91/486. Question No 2081/91 by Mr Stewart (S) on breach of human rights – imprisonment in the UK for persons refusing to pay the poll tax as a matter of principle against a vicious anticlass, unjust tax

Date of issue: 29 November 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 26 September 1991)

Are the Foreign Ministers meeting in Political Cooperation aware that in the United Kingdom, political opposition to the pernicious poll tax is punishable by imprisonment, in England? Yet in Scotland the same offence is not punishable by imprisonment – a Member State divided by its different laws?

Are the Ministers aware that people of seventy and eighty have been incarcerated for failure to pay this vicious tax, which surely is a breach of human rights in any democratic society?

Do the Ministers intend to harmonize this pernicious tax and its antiquated laws for the European Community, or will it outlaw such taxes throughout the European Community in the harmonization process?

Answer:

The issue raised by the honourable Member is not within the competence of European political cooperation.

91/487. Question No 831/91 by Ms Oddy (S) on Tibet

Date of issue: 3 December 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 3 May 1991)

When did the Council of Ministers last discuss the human rights problems in Tibet?

Will the Ministers meeting in Political Cooperation make it a priority to discuss the problems in Tibet as a matter of urgent debate?

Answer:

The Community and its Member States believe it essential to continue to use dialogue with China to address the importance of respect for human rights with the Chinese authorities, including in Tibet.

The concern of the Community and its Member States on this question has been expressed in a number of *démarches* in Peking and in the relevant international fora.

The Community and its Member States will continue to take up violations of human rights with the Chinese authorities, firmly believing that the promotion and safeguarding of such rights is an essential cornerstone of their relations with other countries and a legitimate and permanent duty of the world community. These views were elaborated in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ which stressed that no specific provision based

on national, cultural or religious factors could validly be invoked to detract from the principles established by the many international instruments on human rights.

¹ EPC Bulletin, Doc. 91/194.

91/488. Question No 1610/91 by Mr Di Rupo (S) on the Conference on Security and Cooperation in Europe

Date of issue: 3 December 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 25 July 1991)

Will the Ministers meeting in EPC outline their action regarding the CSCE process since 1989 and their assessment of the Community approach to this process?

Answer:

Since 1989, new procedural arrangements within the CSCE have allowed for the presence of the Community, alongside that of the Member States, to receive formal recognition from the other participating States. The arrangements reflect the practice which has been developing within the CSCE since Mr Aldo Moro signed the Helsinki Final Act in 1975 in his capacity as President of the European Council.

The possibility for the Community and its Member States to play a leading role in the CSCE process has been considerably enhanced by the historic changes which have been taking place in Central and Eastern Europe. Against this background, the Community, along with the participating States, lent its weight to the convening of the Paris Summit of November 1990.

This first summit of the Heads of State and Government of the CSCE participating States since the signature of the Helsinki Final Act is in itself already proof that the CSCE has to deal with a new phase in its development. The Paris Summit had as its primary objective to give new direction to the CSCE process in the changed circumstances of the 1990's. It adopted the Paris Charter for a New Europe, a common vision of society and of relations between states and outlined the principles and guide-lines which should govern the conduct of the participating States, including human rights, the rule of law and democracy. It also provided for regular political consultations among the CSCE participating States, based on the newly established CSCE Ministerial Council as well as on the Committee of Senior Officials (CSO). The Community and its Member States were instrumental in setting up CSCE institutions in Prague, Vienna and Warsaw. The role of these institutions is currently being reflected upon among the participating States, notably the Community and its Member States, and will be reviewed at the Helsinki Follow-up Meeting in the light of the experience gained in the meantime.

There is a major challenge which the CSCE is asked to deal with, i.e. to ensure the continuation of the dynamics of the *rapprochement* between the participating States at a time when East-West relations have undergone a change from confrontation to cooperation. A notable consequence of this change is that the efforts to conciliate East and West are no longer the most salient feature of the CSCE process. As illustrated by the themes of meetings that have taken place to date, a whole series of new priorities has emerged from the CSCE process: the peaceful settlement of disputes (Valletta), the protection of cultural heritage (Cracow), the protection of national minorities

(Geneva), the defence of human rights and the consolidation of democracy and the rule of law (Moscow) and the promotion of democratic institutions (Oslo). Furthermore, negotiations in the field of military security are being given further thought in Vienna. In addition, the potential of the CSCE in the current process of economic and social change in Central and Eastern European countries will be widely used in accordance with the principles agreed upon at the 1990 CSCE Conference on Economic Cooperation in Bonn.

It is important, particularly at the present juncture in international affairs, to stress that the Member States of the European Community have made a substantial contribution to the elaboration of the rules of procedure of the so-called emergency mechanism on the basis of which political consultations among the CSCE participating States can be convened at short notice. It was to a large extent due to the coordinated efforts of the European Community and its Member States that at the Berlin meeting of the CSCE Ministerial Council this emergency mechanism could be established. The extremely preoccupying situation in Yugoslavia has since then necessitated the convening of four emergency meetings of the Committee of Senior Officials (CSO) in Prague, which have proved the value of the newly created mechanism.

Through the CSCE, the good will and friendly concern of other states have been brought to bear on a tense situation and the actions of those most directly involved have been placed firmly in the perspective of values and principles shared in common by all the participating States.

Faithful to their ideals, the Community and its Member States firmly commit themselves to strengthen the CSCE process. In the light of future venues in CSCE, such as the Ministerial Council of January 1992 and more particularly the Helsinki Follow-up meeting in the spring of 1992, which are called to outline and confirm the future developments of the Conference for Security and Cooperation in Europe, the Community and its Member States will seek a common approach likely to foster the reinforcement of CSCE structures and institutions in all relevant fields.

91/489. Question No 1650/91 by Mr Lannoye, Ms Fernex, Ms Roth, Mr Verbeek, Mr Bettini, Ms Quistorp, Mr Anger and Mr Amendola (V) on initiatives by the Commission to restrict arms proliferation

Date of issue: 3 December 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 25 July 1991)

The events in the Middle East have once again highlighted the problem of the proliferation of nuclear, chemical and bacteriological weapons. Iraq is not an isolated case, and international treaties and conventions have so far failed to curb generalized proliferation which constitutes a major threat to international security.

Several European States bear considerable responsibility in this area, which is a reason why the Community should take effective action without delay, pending revision of such treaties and conventions.

1. Has not the time come for the Community as a body to sign the nuclear non-proliferation treaty?
2. Does the revision of the Euratom Treaty include any plans to strengthen controls on the sale of nuclear technology?
3. Is Council Regulation No 428/89¹ on the export of certain chemical products to be amended so that, in particular, the list of products subject to prior authorization is extended and the regulation itself made applicable to the technology and 'know-how' which would enable chemical weapons to be manufactured?

4. Is any action due to be taken on Parliament's resolution of 16 March 1989, paragraphs 43 and 44 of which are aimed at imposing strict controls on the possible military applications of genetic engineering?
5. What action does EPC intend to take to monitor and, where necessary, restrict or ban the use within the territory of the Community of products and technology which could be used for military purposes?

Answer:

Initiatives by the Community and its Member States within the EPC framework have been carried both internally, through efforts to harmonize present national export policies on arms, nuclear materials and chemicals, and externally, by proposing and promoting concerted international measures.

As to the non-proliferation of nuclear weapons, the Community and its Member States stated in the declaration on non-proliferation and arms exports, adopted by the European Council in Luxembourg, in June 1991² their strong support for the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons and of the IAEA's safeguards system. In the context of the 46th UNGA, they commended those states which had recently acceded to the Treaty and at the same time called upon all states which had not yet done so to become parties to the Treaty as well. In the meantime, they also proposed to the recent meeting of the IAEA Board of Governors, as well as to the IAEA General Conference (Vienna, 16 to 20 September 1991) the adoption of a first set of measures which will be relatively straightforward to implement but which will nevertheless make an immediate contribution to the effectiveness of safeguards, namely:

- an obligation for states to declare any new facilities to the agency at least 180 days before construction work begins; in the case of any facilities already under construction or complete, but not yet in use, immediate declaration;
- an obligation to declare all civilian nuclear materials, including uranium or concentrate (yellow cake) produced in the territory of a state;
- effective use by the agency of special inspections, including the use of such inspections in relation to undeclared nuclear facilities;
- setting up by the IAEA of a universal register of exports and imports of equipment covered by Infirc/209, Rev. 1, and at the discretion of the IAEA, verification that:
 1. equipment covered by Infirc/209, Rev. I is actually located in a safeguard facility, and that
 2. all nuclear materials processed in that facility are effectively safeguarded,
- an obligation to notify the Board of Governors of any application for exemption under the terms of articles 36 and 37 of Infirc/153, before accepting such an application.

The Community and its Member States recognize that in addition to these initial measures more radical proposals for improving the effectiveness, efficiency and credibility of the international safeguards regime will also need urgent consideration. Therefore, they have indicated that they hope to have proposals submitted by the appropriate organs of the IAEA by 1 January 1992.

As far as chemical weapons proliferation is concerned, the Gulf war has imparted a new sense of urgency to reaching the long-sought goal of a global, verifiable and comprehensive ban on chemical weapons by the middle of 1992. The Twelve therefore called for the successful completion of the multilateral negotiations in the framework of the Geneva Conference on Disarmament on a Chemical Weapons Convention. They reaffirmed their intention to be among the first signatories of the convention and invite other states to do likewise.

The Convention on the Biological and Toxin Weapons remains a very important arms control agreement. It is the only one which stipulates the eradication of an entire category of weapons.

In the context of the recent third review conference of the Biological and Toxin Weapons Convention, the Community and its Member States stressed the need to strengthen the authority and

effectiveness of the convention, orienting efforts in the three main directions which correspond to the areas where the convention has proven to be still deficient: universality, confidence-building and verification. They proposed concrete measures aimed at achieving such objectives. Significant progress was made in the field of CDM's, which were improved and expanded, as well as in the field of verification, for which an ad hoc expert group will be established.

The Community and its Member States believe that far-reaching international action is needed immediately to promote restraint and transparency in the transfers of conventional weapons and of technologies for military use, in particular towards areas of tension. The Twelve have already identified a number of common criteria on which their national policies on conventional arms exports are based. They hope that on the basis of criteria of this nature a common approach will be made possible, leading to a harmonization of national policies in the perspective of European Political Union.

The Twelve are convinced that effective efforts in this field will have to be based on concerted international action. In that spirit the Twelve will table a draft resolution at the current 46th UNGA which, while explicitly recognizing every state's right to ensure its own security in accordance with article 51 of the UN Charter, aims at achieving restraint and transparency in the transfers of conventional weapons by means of a universal and non-discriminatory Register.

¹ OJL 50, 22.2.1989, p. 1.

² EPC Bulletin, Doc. 91/196.

91/490. Questions No 1693/91 by Mr Barros Moura (CG) and 1694/91 by Mr Barros Moura (CG) on abolition of the death sentence in Africa and on possible reintroduction of the death sentence in Brazil

Date of issue: 3 December 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written questions in the European Parliament (from 6 August 1991)

Question No 1693/91:

Does European political cooperation intend to take measures to encourage the abolition of the death sentence in African countries following the example of Mozambique, São Tomé e Príncipe and Cape Verde?

Question No 1694/91:

In view of the proposal tabled in the Brazilian Chamber of Deputies for a referendum on the reintroduction of the death sentence, what measures will European political cooperation take to promote respect for human rights in this country?

Answer:

The Community and its Member States were active in securing adoption at the 44th UN General Assembly in 1989 of a Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. As its title suggests, however, the impact of this protocol depends on the political will of states parties to the Covenant to ratify or accede to the protocol. There was no disposition to force states, which applied the death penalty. [...] Rather,

the Protocol was designed to give those countries which had decided to abolish the death penalty an opportunity to declare this fact publicly and solemnly.

The Community and its Member States are concerned to ensure that in countries where the death penalty continues to exist, the rights of those facing the death penalty should be safeguarded in line with legal guarantees laid down in the International Covenant on Civil and Political Rights and other international instruments.

91/491. Question No 2064/91 by Ms Piermont (ARC) on EC relations with Cuba

Date of issue: 3 December 1991

Place of issue: Strasbourg

Country of Presidency: The Netherlands

Status of document: Answer to written question in the European Parliament (from 26 September 1991)

On 18 and 19 July 1991 the first Iberian/American summit took place in Guadalajara, Mexico, attended by 19 Latin American countries and the EC Member States Spain and Portugal. At this summit Colombia and Chile announced that they were setting up consular relations with Cuba. Mexico and others recommended that Cuba should once more become a member of the OAS and the Cuban Foreign Minister expressed his country's readiness to do so. The second Iberian/American summit is planned for July 1992, this time in Spain; Cuba's head of state Fidel Castro has been invited and has already accepted.

1. Do the Foreign Ministers meeting in EPC consider that the participation of Spain and Portugal in this summit offers an opportunity to make progress towards normalizing relations with Cuba?
2. Does EPC consider the development of normal relations to be a useful contribution to defusing tensions, particularly those between the Latin American countries?
3. Does EPC see in these relations a means of increasing the potential for developments in Cuba, without infringing the principle of non-interference in internal matters which was underlined at the Iberian/American summit?

Answer:

The Community and its Member States are well aware of the holding of the first Ibero/American Summit of 18 and 19 July and its outcome. They have not, however, specifically taken up the matter among themselves.

They assume that the meeting referred to by the honourable Member, bringing together a large number of Latin American countries and two EC Member States has offered good opportunities for useful and constructive exchanges of views and ideas. The announcements made by some participants and the intentions and wishes expressed by others are proof of the good will and sense of initiative which have been increasingly characterizing the Latin American world over the last few years.

The Community and its Member States consider the attendance of EC countries who share a common heritage of history and culture with Latin America a welcome and positive feature and are in a position to confirm that the representatives of both Spain and Portugal outlined the position of the Community and its Member States towards Cuba in the course of the Ibero/American Summit.

Concerning progress in the establishment of normal relations with Cuba and a potential for development in that country as suggested by the honourable Member, the Presidency wishes to recall

the answers given to oral questions Nos H-0661/91¹ and H-0850/91² on the same subject which clearly stated that the unsatisfying human rights situation in Cuba could not but negatively affect the relations between the European Community and Cuba in general. Pending substantive changes in both the internal and external policy of Fidel Castro and his regime, the European Community will reserve its position on possible contributions to that country's economic and social development.

¹ EPC Bulletin, Doc. 91/220.

² EPC Bulletin, Doc. 91/275.

92/001. Statement on El Salvador

Date of issue: 3 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their satisfaction at the signature, on 31 December 1991, of the 'Act of New York' between the Government of El Salvador and the Farabundo Marti National Liberation Front (FMNL), which, together with agreements previously entered into, should definitively settle the Salvadorean armed conflict.

They welcome this major step forward towards the establishment of peace in El Salvador which is the result of the courageous, constructive and flexible attitude displayed by the two parties. They pay tribute to the key role played by the former Secretary-General of the United Nations, Mr Javier Perez de Cuellar, his personal representative as well as the four countries of the Group of Friends of the Secretary-General, whose good offices have largely contributed to the success of this negotiating process.

They express the hope that the two parties will pursue the negotiations in the same spirit of flexibility, with a view to implementing the 'Act of New York' which is to bring peace to El Salvador and to strengthen stability in Central America.

The Community and its Member States reiterate their determination to play their share in the national reconciliation as well as the reconstruction of El Salvador.

92/002. Statement on the deportation of Palestinians from the Occupied Territories

Date of issue: 4 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their grave concern following the recent decision by the Israeli Government to deport 12 Palestinians from the Occupied Territories, an illegal decision with regard to international law, in particular the Fourth Geneva Convention.

The Community and its Member States strongly reiterate their demand for Israel to fully meet with its obligations towards the residents of the Occupied Territories and to abide by the provisions of the Fourth Geneva Convention. They condemn violence from whatever quarters it may come and call upon the parties concerned to refrain from taking any measure which would risk to jeopardize the peace process.

**92/003. Statement on the death of five members of the European Community
Monitor Mission to Yugoslavia**

Date of issue: 7 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The European Community and its Member States are appalled and dismayed by the tragic events that occurred today and which have caused the death of five members of the Monitor Mission to Yugoslavia.

The Community and its Member States urgently call for a thorough investigation of the circumstances which have led to this grave incident in order to determine responsibilities to the fullest extent.

To this end, the Head of the Monitor Mission has been instructed to organize immediately a tripartite commission of inquiry.

The Presidency's representative in Belgrade has also received instructions to meet, in troika format, the local authorities with a view to securing their complete cooperation with the above-mentioned investigation.

The Community and its Member States solemnly recall the commitments accepted by all parties involved in the present crisis to ensure the security of all members of the Monitor Mission, and strongly urge them to abstain from any act which might jeopardize the present cease-fire which must be seen as the key element in the search for a peaceful and negotiated solution.

The Community and its Member States express their deepest sympathy and solidarity to the relatives of the victims and pay tribute to the courage displayed by all members of the Monitor Mission which has been so severely tested since the beginning of its activities.

92/004. Statement on Burundi

Date of issue: 8 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States follow with serious concern developments in Burundi.

They reaffirm their support for the policy of national reconciliation set by President Buyoya and Prime Minister Sibomana and strongly condemn the aggressions perpetrated by the Palipehutu Movement on 23 to 25 November 1991.

They welcome the instructions for moderation given to the Burundi army and express their appreciation for those who followed them. Senseless actions such as those carried out by some military units in Bukinyana, Gihanga, Muzinda and Musaga make them extremely indignant. They encourage the Government of Burundi to facilitate all impartial enquiries in order that those responsible be identified and punished.

The Community and its Member States urge all parties concerned in Burundi to work together to restore peace and stability in the country, while respecting human rights and fundamental freedoms.

92/005. Statement on Georgia

Date of issue: 8 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have followed with concern the grave events which have taken place in Georgia during the past weeks.

The Community and its Member States call upon all political forces in Georgia to renounce violence and to engage in a democratic process of dialogue and national reconciliation.

The Community and its Member States recall that respect for fundamental rights and liberties is a condition for recognition of Georgia as an independent State, in conformity with the 'guidelines on the recognition of new states in Eastern Europe and in the Soviet Union'.¹

¹ *EPC Bulletin*, Doc. 91/464.

92/006. Statement on Montenegro

Date of issue: 10 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the reconvening of the conference on Yugoslavia on 9 January in Brussels and note with satisfaction that all parties to the conflict were present.

The Community and its Member States recognize the contribution made by the Yugoslav parties to the furtherance of a peaceful solution to the conflict. In this context, they note in particular the contribution by Montenegro to creating the necessary conditions for the continuation of the conference, thus allowing the negotiations on a comprehensive political settlement to move forward.

The Community and its Member States are therefore ready to prepare for the adoption of positive measures in favour of this republic similar to those measures which exist for other republics.

92/007. Statement on Yugoslavia

Date of issue: 10 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the resumption of the conference on Yugoslavia under the Presidency of Lord Carrington and call upon all republics to commit themselves fully to its successful outcome.

The Community and its Member States also strongly support the efforts of the special envoy of the Secretary-General of the United Nations to promote the cease-fire agreed in Sarajevo on 2 January 1992. They warmly welcome the decision by the United Nations Security Council to send

immediately to Yugoslavia a group of liaison officers, who will work closely together with the Monitor Mission.

The Community and its Member States reiterate their outrage at the intolerable aggression directed against the helicopters of the Monitor Mission all the more so when the parties to the conflict had given formal guarantees on the security of the monitors. They strongly urge the authorities in Belgrade and the JNA to cooperate fully with the Commission of Inquiry, under the auspices of the Head of the Monitor Mission, so that those responsible can be brought to justice.

The Community and its Member States fully support the efforts of the Head of the Monitor Mission to secure strict and explicit guarantees with regard to the security of the monitors so as to avoid any further incident.

The Community and its Member States underline that the activities of the Monitor Mission of the European Community in Yugoslavia remain a key element of the peaceful settlement of the current crisis. They stress once again the courage shown by the monitors and express the hope that the peace process will continue with renewed determination.

92/008. Statement on the recognition of the republics of the Commonwealth of Independent States

Date of issue: 15 January 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the willingness expressed by Kyrgyzstan and Tadjikistan to fulfil the requirements contained in the 'guide-lines on the recognition of new states in Eastern Europe and the Soviet Union'.¹ They are ready to proceed with the recognition of these republics.

The Community and its Member States note with satisfaction that all members of the Commonwealth of Independent States have now committed themselves to the above-mentioned guide-lines.

They welcome in particular:

- the acceptance by the republics concerned of the commitments contained in the CFE Treaty and in the other arms reduction agreements;
- their acceptance of other international obligations, and of the commitments outlined by the Helsinki Final Act, the Charter of Paris and all other CSCE documents;
- their acceptance of obligations related to economic questions in general and the question of foreign debts of the former USSR in particular;
- their commitment to solve in a peaceful manner and through the appropriate international mechanisms and procedures their differences in conformity with the UN Charter and the CSCE.

The Community and its Member States reiterate the importance they attach to single control of nuclear weapons. They call upon all republics concerned to adhere as soon as possible to the Non-Proliferation Treaty as non-nuclear weapon states. They also call upon these republics to ensure effective control of nuclear exports.

¹ *EPC Bulletin*, Doc. 91/464.

92/009. Statement on the recognition of Yugoslav republics

Date of issue: 15 January 1992
 Place of issue: Brussels, Lisbon
 Country of Presidency: Portugal
 Status of document: Press statement

The Presidency wishes to inform that, in conformity with the declaration on 16 December 1991 on the recognition of states and its application to Yugoslavia,¹ and in the light of the advice of the Arbitration Commission, the Community and its Member States have now decided, in accordance with these provisions and in accordance with their respective procedures, to proceed with the recognition of Slovenia and Croatia.

With regard to the other two Republics which have expressed the wish to become independent, there are still important matters to be addressed before a similar step by the Community and its Member States will be taken.

¹ *EPC Bulletin*, Doc. 91/464.

92/010. Question No H-1002/91 by Mr Pagoropoulos on deportation of a Kurdish political refugee

Date of issue: 15 January 1992
 Place of issue: Strasbourg
 Country of Presidency: Portugal
 Status of document: Answer to oral question in the European Parliament

On 20 September 1991 the Greek Government deported and handed over to the Turkish authorities the Kurd Idris Touran, a cadre of the Kurdish Workers' Party, despite the fact that he had requested political asylum and had been pronounced innocent by Greek courts and despite the fact that it was known that he was being prosecuted on political grounds and faced execution in Turkey, the country he had escaped from.

Will the EPC say whether it intends to recommend that, in deporting foreign nationals, the governments of the Member States, and notably the Greek Government, should not hand them over to the country where they face charges without ensuring that the special extradition procedure has been respected?

Answer:

The specific question raised by the honourable parliamentarian does not fall within EPC competence.

92/011. Question No H-1029/91 by Mr Arbeloa Muru on human rights or the policy of non-intervention

Date of issue: 15 January 1992
 Place of issue: Strasbourg
 Country of Presidency: Portugal
 Status of document: Answer to oral question in the European Parliament

Several Western representatives at the recent Moscow Conference on human rights upheld the theory that ethnic conflicts and the severe violation of human rights in a country are not only internal issues but have external and international implications.

To what extent does and can EPC agree with this, and what repercussions will it have on the European Community's future actions?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: In paragraph 37 of the document drawn up at the Moscow Conference on the Human Dimension of the CSCE, the participating States confirmed, amongst other things, the provisions and undertakings contained in all other CSCE documents on the protection of the rights of ethnic minorities – in particular that drawn up at the Copenhagen Conference on the Human Dimension of the CSCE. They also called for full and rapid implementation of the recommendations contained in the report of the Geneva meeting on ethnic minorities, involving CSCE experts.

During 1991, the protection of minority rights was considered to be an issue of vital importance within the CSCE, and I am sure that it will continue to be so in the future. The previously mentioned report of the CSCE meeting on ethnic minorities, held in Geneva in 1991, reaffirms the fact that minority rights can only be guaranteed effectively within a democratic political framework, and stresses that the international community has a legitimate right to concern itself with the treatment of ethnic minorities.

The Community and its Member States – which have played an active role in the CSCE debates – are among those who have long argued that protesting at individual cases of human rights violation should not be regarded as interference in a country's internal affairs. On the contrary, it is the duty of the international community, and of all states acting individually or collectively, to protest in this way whenever necessary.

In this context, the Presidency would emphasize that the Community and its Member States pay considerable attention to related issues such as development, democracy and human rights. The Commission includes human rights issues in its assessment of economic relations and development cooperation with third countries, and gives direct support to initiatives designed to ensure the protection of human rights.

The honourable Member is no doubt aware of the important resolution on human rights, democracy and development that was adopted by the Cooperation Council on 28 November 1991. Under the terms of this resolution and the relevant regulation, human rights considerations will form an explicit part of the Community's future relations with developing countries. Furthermore, future cooperation agreements will contain human rights clauses and provisions relating to the promotion of democracy and respect for human rights.

Mr Arbeloa Muru (S): Thank you, Mr President-in-Office. Welcome to Parliament, and best wishes to the Portuguese Presidency for the New Year.

I am very grateful for the splendid answer you have just given me. As for the questions that are at issue, I would point to one in particular, as would we all: the need to protect the Kurdish minority in Iraq. This involved, of course, an enemy defeated in war, and was therefore an exceptional case. There are many other cases before us. Today, we have spent part of the morning and almost the entire afternoon discussing the repeated acts of violence and human rights abuses which are taking place in numerous countries around the Mediterranean and in many other parts of the world.

Do you not agree, Mr President-in-Office, that only through close Political Cooperation within the framework of a common foreign policy is the Community likely to find the necessary strength

and will to take a decision which is so important, delicate and unprecedented in terms of international law and political practice?

Mr Deus Pinheiro: I would agree with you, Mr Arbeloa Muru, that such action will be unprecedented and will require a degree of political strength that can only come from cohesion and political will. Allow me to add, however, that in my opinion 1991 was a key year for the Community, in the sense that clear guide-lines on this issue were approved in the European Council and specific aspects of the Community's cooperation with third countries were dealt with in the Development Council. I hope that similar progress can be made in 1992 and that, above all, the Community will continue to play a major role in the defence of human rights.

Ms Belo (S): Mr President, a number of my colleagues have congratulated the Minister on his replies and as a Portuguese national I shall do the same. I shall add a touch of patriotism to my congratulations by saying that this has been the first test of the first Portuguese Presidency, and the Minister has passed it with flying colours.

I should like to ask the following question. A few weeks ago, a delegation from 'Médecins sans Frontières' visited the European Parliament. They raised a number of important points concerning the right of intervention, saying that any intervention by other states was bound to have political implications that would jeopardize the provision of humanitarian aid. This gave rise to an important debate here in Parliament, and I would like to ask the Minister if the point raised by the representatives of 'Médecins sans Frontières' will be included in the discussions on human rights issues which the Portuguese Presidency plans to launch.

Mr Deus Pinheiro: Thank you, Ms Belo, for your kind remarks and for the point that you have raised. This is indeed an area which, in our view, requires careful study. The documents drawn up within the CSCE provide some guide-lines, but are still vague as to the ways and means to be used.

One possibility suggested at Copenhagen was to try to distinguish everything that could be considered humanitarian aid from what could be regarded as aid in the form of cooperation – either on the part of individual states or from official international organizations such as the World Bank, the International Monetary Fund, the EBRD and so on. This, in our opinion, is vital. We have a good example in the International Red Cross, which has managed to avoid becoming involved in any political controversy and has concentrated entirely on the humanitarian aspects of crises. It is precisely because these issues have only just started to be discussed that the Portuguese Presidency felt that they should be put on the agenda of the political debate that will take place over the next six months.

92/012. Question No H-1215/91 by Mr Alavanos on missing persons from the Turkish invasion of Cyprus

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The Kurdish newspaper 'Yeni Ulke', which circulates in Turkey, has published reports by Kurdish shepherds that there are people in the region of Adana who speak Greek and who are rumoured to be some of the 1619 people missing following the Turkish invasion of Cyprus. Copies of the newspaper were quickly seized by the Turkish authorities on grounds of national security.

Given that, as international organizations have recorded, there were prisoner-of-war camps in the region of Adana, hope has revived, especially among the relatives of the missing people, that they may still be alive.

What measures will EPC take to persuade Ankara to agree to an international commission of inquiry?

Answer:

The specific cases mentioned by the honourable parliamentarian have not yet been discussed in the framework of EPC. The issue of missing persons is one of the most tragic elements of the Cyprus problem. It is being investigated by the Committee on Missing Persons in Cyprus, which was established in 1981, under the auspices of the Secretary-General of the United Nations, after agreement between the two sides, in order to 'look only into cases of persons reported missing in the intercommunal fighting as well as in the events of July 1974 and afterwards'. The Committee is composed of three members: one from each of the two communities and third selected by the International Committee of the Red Cross with the agreement of both sides and appointed by the Secretary-General of the United Nations. The Community and its Member States fully support the work of the Committee and believe that, with the full cooperation of both communities, it will be possible for the Committee to complete its important task.

92/013. Question No H-1226/91/rev. by Mr Hughes on the UN General Assembly debate on human rights abuses in Iran

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

During November 1991 the President-in-Office of the Council has received letters signed by 120 Members of the Parliament calling upon EPC to press for the adoption by the UN General Assembly of a resolution highlighting human rights abuses in Iran. Can the President-in-Office say what action has been taken in response?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: As you will be aware, Mr Hughes, the European Community and its Member States have repeatedly expressed their concern at human rights abuses in Iran to the Iranian authorities, and urged the latter to respect the norms generally accepted by the international community. The Community and its Member States have consistently supported the resolutions on the human rights situation in Iran adopted by the General Assembly of the United Nations and the UN Commission on Human Rights. They have also co-sponsored resolutions adopted in these two bodies.

The European Parliament has been informed on numerous occasions of the action taken by the Community and its Member States in the United Nations, and as regards the Community's contacts with Iran.

In meetings of the troika with Iranian officials last year, we noted a more positive attitude on the part of the Iranian authorities towards the Commission on Human Rights. The troika expressed the hope that the Iranian authorities would take further and more rapid action to ensure respect for human rights in Iran. These efforts, along with those of other countries, have born fruit. The Iranian authorities finally allowed Galindo Pohl, the United Nations special representative, to visit Iran in order to report on the human rights situation in that country. During the 46th meeting of the General Assembly of the United Nations, the Iranian authorities agreed to allow representatives of

the International Red Cross to enter Iranian prisons, and they agreed to allow Galindo Pohl to make a third visit to Iran. We welcome this more cooperative stance. The Community and its Member States will continue to monitor the human rights situation in Iran and, in the appropriate international bodies, they will continue to press for whatever action is necessary in the light of the prevailing situation in that country.

Mr Hughes (S): I would like to thank the President-in-Office for his very full reply, most of which I find very encouraging. There is one slight point which I do not find encouraging and that was the reflection on the position of the troika last year which looked favourably upon the improved attitude of Iran toward human rights and the UN.

In fact, the evidence I have would suggest that human rights abuses are continuing in Iran. We recently had a spate of executions at the end of November and the beginning of December, seemingly to clear the prisons of political prisoners before the International Red Cross visit. He also mentioned Galindo Pohl. I have to say that during his recent visit his terms of reference, the places he could visit, the places he could see were severely circumscribed and were dictated by the regime. I think these things cause concern and I hope, President-in-Office, that you will feel able to make further representations to the UN Commission on Human Rights which will begin its next meeting on 28 February in Geneva.

Mr Deus Pinheiro: I thank Mr Hughes for his remarks, particularly those regarding Galindo Pohl's last visit to Iran. I would just like to stress one important point, which I shall also have occasion to refer to in my subsequent replies. Last year, the Community adopted two resolutions – one during the European Council meeting in Luxembourg¹ and the other during the meeting of the Development Council in November – which, I believe, were particularly significant. They clearly state that the Community's cooperation and relations with third countries must be made conditional upon respect for human rights in those countries. These resolutions – the content of which, moreover, coincides with that of a number of resolutions adopted by this Parliament – are a political sign from the Community at the highest level; and the political conduct of the Community's relations with third countries must be imbued with their message.

As Mr Hughes will see from the programme of the Portuguese Presidency, the defence of human rights will be a fundamental principle underlying all our actions in the field of external relations.

¹ *EPC Bulletin*, Doc. 91/198.

92/014. Question No H-1233/91 by Ms Banotti on EC/Romania relations

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Following the agreement on 28 November on an EC medium-term loan to Romania and the Commission's statement of satisfaction with the Romanian reform programme, could the Foreign Ministers inform the House whether they will therefore intensify efforts towards arriving at an Association Agreement with Romania and what is the status presently of those discussions?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: At their meeting of 16 December 1991, the Foreign Ministers agreed to open discussions with the Romanian authorities with a view to concluding an association agreement with that country. Following that decision, a first round of exploratory talks between Romanian officials and representatives of the Commission took place in Bucharest on 21 December 1991.

The Portuguese Presidency hopes that during the next six months an association agreement with Romania, and one with Bulgaria, can be approved.

Ms Banotti (PPE): Mr President-in-Office, that is good news. It is a start. It is going to be a long road because things tend to take rather a long time. Could you tell me if the talks between the ministers included discussions relating to the Tempus programme and the exchange particularly of nurses and paramedical personnel? You may be aware, Mr President-in-Office, that training schools for all these personnel were shut down in 1977 and since then there have been no further trainees graduating in Romania. The Commission has already identified this as being a matter of some considerable urgency to be addressed in our aid programme.

Mr Deus Pinheiro: The purpose of the exploratory talks was primarily to identify the areas that would need to be covered by an association agreement drawn up specifically for Romania. The basis for these talks, and the model for an association agreement, were the agreements concluded with Poland, Czechoslovakia and Hungary.

In view of the fact that Romania's needs during this period of transition are increasing all the time, it is the aim of the Community to conclude an agreement as soon as possible. I would add that in my view, the Community should use all possible means at its disposal to help Romania – especially through the Tempus programme and any other appropriate programmes. I myself had an opportunity to discuss this recently with Mr Nastase, a Romanian minister, during a visit he made to Lisbon. And in the light of discussions with the Commission, we are sure that it will be possible to conclude an association agreement with Romania fairly soon – during the Portuguese Presidency.

Mr Lane (RDE): Thank you, President-in-Office, for your reply. Just two supplementary questions. First of all we are talking about a medium-term EC loan to Romania: Do you really believe that these loans are ever going to be repaid or are we, in fact, in the long-term handing out a grant or a subsidy to countries like Romania? The second point on the agreement that will be approved, you say fairly soon: is there a possibility as part of that agreement that agricultural products from Romania or even textile products will be imported into the Community, and if so, what are the consequences for workers in the textile sector or agriculture within the Community if that takes place?

Mr Deus Pinheiro: As far as the agreement to be concluded is concerned, this will not necessarily just be a loan agreement. I should mention that balance of payments stabilization programmes are under way in various countries – though not in Romania.

As the House is aware, Romania does not have a foreign debt. The problem is that it does not have any capital to invest either. That being the case, there is no reason why, once political stability has been established and an acceptable economic programme has been put forward, Romania should not benefit from Community loans.

In answer to Mr Lane's extremely important question concerning the possibility of concessions being granted to Romania's agricultural, textile or other sectors, I would remind him that the Commission's negotiating brief generally has to be approved by the Council of Ministers – which is, of

course, concerned to protect the interests of the Community. Charity begins at home, as they say, and since this maxim is generally applied when cooperation agreements with third countries are drawn up, I assume that this will apply when an agreement with Romania is signed – although we must also show a broad measure of solidarity with countries like Romania in their hour of need.

Mr Habsburg (PPE): Romania, as you know, is a country which has explosive problems with its minorities, and I should like to put the following question to you. In our relations with Romania, particularly as regards the programme of aid for Romania and the association agreement, are we standing up for the rights of those minorities which are under threat in that country? I would also mention the case of the Bishop of Dej, whose life is at risk, and lastly point out that it would be in our own interest to do all we can to ensure that the rights of minorities are genuinely protected.

Mr Deus Pinheiro: Mr Habsburg has raised a fundamental issue – an issue to which I have already referred in a previous reply. At a time when sweeping changes are taking place in the countries of Central and Eastern Europe, especially in Romania, it is essential that the principles contained in the Charter of Paris, which we have all signed, and the Helsinki Agreement, should be unequivocally defended in these countries – countries to which we are planning to grant emergency aid. It is also essential that the rights of ethnic or other minorities should be safeguarded absolutely. I can assure Mr Habsburg that this is a fundamental concern of the Community, all the more so in view of the fact that we are now witnessing the type of complications, the type of problems, that can occur when the rights of minorities are not safeguarded effectively.

92/015. Question No H-1245/91 by Mr Ephremidis on the selective lifting of sanctions on Yugoslavia

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

On 2 December 1991 the Council of Foreign Affairs Ministers decided to lift the economic sanctions imposed on Yugoslavia, except for Montenegro and Serbia.

In view of the Community's endeavours to find a peaceful solution in Yugoslavia, does European political cooperation not consider that this decision to lift sanctions selectively is contrary to the Community's role as mediator in the crisis and that the division of the warring parties into the 'cooperative' and the 'non-cooperative' hampers the efforts to find a political solution?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: Mr President, I hope the reply that I am about to give is an appropriate one, since the situation is changing so rapidly that it happens on occasion that something we have written a few days earlier has in the meantime ceased to be correct. I can say, however, that the decision referred to in the question was taken for good reasons and in response to circumstances that are well known to anyone who has been following developments in Yugoslavia over the last few months. This decision does not mean that the Community's firm commitment to finding a political solution involving all parties has in any way diminished.

Following the decision of 2 December 1991, and in accordance with a request from the European Council, the Foreign Ministers held talks on 16 December on developments in Eastern Europe and the former Soviet Union, with a view to defining the Community's future relations with the new states. During these discussions, they adopted a common stance on recognition of the Yu-

goslav republics. The Community and its Member States agreed to recognize all those Yugoslav republics which met all the conditions laid down in the statement on Yugoslavia of 16 December¹ – which included a commitment to continued support for the peace conference in The Hague, thereby demonstrating the Community's interest in finding a peaceful solution to the conflict. Four of the six Yugoslav republics – Bosnia-Herzegovina, Croatia, Macedonia and Slovenia – reacted positively to the invitation to express their wish to be recognized as independent states, and accepted the conditions. At their meeting of 10 January, the Foreign Ministers continued their talks on the situation and decided to suspend the application of negative measures to the Republic of Montenegro, considering that Montenegro had displayed its willingness to cooperate along the lines referred to – something which it had not done before.² They therefore decided not to impose sanctions on Montenegro of the type that had earlier been agreed.

I would add, Mr Ephremidis, that today the Presidency had the opportunity of making a public statement to the effect that the twelve Member States of the Community have decided to recognize the Republics of Croatia and Slovenia.³ This represents another important step forward in our attempts to achieve a common foreign policy for the Twelve.

Mr Ephremidis (CG): I too would very much have liked a positive and specific answer from the Minister. He tried, but I am afraid he did not succeed because he rather mixed things up. A decision was taken to impose sanctions on all the republics of Yugoslavia, but at some stage these sanctions were lifted for all the republics except Serbia and Montenegro. This was the start of a process of discrimination which signalled the move towards the break-up of the Federal Republic of Yugoslavia because it served the special interests of a number of Community countries. Furthermore, and here I come to my question, he said he was able to inform us that the Twelve have recognized Croatia and Slovenia. There is one point outstanding: this happened after the findings of the so-called arbitration commission, which based its report on legal criteria. The Minister will be able to confirm the point that, on the basis of legal criteria, the arbitration commission called for recognition of the Republic of Skopje, whereas the Twelve had decided to impose three specific conditions for the recognition of that republic:

- it must stop anti-Greek propaganda calling for expansion into Greek territory,
- it must provide firm and specific guarantees that it makes no claims against Greece,
- it must change its name, precisely because this false title testifies to and embodies the territorial claims for a state of Macedonia in that direction.

My question, Minister, is therefore as follows: will the Council follow the legal arguments put forward by the arbitration commission, or will it view this matter politically? This will involve re-drawing borders and a war of expansion in southern Yugoslavia, and we do not know what further dimensions this matter will assume.

Mr Deus Pinheiro: For obvious reasons, I would not wish to elaborate on the statement that I made today, which was approved by the Twelve, to the effect that the twelve Member States of the Community, acting as individual nations – that being the prerogative of individual sovereign states – have decided to recognize Croatia and Slovenia, and that important questions have to be addressed before the Community and its Member States can consider similar measures with regard to Macedonia and Bosnia-Herzegovina. I cannot say more than that at present.

I would like to emphasize the fact, however, that recognition, as understood by the Twelve on 16 December, has two aspects: a legal aspect and a political aspect. This was made clear in the decisions of 16 December. That is why we sought legal advice – although such advice should not and indeed cannot be binding, to the extent that, as I said, recognition or non-recognition is the prerogative of individual sovereign states, and it is the responsibility of each Member State to decide as it sees fit. Nothing in the Treaty of Rome, even as revised at Maastricht, obliges the Mem-

ber States to take this decision jointly. Of course, any action which is taken jointly by the Twelve with regard to Yugoslavia will have added weight and will represent a positive step towards European Union. Beyond that, Mr Ephremidis, I can speak in my capacity as the Foreign Minister of Portugal, but not in my capacity as a Member of the Council.

Mr Habsburg (PPE): I should first like to congratulate you most warmly on the decision that has been taken in favour of Croatia and Slovenia, which is in accordance with our democratic ideals concerning peoples' right to self-determination. My question – and I shall put it briefly, since I am not from the land of Demosthenes – is as follows: is the Community considering giving aid to Croatia to make good the damage done in that country by the Serbs?

I have visited this area four times recently, and seen at first hand the scale of the destruction which is attributable to the Serbs.

Mr Deus Pinheiro: This is an issue which has not yet been discussed by the Council, and as things stand I do not foresee any changes being made in the short term to the decisions which were taken recently with regard to Yugoslavia.

Ms Belo (S): Mr President, I am somewhat surprised to hear the Foreign Minister say that he does not wish to explain why the Council decided today to recognize two of the Yugoslav republics and not the others. I assume – at least, what I have read in the newspapers leads me to believe – that the report drawn up by Robert Badinter had some influence on this decision. I should like to know if the contents of this report are secret, if what appeared in the newspapers was leaked, or if we, as Members of the European Parliament, have the right to know a little more about the reasons behind this decision.

Mr Deus Pinheiro: I should like to make one thing clear: this was not a decision taken by the Council. The statement by the Presidency simply said that the twelve Member States of the Community had taken a certain decision. But this was not a decision taken by the Council. It was a decision taken at national level on which the twelve Member States agreed.

Secondly, the Badinter report was commissioned by the Foreign Ministers meeting in European political cooperation. It is the understanding of the Presidency, therefore, that unless the Foreign Ministers agree to divulge the contents of that report, the Presidency should not do so of its own accord. The various foreign ministers are being consulted in order to establish whether there are any objections to the contents of the report being divulged – not only to the other Community institutions, but also to the parties involved and to any participants in the CSCE that may be interested in its contents.

1 EPC Bulletin, Doc. 91/465.

2 EPC Bulletin, Doc. 92/006.

3 EPC Bulletin, Doc. 92/009.

92/016. Question No H-1250/91 by Mr Duverger on the failure of an agreement between the conflicting parties in Dubrovnik following the Council's failure to support it

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The French Minister Bernard Kouchner recently participated in the Dubrovnik cease-fire negotiations together with the EEC observers. In an interview published in *Libération* on 28 November 1991, he said that the negotiations had resulted in 'a miraculous agreement, signed by all the parties, involving an honourable withdrawal of troops from Dubrovnik and demilitarization of the area. Unfortunately, the EEC observers did not receive support from higher authority. This was, nevertheless, the sole agreement of principle to have been signed directly by the conflicting parties since the beginning of this savage war.'

Can EPC explain the reasons for its failure to support the agreement, thus contributing to the resumption of hostilities?

Answer:

The establishment of a comprehensive, effective and lasting cease-fire has been among the main aims of the Community and its Member States ever since they became actively involved in finding a peaceful solution to the Yugoslav conflict.

As the honourable Member is well aware, the EC Monitor Mission has played an important role in bringing about, monitoring and reporting on the implementation of cease-fires. A monitoring team was performing its regular duties in Dubrovnik when the JNA began its attacks on the town. In the light of their untenable position – they were virtually made hostages of the attacking forces – it was decided to temporarily reallocate them.

The withdrawal of the monitors from Dubrovnik did nothing to undercut concerted efforts undertaken by various European representatives to bring about an effective cease-fire and to allow for relief supplies to be brought to the beleaguered population. Eventually the siege of Dubrovnik was called off, and some semblance of normality has been restored. The monitors have been returned to their regular duties.

92/017. Question No H-1252/91 by Mr Newman on political prisoners in the Bophupotswana area of South Africa

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Given the Member States often stated opposition to the apartheid regime in South Africa, are the Member States' Governments aware that many political prisoners are still detained in the Bophupotswana area of South Africa?

What pressure will the Foreign Ministers bring to bear on South Africa to honour its own agreement on political prisoners and get them to release these political detainees in the Bophupotswana area of their country?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: Mr Newman will no doubt be aware of the fact that on 3 October 1991,¹ the Community and its Member States issued a statement reiterating their call to the South African authorities to release all political prisoners immediately, and expressing their concern at the fact that a solution had still not been found to the question of the continued detention of political prisoners in the so-called independent homelands. Since then, according to information received by the Community and its Member States, a group of 19 political prisoners was released on 17 and 19 October 1991, and 27 political prisoners were

released in Bophupotswana on 9 November. In December 1991, a further 73 political prisoners were released.

The Community and its Member States believe that by 7 December, all but one of the prisoners allegedly involved in the attempted *coup* of 1988 had been released. The exception is Timothy Phiri, whose case is under review. Despite these positive developments, the Commission on Human Rights in South Africa has evidence that another 11 political prisoners are still being held, bringing the probable total number to 12.

The Community and its Member States will continue to bring pressure to bear on the South African authorities for these prisoners to be released. They believe that such a gesture would contribute enormously to the current spirit of dialogue, a dialogue which also needs to be further developed within CODESA.

Mr Newman (S): Thank you, Mr President-in-Office, for your quite hopeful reply. I think that the Members appreciate what has been done. We all know that there is an ongoing process of political change taking place in South Africa and this clearly effects the artificially set up homelands that are really part of South Africa. At this particular juncture in the European Community we have the Portuguese Presidency and we have a troika that involves the Netherlands, the United Kingdom and Portugal, the three Community countries which really have a historical and particular link with the South Africa. So it is a particularly opportune time – with the knowledge that is available amongst those governments including your own – to apply extra pressure to ensure that the process of political change to black majority rule proceeds as fast as possible and that, as part of that process, the remaining political prisoners are released. I thank you for what you have done. I hope that you will continue in that vein.

Mr Deus Pinheiro: I would just say that I agree entirely with Mr Newman that the current troika has a particularly great responsibility with regard to southern Africa, and that we will do all in our power to assist the process of peaceful change in South Africa.

¹ *EPC Bulletin*, Doc. 91/294.

92/018. Question No H-1253/91 by Mr Bandrés Molet on the democratization process in Equatorial Guinea

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

On Sunday, 17 November 1991 a referendum was held in Equatorial Guinea on a reform of the basic law. No consultations were held with any of the opposition parties on this new constitution, while the text makes no mention of a multi-party system and provides for the immunity of the Guinean head of state even after he has completed his mandate.

Before and during the referendum, the borders of the country were closed to prevent emigrants from returning.

Can Parliament be informed of any real changes planned as part of the democratization process in Equatorial Guinea?

Answer:

The Community and its Member States are monitoring closely developments in Equatorial Guinea.

When President Obiang Nguema came to power in 1979, he promised that human rights would be respected in Equatorial Guinea, indicating that he would implement the plan drawn up by an expert appointed by the UNHCR to restore respect for fundamental rights and freedoms in Equatorial Guinea.

Twelve years later, on 12 October 1991, President Obiang Nguema announced what he called 'short, medium and long-term' plans to introduce political reforms in the country. He stated that the amendment of the Constitution the honourable parliamentarian is referring to would be followed by the passing of laws designed to regulate political parties, elections, the press, trade unions and associations. He also suggested that there would be an amnesty for political prisoners. As the honourable parliamentarian is aware, political opponents rejected these proposals on the grounds that they would not allow new parties to operate as genuine opposition parties nor would they provide for parties formed in exile to operate legally in the country.

The Community and its Member States will continue to avail themselves of any opportunity to remind the authorities of Equatorial Guinea of the seriousness of their concern and to urge them to engage in a true democratization process open to all political and social forces in the country.

[...]

92/019. Question No H-1268/91 by Mr Dessylas on promoting of relations between the EEC and Cuba

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Do the Foreign Ministers meeting in European political cooperation intend to promote an independent policy (in relation to the USA) for further relations between the EEC and Cuba and, more specifically: (a) to include Cuba in the system of generalized tariff preferences (Regulation (EEC) No 3833/90)¹ which was recently extended to include 6 Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama) and (b) enter into a special agreement on trade, economic and technical cooperation with Cuba?

Answer:

The specific volets of the honourable Member's question related to the extension of the GSP to Cuba and to a special agreement in the fields of trade and economic and technical cooperation with that country fall outside the scope of European political cooperation. From a political point of view, however, an improved relationship between the European Community and Cuba cannot be but negatively affected by the preoccupying human rights situation in Cuba. Pending substantive changes in both the internal and external policy of Fidel Castro and his regime, the Community and its Member States will reserve their position on possible contributions to that country's economic and social development.

¹ OJL 370, 31.12.1990, p. 86.

92/020. Question No H-1274/91 by Mr Habsburg on environmental destruction in the Arctic

Date of issue: 15 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

European political cooperation replied to my question on the damage caused by Soviet bases in the Arctic with the bald statement that they had not examined the issue. Is European political cooperation aware of the importance for future generations in Europe of preserving the environment in the Arctic? Is it not, therefore, its duty to question experts and take appropriate action at a time when the former USSR has to listen to Europe?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: The Community and the Member States are certainly aware of the importance of preserving the Arctic environment. You may rest assured, therefore, that the specific matter raised in the question will be one of many priority issues, covering a variety of areas, that will constitute the agenda for future talks between the European Community and the republics of the former Soviet Union which have grouped together to form the new Commonwealth of Independent States.

The Community and its Member States, conscious of the challenges facing them in the nineties with regard to protection of the environment, will strive to coordinate their positions in all relevant bodies, and will seek to establish a dialogue on this issue with the successors to the former Soviet Union.

Allow me to add, Mr Habsburg, that at the forthcoming conference in Washington, we shall seek to ensure that environmental problems are made the object of immediate as well as medium and long-term action. Indeed, we believe that certain situations – particularly where the security of nuclear power stations or the need to protect natural areas such as those referred to here are involved – require immediate intervention and assistance.

Mr Habsburg (PPE): I should like to thank the President-in-Office for his detailed replies to all our questions, which I very much appreciate.

My purpose in putting a supplementary is to ask you to press for action to be taken quickly, because terrible things are happening to the north of Russia, especially in the area of Novaya Zemlya and, some thousand kilometres further north, in Franz Josef Land. Last summer, an expedition visited these Arctic regions, where the damage done to nature leaves scars which last for a very long time, often hundreds of years. The damage caused by the Soviet troops who are still based there by spreading oil everywhere and by dumping old machinery will pose a serious threat for a very long time to come, and since we can now put pressure on the Soviets, or rather the Russians in this case, I would simply ask you to press for this to be done, and done quickly.

Ms Belo (S): I should like, if I may, to broaden the subject of this debate on environmental protection to include the issue of the safety of the population, and ask if you can supply us with any information, in addition to that which we receive through the media, regarding the prospects for Europe's security in the face of the stockpile of nuclear armaments in the former Soviet Union – particularly in the light of the growing dispute between Russia and the Ukraine?

President: I will give the floor to the Minister if he sees fit to give a reply because we are actually discussing the destruction of the environment in the Arctic and not the nuclear arsenal in the former Soviet Union.

Mr Deus Pinheiro: Mr President, I will gladly answer Ms Belo's question. This is, of course, a matter of concern not just to the countries of the European Community, but to virtually the entire international community, including the states that have emerged from the break-up of the Soviet Union itself. The declarations and undertakings that have so far been made by the authorities of the various states are, in my opinion, encouraging. They represent a step in the right direction, but a variety of technical and practical measures also need to be implemented. For this reason, we welcome the fact that the United States is granting nearly USD 400 million to finance the dismantling of strategic nuclear weapons. We believe that similar steps will have to be taken with regard to tactical nuclear weapons. Furthermore, it might be necessary to send experts on both the civilian and the military uses of nuclear power to the former Soviet Union, in the near future, to work together with the various local authorities in order to ensure nuclear safety.

There is every indication at present that the former Soviet republics are prepared to accept the treaties and abide by existing arms reduction agreements, such as START, and that they are willing to take part in the forthcoming Helsinki II Conference and thus accept all the associated aspects of arms reduction. With all due reservations, therefore, I believe that there is every reason to be optimistic about the future.

92/021. Statement on El Salvador

Date of issue: 16 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their deep satisfaction on the occasion of the signing in Mexico City, on 16 January 1992, of the final peace agreements between the Government of El Salvador and the Farabundo Marti National Liberation Front (FMLN).

They hope that an effective implementation of these agreements will lead to peace, internal reconciliation and reconstruction of El Salvador of which the main beneficiary will be its people.

They emphasize the important contribution of the former Secretary-General of the United Nations, Mr Javier Perez de Cuellar, as well as of the four countries of the group of friends of the Secretary-General, to this major development towards the consolidation of peace in Central America.

The European Community and its Member States reiterate their determination to support the people of El Salvador in rebuilding their society and economy.

92/022. Statement on the programme of the Portuguese Presidency [extracts only]

Date of issue: 16 January 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Programme speech in the European Parliament

Mr Deus Pinheiro, President-in-Office of the Council: Mr President, ladies and gentlemen, at the beginning of this New Year, which marks my country's first Presidency of the Council, may I, in addition to expressing the traditional wishes customary on these occasions, most especially greet Mr Egon Klepsch, whom I sincerely congratulate on his election as President of the European Par-

liament. His personal qualities will undoubtedly stand him in very good stead in leading this assembly at so important a time in the building of Europe.

May I also salute Mr Enrique Baron Crespo, who has discharged these same duties until now and whose work deserves the highest praise and the deepest respect.

Portugal is taking charge of the Council's proceedings in a crucial phase of change both within the Community and outside its area and institutions.

It will be for the Portuguese Presidency to set in motion the process of Union, carrying the Community beyond its traditional purely economic role, consolidating its opening up to the outside, preparing the ground for enlargement and strengthening its ties with the rest of the world, both within the region and in the other continents.

I stress this historic concurrence of events because I wish to emphasize that a coherent approach and a firm solidarity between our 12 countries will provide the main guarantee that political and economic management can take place in an internal climate of freedom, progress and peace.

Both within Europe and outside, the major principles underlying the Community's philosophy – namely freedom, justice, respect for human rights, a market economy – are emerging victorious. However, the tragedy of the absence of peace is a cause of much greater worry than the usual difficulties accompanying change. Events in Yugoslavia make the Presidency determined to continue the efforts made by the EEC (with the backing of the CSCE participants) to bring about a negotiated overall solution. The presence in the field of the observers' team, of which we have been so tragically reminded, is a key feature of our endeavour, as is the peace conference chaired by Lord Carrington. I have also kept in close contact with the UN and, in particular, with the Secretary-General's special envoy, Mr Cyrus Vance, because I regard as fundamental the Security Council's commitment to helping to create favourable conditions for a political solution to the problems by sending in a substantial unit of 'blue berets'.

On the other hand, the uncertainty surrounding the creation of the CIS and the transition process affecting the political, economic and social institutions of the republics that were formerly part of the USSR call for increased attention on the part of the Communities. Accordingly, acting under a mandate from the Twelve, the Portuguese Presidency will seek from all the parties involved in the break-up of the USSR the necessary guarantees as regards compliance with the international undertakings entered into by the Soviet State, notably on disarmament and arms control, human rights and the rights of minorities, existing frontiers and the peaceful settlement of disputes.

Likewise, with the aid of our partners and, above all, the troika the Presidency will monitor political developments in the republics and the establishment of diplomatic ties between the Member States of the European Community and the republics as the latter's independence is progressively recognized. These new ties will provide scope for encouraging regional cooperation schemes between the republics as the latter's independence is progressively recognized. These new ties will provide scope for encouraging regional cooperation schemes between the republics as the best means of strengthening cooperation with the international community and the EEC.

I have mentioned these three major Community dossiers because they serve as focal points for the bulk of the effort required of the Twelve in response to a pressing geographical, political and economic situation. There are, however, other links and areas of cooperation that call for authorization, all of which are contingent on the Community's own internal cohesion. Formalization of the agreement creating the European Economic Area and an institutionalized political dialogue with the CSCE will be major features of the Presidency's endeavours. In my opinion, this topic must of necessity be linked to the current discussions on the future of the CSCE process. At the forthcoming ministerial meeting in Prague at the end of this month, the 38 participating States will

be called upon to address the broad lines of a new approach to cooperation and security embracing our continent and widened to include the North-American presence whose full potential will need to be exploited in the light of the new situation in Europe.

One area of external policy whose importance I need hardly emphasize is that of the peace process in the Middle East. The dialogue already under way – which would have been almost unthinkable a year ago – must be given every encouragement and here the EEC has a major role to play.

Portugal has always upheld a balanced position in its relations with the various parties involved and therefore enjoys a measure of trust which it intends to put to productive use on behalf of the EEC. We shall accordingly seek to ensure that the dialogue with the US continues on the basis of openness and equality, with the common aim of working out a definitive solution to the Israeli-Arab conflict and the Palestinian issue. Portugal's traditional stance in its relations with the Arab world will also – we hope – enable the dialogue between the EEC and the Arab world to be stepped up, particularly in the case of the countries of the Mediterranean basin. All this political activity, and indeed the other areas of cooperation outside both Europe and the Community to which I shall be referring later, acquired a new complexion as a result of the institutional changes currently taking place within the Community itself. As I have already said, it will be for the Portuguese Presidency to start developing them.

In fact, although the scope of the tasks involved here was already partly foreseen in the Single Act, the swift pace of developments in the past few years both within and outside the Community has meant that the coming six months will be marked by a unique series of coinciding negotiations, which will between them endow our first tenure of the Presidency with increased responsibility.

Particularly important in this connection will be the formalization of the decisions of the Intergovernmental Conferences on Economic and Monetary Union and on Political Union, whose findings reflect a consensus among the Twelve for strengthening the European venture at this stage and simultaneously set targets to which we shall be able to come back in 1996.

In addition to finalizing texts and monitoring ratification procedures, it will be necessary to assess the implications for the future exercise of internal powers and for guaranteeing the overall consistency of the Community's presence on the international scene.

Establishing the funds needed to comply with the conclusions of the Maastricht European Council will be a key operation. Here, the so-called 'Delors II package' defining the framework for the 1993-1997 period will in practice become a corollary to the process of revision of the Treaty, already largely foreshadowing the outcome of the coming financial reform.

In this connection, we shall find ourselves facing all the questions concerning the own resources system, the structure and size of the budget, consideration for the Community's external commitments[,], economic convergence under EMU, the new rules to govern the structural funds and the financing of trans-European networks, the policies relating to the environment and technological research, as well as the implications of the reform of the common agricultural policy. The Cohesion Fund agreed on in the Maastricht conclusions will also be set up; however, the entire process will be contingent on completion of the Internal Market programme.

Turning to the four Community freedoms, I would like to start off with the free movement of persons, because of its importance for the introduction of Community citizenship, a dimension now calling for urgent attention under the new Treaty. In line with the European Council's instructions, the Portuguese Presidency will be urging all the bodies involved to ensure that all the relevant provisions can be adopted before the entry into force of the Treaty on European Union.

In particular, the Presidency will be taking the steps necessary for the signing of the Convention on the crossing of the external frontiers of the Member States. Analysis of appropriate mea-

asures fostering the introduction of the European Information System and the creation of EURO-POL will be encouraged. We shall strive to see the scope of the Dublin Convention extended to cover third countries.

In the fight against drugs, we shall concentrate on setting up the European Drugs Monitoring Centre within the time-limit set in Maastricht.

One of the issues linked to the free movement of persons is that of immigration control. Given the political problems, with their potentially sociological and ethical implications, that have recently arisen in connection with this issue, we should in any case have to give it our most careful attention. The declaration on racism and xenophobia¹ recently approved by all the Member States represents an important contribution to reaffirmation of the political principles of openness and tolerance in keeping with our common cultural background.

With regard to the internal market aspects linked to the other Community freedoms, removal of controls at the Community's internal frontiers will be the tangible sign of achievement of the 1992 objective.

[...]

The conclusion of the Uruguay Round negotiations within politically viable time-limits merits additional effort, given the importance of the multilateral trade system in the context of worldwide harmonious development and the Community's external relations with the major trading powers and the developing countries.

A favourable solution in this GATT Round could not fail to have a positive effect on the Community's traditional relations with our North American allies, the stability of which, however, is essentially based on shared fundamental values of civilization. These find practical expression in specific cooperation mechanisms, among which – in addition to the CSCE and NATO – the most striking in the Community context are the transatlantic declarations made with the USA and Canada.

In the same way, we shall also press ahead with the procedures provided for in the recent EEC/Japan declaration.

Commitments of a no less profound nature exist with other regions outside Europe, growing out of the continually repeated encounters over five centuries of history. Africa and Latin America are areas in a constant state of flux and development and the machinery of their relations with the Community thus requires continual adjustment. Portugal will make an important contribution to this.

The world-wide democratization movement which is gathering strength in Latin America and gaining ground in southern Africa must meet with an active and united response, following the pattern of those which the Community has fortunately been able to give in similar circumstances.

In the case of South America, for example, we would particularly like to see the conclusion of the negotiations for third-generation cooperation agreements with Brazil and the Andean Pact.

Community experience of regional integration may be of assistance to the similar attempts which are beginning to be made in those continents and we must give an unequivocal sign of our willingness to support initiatives of this kind.

Indeed, development cooperation increasingly requires an overall view of the issues involved, which sees beyond the narrow objective of more economic growth. The United Nations Conference on Environment and Development scheduled to take place in June in Rio de Janeiro will be an opportunity to tackle one of the most difficult problems of the moment – the complex relationship between the pressing imperatives of development and the management and preservation of the environment – by adopting concrete resolutions which will help to form a balanced view of how these two aspects of humanity's well-being can be linked.

On the other hand, the Community must heed the concerns of its Mediterranean neighbours and help them in their attempts to achieve political, social and economic stability. This transcends the uncertainties of the moment and is a constant requirement arising out of the need to preserve conditions of security along the whole of Europe's southern flank.

In general terms, I might add that Portugal will advocate an increase in dialogue and in exchange of experience with the countries of the southern hemisphere, whose vision of the EEC must not be limited to its economic content, nor to the image of a closed space, but must rather be that of a Europe which has been able to unite while not forgetting the ties which bind it and the responsibilities it has with regard to helping less-favoured countries in other continents. The Portuguese Presidency will have the welcome opportunity to contribute to the strengthening of links with Latin America through two important regional meetings: San José VIII (with the countries of Central America) and with the countries of the Rio Group; similarly, the encouraging progress made in the difficult process of democratization and the dismantling of apartheid in South Africa must also prompt the EEC to consider how it can develop a more active dialogue with southern Africa in all areas. We think it would be of mutual interest for this new relationship to go hand in hand with the processes of democratization and reconstruction of economies devastated by war with the aim of promoting peace and development throughout southern Africa.

The Portuguese Presidency's term of office coincides with the first six months in office of the new UN Secretary-General, Dr Boutros Ghali. The confidence which I expressed to him on behalf of the Community at the beginning of his term of office reflects my conviction that he will be able successfully to continue the valuable work of reinforcing the UN's prestige and capacity for action begun by Perez de Cuellar. The realities of the current international situation make it highly desirable that the United Nations should discharge the unique task conferred on it by its Charter on a world-wide scale. Its Security Council – on which a Portuguese-speaking country, Cape Verde, currently has a seat – can and must ensure that its resolutions are universally observed; only in that way can the international order remain stable.

The defence of human rights cannot but be seen as a key issue for the Presidency. This is a decisive factor in all consultation, cooperation and dialogue procedures. The credibility of the EEC and its Member States rests to a large extent on its success in achieving integration with due regard for the rights and fundamental freedoms of all citizens of the Twelve. This concept must be present in all credible democratization and development procedures. Portugal considers it its duty to alert the international community, on behalf of the Twelve, to all instances of violation of human rights brought to the Presidency's attention and to propose suitable means of attempting to remedy or improve such situations in accordance with the positions publicly adopted by the various Community institutions, and in particular European Council declarations.

This wide-ranging action programme will also involve careful consideration of the Community's own size.

As was decided in Maastricht, this six-month period will be the occasion for discussion of the prospects for Community enlargement, seen from an integrated viewpoint encompassing the various current or likely candidates and the internal consequences of enlargement, and trying to arrive at practical guide-lines for the conduct of the accession negotiations and an approach which will transcend the traditional dichotomy between enlargement and greater depth.

It will only be possible to arrive at the true final conclusions of these discussions at the time of the new revision of the Treaty, scheduled for 1996. However, this does not exclude the possibility of initiating preliminary contacts with a view to the negotiations, probably next year, with the candidates that are best prepared and whose procedures are furthest advanced.

In any event, the most relevant aspect to remember in this context is that the Community design is becoming increasingly credible to the outside world and attracting more and more appli-

cants to join: this is a fitting homage to the founders of the 1950s, coming at the very time we are approaching their final goal.

Their legacy obliges us to assume our responsibilities for the future, laying the foundations for European integration up to the end of the century against a background which, both internationally and at European level, has changed radically since the Community was created and developed.

A geopolitical system which is no longer bipolar, the disappearance of alternatives to our principles of political democracy, human rights and economic freedom, the divergent trends of growing universal solidarity and the rebirth of nationalistic impulses, an increasing awareness of ecological circumstances and the challenges arising from ever greater demographic and economic inequalities – these are all factors specific to our times which the Community will have to take into account in the last phase of its transformation into a European Union.

Honourable Members, the parliamentary framework in which we are meeting constitutes one of the highest expressions of Community structure and policy.

The directly-elected Members of the European Parliament reinforce, together with the governments of the Twelve and the Commission, the character of democratic legitimacy which is the essence of the Treaty of Rome and of our institutions.

For that reason, the Portuguese Presidency will keep up a long tradition of open, continuous and profitable dialogue with the European Parliament.

This, my first speech as President of the Council of the Communities, is a pledge and a guarantee of that policy. Thank you very much.

[After the following debate, Mr Deus Pinheiro stated:] Mr President, I should like first of all to thank all those members who have taken the floor in order to help the Presidency put the next six months into the right perspective.

I would begin by saying that I hope that the honourable Member who awarded me two out of ten at the beginning of the Presidency will be able to award me the remaining eight out of ten when it ends. It is indeed an ambitious programme, Mr President, not exclusively through the will of the Portuguese Presidency, but because the Community now requires us to attack on various fronts simultaneously, whether in the internal sphere or externally. Any idea that any of the matters mentioned can be left until later seems to me an absolute and unacceptable risk.

It is obvious that in my statement, and even in the general outlines of the programme, I could not refer to every single aspect that is of concern to us, particularly in certain sectors. I should like, however, to say that the areas of the environment and social matters are certainly two of the sectors that will be receiving close attention from the Portuguese Presidency.

Mr President, allow me also to comment on some matters that were raised by various parliamentarians. The first question is Yugoslavia. The Portuguese Presidency intended to propose to its partners a way of dealing with the problem centred on what I would call a 'dual-track approach', in which, on the one hand, the United Nations would be the entity responsible for maintenance of peace and for guaranteeing that peace, while, on the other, the Community would be responsible for conducting the political negotiations, or at least for sponsoring them with a view, not just to finding a political solution to the current problems, but also to trying to discern paths of cooperation and understanding for the future, whether within Yugoslavia or in the relations of Yugoslavia or its republics with the rest of Europe.

I consider, Mr President, ladies and gentlemen, that despite some criticisms levelled at it, the Community's policy on Yugoslavia has nevertheless been a success. That we should start out from different positions is hardly surprising: we are twelve countries with profoundly differing histories, with immense quarrels stretching back over the course of history; and it would indeed be

strange if a matter which is at the heart of Europe could muster a unanimous position from the twelve Member States at the outset. But what to my mind is important is that the Twelve have made a genuine effort to reach a common position and have succeeded in doing so, in spite of the difficulties and the fierce debate. But that is what we are here for!

It is not because Europe has already been built, it is because we want to build it; and it is for that reason that we are exacting in our demands.

With regard to the former Soviet Union, the Presidency's immediate concern, as soon as it took office, was to guarantee that the Community would go to the Washington Conference – which, as you know, is to be held before long – with a common position; a common position which it managed to delineate on 10 January, at an extraordinary meeting of the Council of Ministers of the Community, at which we had before us two documents, one prepared by the Portuguese Presidency, the other by the Commission, documents which proved to be complementary and which now make it possible to predict that the Community will participate in the Washington Conference with a single voice and with shared types of orientations.

Naturally, that dossier is not yet closed. And COREPER and other bodies will have to go into some of the matters I have mentioned in more detail. But a good start has been made with regard to this new era in our relations with the former Soviet Union.

Maastricht and post-Maastricht are also at the forefront of our concerns. I should just like to say that we consider the Delors II package a natural follow-up to Maastricht and a *sine qua non* if we are to be able to visualize the near future with regard to effective implementation of some of the options we adopted at Maastricht. It is also essential that Community enlargement should be discussed at the Lisbon Summit, and a Community strategy defined with regard to that enlargement. It is a strategy which must consider not only the merits of the various applicants, but also, obviously, the consequences for the institutions and the structure of the Community, since we all know that if we go beyond a certain number of countries, the present structures will have to be modified.

In parallel with that report from the Commission, there will be a report by the Foreign Affairs Ministers on the Community's external relations strategy, which will make it possible to identify – in June, I hope – the areas in which a common foreign policy is feasible for the Community. We want to gain time, but we also want to press ahead safely. And I think that this approach will reach its apogee at the June European Summit in Lisbon.

Allow me to say a word, Mr President, about GATT. It is in everyone's interest to complete the GATT negotiations, but the Presidency of the Council of the Communities can in no circumstances abandon the view that there are some questions which some Member States regard as essential to their own interest. It cannot overlook that consideration when adopting its positions, whether political or technical. We believe that the duty of Community solidarity is one of the first duties the Presidency must ensure, and, against that background, what I would like to say now is that the Community cannot be asked to surrender. If there is a will to negotiate, there must be a will on both sides, both from the United States and on our own part. Simply to ask the Community to change its positions is not negotiation, it is capitulation.

Finally, Mr President, and very rapidly, I should like once again to say in this House that it is the intention of the Portuguese Presidency to collaborate closely with the European Parliament, both at the formal level of these meetings and at the informal level, with the various committees. We feel that this too is a duty that Maastricht has pointed out to us.

¹ EPC Bulletin, Doc. 91/434.

92/023. Statement on Zaire

Date of issue: 22 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, faced with the unilateral suspension of the Zairean National Conference by the Prime Minister, Mr Nguz-A Karl-I-Bond, note the seriousness of this decision which puts into question the possibilities of a democratic evolution in Zaire based on consensus.

The Community and its Member States decided to suspend temporarily their aid programmes to Zaire, except for emergency humanitarian aid, until the National Conference fully resumes and accomplishes its work.

The Community and its Member States urge all the institutions and political forces concerned to work towards the Conference resuming its work normally as soon as possible.

92/024. Statement on Algeria

Date of issue: 23 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have been following closely the recent developments in Algeria.

The Community and its Member States express the strong hope that the Algerian authorities will undertake every possible effort for a return to normal institutional life so that peaceful political dialogue among all parties concerned will take place and the democratic process will pursue on a stable course.

Remaining deeply attached to the respect of human rights and fundamental freedoms, the Community and its Member States will follow with great attention how the situation will develop in Algeria and how those principles will be implemented.

92/025. Statement on Cuba

Date of issue: 23 January 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their deep regret at the execution of Mr Eduardo Diaz Betancourt, on 20 January 1992, which took place regardless of the strong international reaction to the sentence and the appeals for clemency addressed to the Cuban authorities.

92/026. Statement at the 48th session of the United Nations Commission on Human Rights

Date of issue: 29 January 1992

Place of issue: Geneva

Country of Presidency: Portugal

Status of document: Statement in international forum

Monsieur le Président,

C'est un honneur pour moi de m'adresser à la Commission des Droits de l'Homme au nom de la Communauté Européenne et de ses Etats membres.

J'aimerais tout d'abord vous féliciter, Monsieur le Président, ainsi que les autres Membres du bureau, pour votre élection, et vous souhaiter une session pleine de succès. C'est avec un grand espoir que nous envisageons de travailler sous votre direction.

Chaque réunion de cette Commission constitue un moment important où l'occasion nous est donnée de passer en revue les mesures adoptées en matière de droits de l'Homme, d'évaluer les progrès réalisés et d'assumer le défi d'améliorer les mécanismes et procédures existants.

Cette année la Commission gagne en importance, à la suite de son élargissement.

La Communauté Européenne et ses Etats membres expriment l'espoir que cette participation accrue renforcera l'acceptation d'un effort commun de sauvegarder les droits de l'homme, la reconnaissance de la responsabilité et un devoir de la communauté internationale et de chaque Etat d'assurer le respect de ces droits, ainsi que le renforcement de la prise de conscience de l'opinion publique face aux préoccupations de droits de l'homme, tant à l'échelle nationale qu'internationale.

C'est précisément parce que nous sommes fermement convaincus de la valeur d'une coopération et d'une solidarité significatives à accorder à la promotion de la liberté, de la justice et de la paix dans le monde, à la lumière de la Charte internationale des Droits de l'Homme ainsi que d'autres instruments internationaux dans ce domaine que nous refusons de qualifier d'ingérence dans les affaires intérieures l'expression de préoccupation suscitée par les violations des droits de l'homme dans n'importe quel pays qu'elles se produisent.

En effet, l'évolution rapide des événements mondiaux au cours des douze derniers mois nous ont montré la nécessité accrue de vigilance et de respect des droits de l'homme ainsi que la nécessité, pour tout les gouvernements, d'agir en conformité avec leurs engagements et obligations internationaux.

Monsieur le Président,

La Communauté Européenne et ses Etats Membres sont d'avis que le respect, la promotion et la sauvegarde des droits de l'homme constituent un élément fondamental des relations internationales. Ils ont récemment confirmé et renforcé leur engagement à atteindre un tel objectif dans le cadre du Traité sur l'Union Européenne.

La Communauté Européenne et ses Etats Membres attachent une importance toute particulière aux accomplissements réalisés jusqu'à présent dans le cadre des Nations Unies.

Le système international des droits de l'homme, établi au cours des dernières décennies, a évolué en tant qu'ensemble de principes universellement contraignants, visant à protéger les droits de l'homme et à accroître, au sein des gouvernements et des peuples, une prise de conscience et un engagement renforcés pour garantir leur mise en oeuvre.

La Déclaration Universelle, premier pas décisif de notre action, exprime la 'conception commune qu'ont les peuples du monde entier...', et constitue une obligation pour les membres de la

communauté internationale'. En tant que document de référence de base, elle a institué par ailleurs le cadre pour l'adoption de nouveaux instruments dans le domaine des droits de l'homme.

L'adoption de tels instruments, qui ne constitue ni une simple déclaration d'intention, ni une manifestation de bonne foi, exprime en vérité, la volonté des gouvernements d'assumer, par voie de ratification ou d'adhésion, les obligations juridiques visant à garantir et à respecter les droits individuels de ceux qui se trouvent sous leur juridiction.

C'est donc avec satisfaction que la Communauté Européenne et ses Etats Membres constatent le nombre toujours croissant de partis adhérant aux instruments les plus importants approuvés dans ce domaine.

Cette tendance significative se trouve indubitablement réaffirmée par le nombre sans précédent de ratifications et d'adhésions à la Convention des Droits de l'Enfant, l'instrument le plus récemment entré en vigueur, qui reflète, de par la diversité des systèmes juridiques qui ont inspiré ses dispositions, la volonté politique commune d'assurer une protection effective des droits de l'enfant.

Cet instrument représente une illustration vivante du caractère universel des droits de l'homme – universelle dans le sens où ses droits sont un modèle de référence pour tous les peuples et toutes les nations, – et universel en raison du caractère indivisible de tous les droits de l'homme, qu'ils soient d'ordre civil, politique, économique, social ou culturel, toutes catégories étant d'une importance égale pour la pleine réalisation de la dignité humaine et des aspirations légitimes de chaque individu.

En fait la protection et la promotion d'une catégorie de droits ne saurait exempter un Etat de la protection et de la promotion de l'autre catégorie de droits. Ni l'absence de développement social et économique, ni une conviction ou une idéologie ne sauraient justifier le refus des droits de l'homme fondamentaux. Au contraire, la prise de conscience accrue de la part de la communauté internationale de sa responsabilité de pourvoir à un climat de développement soutenu à l'échelle mondiale constitue un encouragement pour le respect universel des droits de l'homme et des libertés fondamentales.

C'est dans ce contexte que la Communauté Européenne et ses Etats membres ont reconnu, par leur récente résolution sur les droits de l'homme, la démocratie et le développement, adoptée par le Conseil du Développement du 28 novembre 1991, le rôle important joué par les droits de l'homme et [de] la démocratie dans la réalisation d'un développement durable et équilibré.

Le respect des droits de l'homme, l'Etat de droit et des institutions démocratiques efficaces créent, en fait, l'environnement propice à l'amélioration du bien-être de l'individu en lui permettant une participation active, libre et significative au processus de développement.

Nous estimons donc que le respect, la promotion et la sauvegarde des droits de l'homme constituent, comme il est souligné dans la Déclaration du Conseil Européen du 29 juin 1991, l'une des pierres angulaires de la politique de la coopération européenne ainsi que des relations entre la Communauté et ses Etats membres et les pays tiers. Cette politique vise également à accentuer la valeur des droits de l'homme et à souligner la place centrale de l'individu en tant qu'acteur et bénéficiaire du processus du développement.

Monsieur le Président,

La Communauté Européenne et ses Etats membres accueillent avec satisfaction les tendances positives vers la démocratisation et le pluralisme politique actuellement en cours dans le monde, notamment dans certaines parties d'Europe de l'Est, d'Amérique latine et d'Afrique. Cependant en dépit de ces signes encourageants, il faut noter la persistance d'éléments préoccupants dans plusieurs parties du monde. Nous ne pouvons pas en effet oublier que des tensions et conflits ré-

sultant de violations flagrantes et systématiques des droits de l'homme et des libertés fondamentales dans un pays ou une région déterminée constituent souvent également une menace pour la paix et la sécurité internationale.

La Communauté Européenne et ses Etats membres notent avec préoccupation la montée de sentiment d'intolérance et de xénophobie, tant en Europe que dans d'autres parties du monde. Reconnaissant leur devoir d'améliorer de façon constante les politiques existantes, ils sont décidés à traiter ces phénomènes à travers les institutions juridiques nationales et internationales appropriées en vue de préserver et de promouvoir l'Europe en tant que continent gouverné par la primauté de droit.

C'est à [la] lumière de ce devoir permanent de vigilance vis-à-vis des violations de droits de l'homme que nous souhaitons exprimer notre préoccupation face à certaines situations récentes où des violations des droits de l'homme élémentaires se sont produites, – en Yougoslavie, en Birmanie, dans les Territoires Arabes Occupés et au Timor oriental.

Ces violations que je viens d'évoquer, ainsi que d'autres encore, seront soulevées par la Communauté Européenne et ses Etats membres sous les points pertinents de l'ordre du jour de la Commission. Nous estimons que l'attention que nous prêterons à ces questions ne manquera pas de contribuer à l'amélioration de la situation des droits de l'homme, à la prise de conscience publique à l'égard des droits fondamentaux et à la pression exercée sur les gouvernements pour qu'ils changent leur attitudes.

L'activité normative déployée s'est révélée de la plus haute importance pour la création d'un cadre juridique visant à la protection et à la promotion des droits de l'homme. Par ailleurs, des mécanismes efficaces de mise en oeuvre sont également indispensables pour assurer une jouissance totale des droits de l'homme reconnus par ces mêmes instruments.

Dans ce contexte, le rôle joué par les organes de surveillance est d'une importance indéniable, car leur fonctionnement effectif s'avère essentiel pour le renforcement des droits de l'homme et la prise de conscience de la part des gouvernements.

Nous espérons beaucoup de la tenue des réunions préparatoires ainsi que des décisions de la Conférence Mondiale des Droits de l'Homme qui se tiendra à Berlin en 1993. Ce sera l'occasion d'évaluer dans quelle mesure les normes relatives aux droits de l'homme ont été appliquées et cet événement ne manquera certainement pas de contribuer à l'approfondissement du respect des droits de l'homme et de renforcer les mécanismes de mise en oeuvre déjà existants.

La Commission a aussi progressivement institué des procédures significatives destinées à renforcer le système de protection des droits de l'homme, reflétant ainsi l'importance croissante de cette instance et la confiance accordée à ses travaux par la communauté internationale.

Des Rapporteurs spéciaux et des groupes de travail formés par des experts indépendants interviennent activement dans ce domaine, présentant des rapports actualisés et agissant rapidement vis-à-vis de situations particulièrement délicates. Leur rôle est, à notre avis, de la plus haute importance. En effet, ils sont en mesure d'assurer que ceux qui violent les droits de l'homme n'échappent pas à la critique, ce qui permet d'encourager une meilleure mise en oeuvre des normes et standards des droits de l'homme.

Par le biais du programme de services consultatifs, un système d'assistance technique a été mis sur pied afin d'aider les gouvernements dans leurs efforts de fournir une connaissance accrue et une prise de conscience plus profonde des principes des droits de l'homme, tout en renforçant le processus de transition vers la démocratie et l'Etat de droit et en garantissant le plein accomplissement de leurs obligations internationales. Ce système de services consultatifs et d'assistance technique ne devrait toutefois pas pouvoir servir d'excuse à des violations des droits de l'homme.

Compte tenu de ces objectifs, nous reconnaissons l'importance-clé du Centre des Droits de l'Homme qui ne peut jouer un rôle vital que s'il est doté de personnel et de ressources suffisants.

Nous continuerons donc à suivre activement cette question, à la lumière de résolutions pertinentes adoptées par l'Assemblée Générale.

Monsieur le Président,

Il est vrai que ces procédures, qui sont d'une grande valeur, ne peuvent fonctionner qu'avec [la] pleine collaboration des gouvernements, à la lumière des obligations solennelles souscrites par tous les membres des Nations Unies de sauvegarder les droits de l'homme.

Tous les gouvernements devraient également respecter le travail des Organisations Non-gouvernementales (ONGs) qui s'occupent des questions de droits de l'homme et leur permettre le libre accès à l'information ainsi que la libre diffusion des informations relatives aux droits de l'homme.

Leur dévouement à la cause des droits de l'homme est d'une grande importance. Ils représentent un partenaire qualifié dans la sauvegarde des droits et libertés fondamentaux.

Nous voudrions dans ce contexte, rendre hommage aux défenseurs des droits de l'homme qui, trop souvent sont les premières victimes de l'arbitraire qu'ils dénoncent. Ils doivent recevoir une attention particulière de cette Commission.

Nous souhaitons également souligner le rôle essentiel et croissant des institutions nationales de promotion et de protection des droits de l'homme, ainsi que la nécessité d'assurer leur indépendance et l'efficacité de leur action.

Cependant, la responsabilité de mise en oeuvre des objectifs et des tâches définies plus haut incombe en premier lieu aux Etats membres des Nations Unies et plus spécifiquement à nous, membres de la Commission des Droits de l'Homme.

Nous sommes confrontés à ce défi qui exige notre coopération dans la défense des valeurs universelles consacrées par les instruments de droit de l'homme.

Avant de conclure, permettez-moi, au nom de la Communauté Européenne et de ses Etats membres, de mettre en exergue le rôle permanent joué par l'ancien Secrétaire Général des Nations Unies, M. Javier Perez de Cuellar, dans la promotion et la défense des droits de l'homme. Nous connaissons tous l'engagement personnel de M. de Cuellar à cet égard. Je saisis l'occasion qui m'est offerte aujourd'hui pour exprimer notre appréciation ainsi que notre gratitude.

Nous sommes en outre conscients du fait que le nouveau Secrétaire Général, M. B. Boutros Ghali, partage les préoccupations de son prédécesseur en matière de droits de l'homme. Nous sommes convaincus de sa détermination d'inclure cette question au coeur des activités des Nations Unies.

Cette année-ci, une Organisation des Nations Unies plus forte sera sans doute appelée à consacrer une grande partie de son énergie à la poursuite du renforcement de ces valeurs fondamentales. Il est du plus grand souhait de la Communauté Européenne et de ses Etats membres que d'offrir leur concours sans limites, en coopération avec d'autres membres de la communauté internationale, à la réalisation de cet objectif.

92/027. Statement on North Korea

Date of issue: 31 January 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the signature of the Safeguards Agreement of the Non-Proliferation Treaty by the People's Democratic Republic of Korea, on 30 January 1992. In view of this important new development they look forward to the early ratification and full implementation of the agreement allowing the International Atomic Energy Agency to carry out inspections in accordance with the established procedures of the agency.

The Community and its Member States also express their hope that this new step, taken together with the agreement between the two Koreas on reconciliation, non-aggression and exchange and cooperation and with the joint declaration for a non-nuclear Korean Peninsula, both reached last December, will contribute to the strengthening of the inter-Korean dialogue and the peace and stability in the region.

92/028. Question No 1860/91 by Mr Ford (S) on reciprocal arrangements for dealing with deaths of visiting EC nationals

Date of issue: 31 January 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 1 September 1991)

On the event of the death of a constituent's son in Waalwijk, Holland in November 1990, a post-mortem was carried out in Holland before the body could be returned to the UK and a further post-mortem was carried out in the UK because the Dutch details had not been released. Some eight months later now, the father still has no knowledge of the cause of death of his son, and the inquest in Holland is only just being initiated.

Would the Ministers meeting in European political cooperation care to comment on the experience of the constituent concerned:

- firstly, to say whether this experience would be the norm between fellow EC Member States and,
- secondly, if this is not the norm, why has this family been subjected to further bureaucratic trial at a time of such grief?

Answer:

The facts recounted by the honourable Member are entirely a matter for the Member States concerned.

92/029. Statement on the attempted *coup* in Venezuela

Date of issue: 4 February 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The European Community and its Member States firmly condemn the attempted *coup* against the constitutional and democratic Government of Venezuela on 4 February 1992.

The European Community and its Member States fully support the measures taken by President Carlos Andrez Perez to thwart the *coup* and express their full support to the President and Government of Venezuela.

92/030. Question No 1462/91 by Mr De Rossa (CG) on Marcela Rodriguez, a prisoner in Chile

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 16 July 1991)

Is EPC aware of the plight of Ms Marcela Rodriguez, a prisoner in Chile, who despite being paralysed for life and generally being in an extremely precarious state of health, has been moved from hospital, contrary to medical opinion, and returned to the military-run Santiago Prison which has none of the medical facilities necessary for the care of somebody in her condition?

In view of the grave and immediate threat to her life, will EPC undertake to make urgent representations to the political and military authorities in Chile, seeking that she be returned to hospital and assured of the necessary care until such time as any legal case against her is processed?

Answer:

The Presidency kindly refers the honourable Member to the reply given to his oral question H-615/91 on the same subject.¹

¹ *EPC Bulletin*, Doc. 91/214.

92/031. Question No 1502/91 by Mr Vandemeulebroucke (ARC) on harmonization of the Member States' rules governing arms exports

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 16 July 1991)

It is reported that, on 16 April 1991, an EPC meeting of experts was held in an attempt to harmonize rules governing arms exports from Member States following the Gulf War. In this context, a definition is being sought of the concept of 'reasonable sufficiency' in order to end supplies of weapons to already overcrowded countries.

What was the result of this meeting and has any progress since been made?

Answer:

The meeting on 16 April 1991 and subsequent meetings of experts on conventional arms exports had a significant result with the adoption, by the European Council of Luxembourg of 28 and 29 June 1991,¹ of a declaration on non-proliferation and arms exports, which notably outlined a list of common criteria with regard to conventional arms exports.

The EPC ad hoc working group is continuing its work on further harmonization of rules governing the exports of conventional arms from Member States of the Community.

¹ *EPC Bulletin*, Doc. 91/196.

92/032. Question No 1503/91 by Mr Vandemeulebroucke (ARC) on the position adopted by the EC at the CSCE expert working party on national minorities

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 16 July 1991)

From 1 to 19 July 1991, a meeting is being held in Geneva of the CSCE expert working party on national minorities.

Has there already been an EPC coordination meeting on this issue and what was the outcome. In addition to individual rights of members of minorities, will the Community also uphold the rights of minority groups as such (self-determination and self-government) together with state structures which recognize and guarantee plurality?

Answer:

The honourable Member is certainly aware of the fact that it has become standard practice of EPC to convene coordination meetings with a view to defining common positions and approaches of the Community and its Member States at the various meetings of international fora.

In Geneva, the Netherlands Minister of the Interior, Ms I. Dales, delivered an opening speech on behalf of the Community and its Member States the text of which had been agreed by Member States in the CSCE working group.¹ During the same preparatory meetings and through exchanges on the Coreu network between capitals and the Presidency, a basic outline had also been developed for a contribution to a final document at the Geneva meeting.

Consensus was reached on a common contribution to the concluding document. This contribution first of all stressed the need for full involvement of persons belonging to national minorities in the development of their societies by ensuring them equal opportunity.

The Community and its Member States also underlined the necessity for protecting the identity of national minorities and creating better conditions for the promotion thereof. They also indicated their support for the idea of democratic participation within states on issues relating to the situations of national minorities.

The Community and its Member States advocated the availability of the mechanism of the human dimension and of the other CSCE mechanisms for the protection of the rights of individuals belonging to national minorities. They also favoured the promotion of the involvement of individuals in the protection of their rights, including those rights of persons belonging to national minorities. Finally, they recommended that the Ministerial Council of the CSCE take the necessary steps to give effect to these provisions and that the issue should be kept under review.

The report which eventually emerged from negotiations in Geneva was generally felt to be an acceptable compromise between many divergent views on the complex issue of national minorities, be it one that remains below the ambitions of some Member States. Some delegations made interpretative statements on the final document. A number of participating States underlined the need to address specific questions, including the rights of minority groups as such, at the Moscow Meeting of the Conference on the Human Dimension and more generally within the framework of further CSCE work on minorities.

The President-in-Office of the EC Council of Ministers, Mr Hans van den Broek, when addressing the Moscow meeting of the CHD Conference on 10 September expressed his concern that

some states still thought that violence and oppression could solve their problems with minorities. He pointed out that persons belonging to minorities should be able to exercise their rights.

¹ *EPC Bulletin*, Doc. 91/200.

92/033. Question No 2130/91 by Mr Stevenson (S) on the political situation in Burma

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 26 September 1991)

Are the Ministers aware that the present authorities in Burma have passed and backdated a law laying down that any political offence including criticism of the authorities in Burma should be classified as high treason and attract a life imprisonment sentence?

If so, what action are the Ministers proposing to express the European Community's serious concern regarding this and other actions by the undemocratic authorities in Burma?

Answer:

The Community and its Member States welcomed the outcome of the May 1990 elections in Burma in which the Burmese people indicated their desire for a democratic multi-party system. They called on the military authorities to transfer power without delay to a government designated by the newly elected Parliament and by introducing a democratic multi-party system. Since then, the Community and its Member States have deeply regretted the failure of the Burmese authorities to initiate a democratic process, to respect internationally acknowledged rules of conduct in the field of human rights, to cease the harassment, incommunicado detention and house arrests of the Noble Peace Prize Winner Daw Aung Suu Kyi and other leaders of the opposition and to free political prisoners stressing their right to live freely in their own country without the menace of exile.

In the light of the Burmese Government's continued repressive policies the Community and its Member States have reduced economic and trade relations to a minimum, suspended all non-humanitarian aid programmes and agreed upon a total ban on arms sales to Burma.

The Community and its Member States, in their dealings with the Burmese authorities, will continue to stress that they are prepared to re-establish constructive relations with the Burmese Government, including a resumption of development assistance programmes, on the condition that Burma fulfils its obligations in the field of human rights and democracy.

92/034. Question No 2306/91 by Mr Robles Piquer (PPE) on the value of a private residence in Managua

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 21 October 1991)

Given the symbolic importance attached to the following matter with regard to restoration of the rule of law in Nicaragua, do the Ministers have any way of finding out whether the USD 1400

paid by former President Ortega of Nicaragua for a family home 'purchased' in the City of Managua on 24 April 1990 represented the market value of the property or whether it was in fact worth USD 1 million, as claimed by its previous owner, Jaime Morales, who was expropriated by the Sandinist Government led by Mr Ortega?

Answer:

The specific issue raised by the honourable Member falls outside the scope of European political cooperation.

92/035. Question No 2363/91 by Mr Kostopoulos (S) on the effectiveness of the CSCE and Western European Union (WEU)

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 22 October 1991)

Events in the Soviet Union and Yugoslavia have shown that Europe is facing security problems which the existing international bodies (CSCE, WEU) effectively, in their present form, are not equipped to deal with since it is necessary to identify and analyse the numerous complicated political, economic, religious and ethnic factors leading to the violence in the communities concerned.

Does EPC intend to take measures to improve the flexibility and effectiveness of these two European defence and security organizations?

Answer:

The Presidency firstly wishes to draw the honourable Member's attention to the fundamental difference in nature of the two organizations referred to in his question.

The Conference for Security and Cooperation in Europe (CSCE) is a gathering of 38 participating States aiming at setting the basis, in a post-confrontational period between East and West, for cooperative security in an inter-governmental environment.

WEU is a common defence organization of, at present, nine European States which are incidentally all members of the European Community.

Whereas most CSCE-subjects fall within the competence of EPC and are thus regularly discussed at the various levels of this inter-governmental mechanism and given the necessary follow-up by the Community and its Member States in the larger framework of the 38, the role and attributions of the WEU fall outside the range of EPC topics.

With regard to WEU, the honourable Member is doubtless aware of the fact that its role and involvement in the common foreign and security policy of the future European Union has been extensively discussed during the Inter-governmental Conference on Political Union which found its conclusion on 10 December at the European Council of Maastricht.¹ In this connection, the honourable Member might wish to refer to article D of that segment of the Treaty on European Union dealing with a Common Foreign and Security Policy, to the Declaration of the Member States of Western European Union which are also part of the European Union on the role of WEU and its relations with the European Union and with the Atlantic Alliance and to the Declaration of the Member States of WEU, on the occasion of the 46th Meeting of the European Council in Maastricht, on the accession or the association of new members.

At present, the CSCE is focusing its work on a whole series of new priorities, such as the peaceful settlement of disputes, the protection of national minorities (Geneva), and the consolidation of democracy and the rule of law. Furthermore, negotiations in the field of military security are taking place in Vienna, including new confidence and security-building measures.

The European Community and its Member States have made a substantial contribution to the elaboration of the so-called emergency mechanism which allows for the convening of CSCE participating States at short notice for political consultations. The extremely preoccupying situation in Yugoslavia has made for the convening of five emergency meetings of the CSO in Prague, proving the value of the newly created mechanism.

The second meeting of the Ministerial Council to be held late January 1992 and, the Helsinki follow-up meeting in the spring of 1992, are expected to take decisions aimed at a further strengthening of CSCE structures and institutions. The Community and its Member States are intimately involved in the discussions leading up to these meetings.

¹ EPC Bulletin, Doc. 91/430.

92/036. Question No 2480/91 by Ms Ewing (ARC) on prisoner of conscience Zhang Yafei in China

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 November 1991)

Mr Zhang Yafei is a 24 year-old student who was sentenced to 11 years' imprisonment on 10 March 1991. He was charged with 'counter-revolutionary' propaganda and agitation and also 'organizing and leading a counter-revolutionary group'. He is currently being held in Quincheng prison.

Given the fact that blatant human rights violations continue to be perpetrated by the Chinese authorities and that students and others are continually denied their right of freedom of expression, will EPC take up the case of Mr Yafei and press the Chinese authorities for his immediate release?

Answer:

The specific case referred to by the honourable Member has not been discussed within the EPC.

However, the Community and its Member States have repeatedly called on the Chinese authorities to respect human rights. They have raised violations of human rights in individual cases in confidential *démarches* to the Chinese authorities and in high-level meetings. They have also expressed their deep concerns publicly by way of declarations.

92/037. Question No 2505/91 by Mr Adam (S) on human rights in Korea

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 8 November 1991)

During the European Parliament's delegation visit to Korea in March 1991 we were informed by the South Korean Foreign Minister that serious attempts would be made to 'tone down' the prevailing national security laws, which prescribe complicated formalities for relations between South and North Koreans, failure to conform with which can be punished with heavy prison sentences.

Could the Foreign Ministers indicate whether they have been informed of any substantial change to this national security law? If no substantial change has taken place will the Foreign Ministers take any action in their dealings with the South Korean Government to ensure that this commitment made to an EC body will be carried out?

Answer:

The subject of South Korea's national security laws has not been discussed in the framework of EPC.

However, the Community and its Member States are aware that the Korean National Assembly passed amendments to the National Security Law on 10 May 1991. These were apparently designed to eliminate overly stringent aspects of the past National Security Law and to ensure that the current law provides for less rigid restrictions which, according to the South Korean authorities, are needed to defend South Korea against external and internal subversion and sabotage.

The Community and its Member States welcome the reopening of a direct political dialogue between North and South Korea, which has led to the signing on 13 December 1991 of the 'Agreement on Reconciliation, Non-aggression and Exchanges and Cooperation between the South and the North' containing provisions for *inter alia* free inter-Korean travel and contacts, and express the hope that this will help reduce tension on the Korean peninsula and encourage the South Korean authorities in their efforts to further realize the goals of democracy and respect for human rights.

92/038. Question No 2710/91 by Mr Ford (S) on Burmese refugees in Thailand

Date of issue: 11 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 21 November 1991)

Will EPC say what measures it has taken or is instituting against the Thai authorities who have in recent months pursued a policy of forcibly returning Burmese refugees from Myanmar [Burma], in direct contravention of the internationally recognized principle of *non-refoulement*.

Answer:

The Community and its Member States understand that the Thai authorities are checking various groups in Thailand in order to ascertain which appropriate arrangements there are for them. The Thai authorities are aware of international concern that no Burmese should be forcibly returned to face persecution in Burma. The UNHCR, through its representative in Bangkok, are closely watching developments.

The Community and its Member States underline UNHCR's role in this regard and express their concern given also the progressively deteriorating situation in Burma.

92/039. Question No H-1219/91 by Mr Pagoropoulos on Greeks missing after the 1974 Cyprus tragedy

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to a report in the Kurdish newspaper 'Yeni Ulke', Kurdish herdsmen in Adana, Turkey, met 5 strangers aged between 40 and 50 whom current information would appear to identify as Greeks missing after the 1974 Cyprus tragedy. The immediate seizure of the newspaper by the Turkish authorities on grounds of 'national security' tends to confirm this assumption.

What specific action does EPC intend to take to clear up the fate of the 1619 people missing since the illegal Turkish invasion and occupation of 38% of Cyprus in 1974?

Answer:

I would refer the honourable Member to the reply given to Mr Alavanos in January 1992 on this same subject in response to his Question No H-1215/91.¹

¹ EPC Bulletin, Doc. 92/012.

92/040. Question No H-1230/91 by Mr Ephremidis on illegal trade in the armaments of the former East German army

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to newspaper articles and statements by members of the Bundestag, the equipment of the former East German army is being sold off cheaply, via illegal channels, to countries such as Turkey, Israel and other countries in Europe and elsewhere.

What action are the Foreign Ministers meeting in EPC to take to ascertain whether this information is true? Do they believe that the export of military equipment to sensitive areas and countries which occupy foreign territory conflicts with the need to limit and control the arms trade as a means to defuse local and international tensions and to reduce conventional weapons?

Answer:

Transfers of armaments and equipment of the former East German army to third countries such as alluded to by the honourable Member have not been discussed within the framework of European political cooperation.

The government directly concerned is observing carefully its strict regulations for the transfer of arms. If there are any concrete hints for illegal transfer, the government directly concerned will take immediately appropriate action.

92/041. Questions No H-1298/91 by Mr Arbeloa Muru and H-1270/91 by Mr Dessylas on brutal killings of children and mass murder and mass graves of street children in Brazil

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-1298/91:

What has been the response of the Brazilian Government to the European Parliament's recent resolutions condemning the brutal killings of children by the 'death squads'?

Question No H-1270/91:

Anyone with a conscience must feel horror and outrage at the fact that 2000 street children have been murdered and buried in mass graves in Rio de Janeiro in the last 4 years (340 in the last 10 months alone) by death squads made up of ruthless parastate elements and the scum of society.

What are the views of the EPC (and of the other EC institutions in general) on this matter and what representations does it intend to make to the Brazilian authorities?

Answer:

Allow me to give a joint reply to the questions on the problem of street children in Brazil.

Since the coming into office of President Collor, human rights issues have been constantly moving to the forefront to become of central concern to the Brazilian authorities. Preoccupied with public opinion, domestic and, above all, international, such as expressed for instance by the European Parliament in its recent resolution, the Collor Government is pursuing the initiatives launched towards the end of 1990. The Ministry of the Child, under the competence of the Ministry for Health, is notably called upon to implement the 'statute of the child and adolescent' which was adopted by Brazilian Congress some fifteen months ago.

Moreover, in the wake of denouncements by Amnesty International, President Collor ordered a thorough investigation under the responsibility of the Minister of Justice. A 'Council for the Defence of Human rights' subordinated to the Ministry of Justice, established a subcommission to inquire into the assassinations and to propose measures to prevent violence against children and adolescents.

The Community and its Member States, while regretting that the inquiry conducted in accordance with President Collor's instructions has not yet led to an exhaustive report, acknowledges with satisfaction that the aforementioned subcommission has produced a number of recommendations to be used as a basis for a national plan of prevention and reduction of violence against children. These recommendations comprise the full investigation of all cases, the end to impunity, the appointment of a special prosecutor, the review and improvement of the police forces, the strengthening of the judiciary, the creation of commissions at state level to implement measures adopted, the restructuring of the 'Council for the Defence of Human Rights' and, more generally, the mobilization of society.

It is evident that more specific and practical measures are required to come to grips with a phenomenon of such terrifying scope. In this connection, and given Brazil's concern at its image abroad, the impact of both international encouragement and persuasion should be carefully weighed. The Community and its Member States therefore, on the one hand, welcome the efforts

undertaken so far by the Government of Brazil and, on the other, refrain from publicly interfering with President Collor's initiatives which are pointing in the right direction.

The honourable Member may wish to know that the European Community, through the Commission, has undertaken to contribute to various projects aiming at the protection of children and youths. In parallel, several Member States have also undertaken to assist bilaterally the Brazilian efforts to curb violence against children and adolescents.

Considering the terrifying scope of the problem and the size of the suburban Brazilian cities, notably Rio de Janeiro, it may be assumed that progress will be slow, at least in the initial stages of implementation of the aforementioned reforms. The honourable Member may therefore rest assured that the Community and its Member States will continue to encourage, through their representatives, any action by the Brazilian authorities likely to improve the dramatic situation of street children while continuing to discuss further ways and means of providing assistance to Brazil in its fight against the scourge of massive assassinations of minors, within the limits of their possibilities.

92/042. Questions No H-1307/91 by Mr Cushnahan and H-10/92 by Mr McMahon, taken over by Mr Hughes, on the creation of a commonwealth involving Soviet Republics and aid to states of ex-USSR

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-1307/91:

Have the Foreign Ministers, meeting in Political Cooperation, discussed the implications of the recent creation of a commonwealth structure involving several of the Soviet Republics?

If so, what was the outcome of these discussions?

Question No H-10/92:

What developments have taken place in the Communities' relationship with the territories of the former USSR since the Maastricht Council?

Answer:

Mr Martins, President-in-Office of European political cooperation: The decision of those attending the Alma Ata meeting, on 21 December 1991, to set up a community of independent states drastically changed the relationship which had existed until then between the Community and its Member States and the Soviet Union. Following that decision the Community and its Member States took note that the international rights and obligations of the former Soviet Union, including those covered by the United Nations, would continue in force and would be taken over by Russia. They welcomed the acceptance by the Russian Government of these obligations and responsibilities and expressed their readiness to continue to work with Russia, taking into account its changed constitutional status.

The Community and its Member States were prepared to recognize the other republics comprising the Community of Independent States as soon as they gave guarantees that they were prepared to satisfy the requirements contained in the statement of guide-lines for the recognition of the new states of Eastern Europe and the Soviet Union, issued by the Ministers on 16 December

1991.¹ On 15 January 1992, having received favourable replies from eleven members of the Community of Independent States, the Community and its Member States declared themselves ready to proceed to recognize the republics.²

Mr Cushnahan (PPE): Mr President-in-Office, as you are well aware, the Community has committed itself to providing substantial aid to that part of the world. Is the Council satisfied that the proper structure is in place for distributing that aid to the areas that need it most?

Mr Martins: The Council took this aid on by degrees. But just recently there has been a change in the decisions taken with regard to aid, both humanitarian aid and technical assistance, to the Community of Independent States. There is therefore no permanent follow-up. It must have flexibility to cope with actual political, social and humanitarian trends in this region, so that naturally the Council cannot say it is satisfied because it has to keep a permanent watch on developments in this zone of Europe.

Mr Hughes (S): I would like to thank the President-in-Office for his very clear responses. I wonder in relation to the criteria for recognition and the applications which have been received from eleven Member States, whether the President-in-Office is satisfied over the control of nuclear weapon stocks within those eleven former republics? That must be a major concern for us all. I wonder whether the President-in-Office is convinced that these weapon stocks are being properly controlled, that there is no danger of their flowing from those former republics and adding to proliferation?

Mr Martins: I shall confine myself to giving an answer following on from my first. The position is that formal guarantees in this respect were given on the part of the states recognized. It was on that basis, moreover that the Community and its Member States were able to recognize these new states. Nevertheless I fully recognize that this is a subject which will require the Community and its Member States to remain politically permanently on their guard.

Mr Scott-Hopkins (ED): Could the President state his view concerning the very disturbed situation in the south of what used to be the Soviet Union where all the states are almost in the state of civil war? It is in those states – Azarbaijan, Armenia and so on where the real aid is going to be needed. Has the Council come to any conclusion about what could be done there?

Mr Martins: I would say in answer to this supplementary question that we are aware that the present situation in part or whole of this region is an unstable one, so that the measures to be taken by the Community must be related to these actual developments in the region. I may say that in any case, as we know, measures were taken by the general affairs Council and the ECOFIN Council – the latter, incidentally, two days ago – with a view precisely to being able to respond to the needs arising in this region of Europe.

¹ EPC Bulletin, Doc. 91/464.

² EPC Bulletin, Doc. 92/008.

92/043. Question No H-4/92 by Mr Langer on political asylum for deserters, conscientious objectors and those resisting being drafted to fight in the Yugoslav conflict

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Given that the Italian Government has announced, through the Minister for Foreign Affairs, that it intends to offer asylum for those refusing to be conscripted to fight in the Yugoslav conflict or soldiers refusing to take up arms, do the Foreign Ministers meeting in EPC intend to propose that all the Member States offer genuine political asylum to anyone in Yugoslavia who refuses to take part in the fighting, whether as part of the army or militia groups, choosing instead to be a conscientious objector, to desert or to resist being called up? Do they intend to coordinate such action among themselves?

Answer:

The specific point raised by the honourable Member has not been discussed within the framework of EPC.

92/044. Question No H-16/92 by Ms Ewing on talks between the Turkish Government and the Kurdistan Workers Party

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Has EPC made any representations to the Government of Turkey concerning its refusal to contemplate talks with the PKK (Kurdistan Workers Party) which has repeatedly called on the Turkish Government to start talks and agree on a cease-fire? The PKK has been waging a guerrilla war against the Turkish armed forces since 1984 and now controls large areas of Turkish Kurdistan.

Answer:

No representations have been made. The Community and its Member States consider that the question of contacts between the Turkish Government and the Kurdistan Workers Party (PKK) is a matter for the Turkish authorities. The Community and its Member States condemn all acts of terrorism of whatever origin. They note with satisfaction the efforts of the new Turkish Government to combat the threat of terrorism by legal and democratic means. The Turkish authorities are aware of the importance which the Community and its Member States attach to strict observance of the commitments undertaken by Turkey through its ratification of international conventions on human rights.

92/045. Question No H-26/92 by Ms Dury on the expulsion of Canadian Members of Parliament by China

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

On 7 January 1992, the Chinese authorities expelled three Canadian Members of Parliament who had come to inquire about the human rights situation.

The Chinese authorities took the view that the Members of Parliament were engaged in activities 'incompatible with their status'. This is disputed by the individuals concerned and by the Canadian Government, which has lodged a protest.

Are the European Community and its Member States going to make no response to what appears to be a downright provocative act towards all those who are concerned at the human rights situation in China?

Answer:

The Community and its Member States have continuously been following developments in the field of human rights in China. They have raised violations of human rights in *démarches* to the Chinese authorities and in high-level meetings. They have also expressed their deep concern publicly.

The Community and its Member States will pursue this line of action.

The Chinese authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect of human rights. The Community's views were set out in the Declaration on Human Rights adopted by the Luxembourg European Council in June 1991,¹ which argued that the promotion and safeguarding of human rights is an essential cornerstone of relations between the Community and its Member States and third countries and a legitimate and permanent duty of the world community and of all states acting individually or collectively.

The Community and its Member States will review the situation in China at the forthcoming EPC ministerial meeting on 17 February 1992 on the basis of a report to be prepared by the Political Committee.

¹ *EPC Bulletin*, Doc. 91/194.

92/046. Question No H-32/92 by Mr Kostopoulos on the situation of Greeks in Georgia

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Approximately 1 million Greeks are living in a state of insecurity in the former Soviet Union. The majority are concentrated in Georgia (approximately 100,000), Ukraine (200,000), the Russian Federation (150,000) and Kazakhstan (50,000). The Greeks in Georgia are in the most precarious position in view of the civil war and the nationalist slogan 'Georgia for the Georgians'. Most of the former Soviet republics are potential danger zones and various national minorities naturally do not feel secure. What steps does EPC intend taking as a means of exerting effective pressure on the authorities in Georgia and the other republics to respect human rights, at least in regard to the Greek community?

Answer:

Following the Declaration against Racism and Xenophobia issued by the European Parliament, Council and Commission on 11 June 1986 and its declaration issued in Dublin on 26 June 1990,¹ the European Council on 9 and 10 December 1991 in Maastricht,² repeated its expression of revulsion against racist sentiments and manifestations, rejecting them as unacceptable.

At their meeting on 16 December 1991,³ Ministers, in their declaration on the 'guide-lines on the recognition of new States in Eastern Europe and in the Soviet Union' made it very clear that

guarantees for the rights of ethnic and national groups and minorities in accordance with the commitments subscribed to in the framework of the CSCE were among the conditions to be fulfilled by the states in question in order to become eligible for formal recognition by the Community and its Member States. So far, all but one of the remaining republics of the former USSR have confirmed their readiness to comply with the conditions set out in the above-mentioned declaration, i.e. all 11 States constituting the Commonwealth of Independent States, except Georgia.

In a reaction to the serious disturbances in Georgia, the Community and its Member States, in their statement of 8 January 1991 [1992],⁴ recall that respect for fundamental rights and liberties is a condition for recognition of Georgia as an independent state, in conformity with the 'guide-lines on the recognition of new states in Eastern Europe and in the Soviet Union'. The present situation of turmoil and uncertainty in Georgia means that this republic has not formally been in a position to join the ranks of those states accepting the provisions of the 'guide-lines', although the present leadership has indicated that it is their wish to create a modern, democratic nation based on the rule of law.

As the honourable Member is well aware, there can be no doubt that the principle of respect for human rights and dignity, which has long been the cornerstone of relations of the Community and its Member States with third countries, will remain so in the future.

¹ EPC Bulletin, Doc. 90/264.

² EPC Bulletin, Doc. 91/434.

³ EPC Bulletin, Doc. 91/464.

⁴ EPC Bulletin, Doc. 92/005.

92/047. Questions No H-34/92 by Mr Papoutsis and H-109/92 by Mr Romeos on control [of] sales of the former USSR's nuclear weapons and control [over] the transfer of technology and technical know-how from the former Soviet Union

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-34/92:

How do the Ministers meeting in European political cooperation intend to respond to attempts by the various republics of the former USSR to sell nuclear weapons to third countries and in particular to those with which they share common frontiers?

Question No H-109/92:

The dangers surrounding the dissemination of technology and technical know-how relating to weapons of mass destruction (nuclear, chemical, biological) have increased considerably following the break-up of the Soviet Union.

Is EPC in a position to combat this danger effectively?

What steps can the Community take to prevent the uncontrolled transfer of technical know-how from the democratic countries of the former USSR?

Answer:

Mr Martins, President-in-Office of European political cooperation: The Community and its Member States attach great importance to the non-proliferation of nuclear weapons. This was made very clear to all the former republics of the Soviet Union in the light of past and present events in the former Soviet Union, and a link was established between recognition and non-proliferation, as I have already said.

In the communiqué on the future status of Russia and other former Soviet Republics, dated 23 December 1991, the Community and its Member States made clear their expectation that the Community of Independent States would guarantee a unified command of nuclear weapons and their non-proliferation. Finally, in the communiqués on the recognition of the former Soviet Republics dated 31 December 1991¹ and 15 January 1992,² the Community and its Member States stated their willingness to proceed to recognition based on guarantees given and on the condition that all the republics in which nuclear weapons were located would shortly accede to the nuclear non-proliferation treaty as non-nuclear members.

The Community and its Member States will continue to give priority to questions of non-proliferation, including the question of a possible brain drain, in its future contacts with the Community of Independent States. For this purpose the Council has agreed to technical assistance to the former Soviet Union amounting to MECU 450, which includes an amount specially intended for scientists, precisely in order to avoid a brain drain to third countries.

Mr Romeos (S): Thank you very much for your answer. I do not think anyone doubted that the Community would attach importance to the non-dissemination and non-transfer of technology and technical know-how. As indeed it would be strange if the countries now making up the commonwealth did not guarantee us that they would not allow dissemination or transfer. We expected all that. The problem and the question is whether the Community will do anything about what you mentioned earlier, namely a collective means of control. And the problem is that we must check to see whether transfers are taking place. The technology, in other words the transfer of nuclear weapons, may be somewhat difficult, but the brain drain, as you termed it, is very easy. I therefore think this is very important and would like to know what you are doing about establishing controls.

Mr Martins: This is a subject which, precisely because of its sensitivity, is [...] under consideration by European political cooperation. But it is also – and I should like to make this point here – a subject which warrants interest and action on the part of the United Nations, so that we are still in a preliminary stage as regards the decisions which may be taken on the suggestion just made by the honourable Member.

Mr Cushnahan (PPE): There is a lot of speculation about attempts by certain Middle East countries to recruit Soviet scientists. I would like to press the President-in-Office further and ask him not only what action the Council is taking with regard to the former Soviet Union, but also to what extent it is making its feelings known to Middle East countries about the dangers of such a situation developing?

Mr Martins: I can only answer for the initiatives and appraisal made at European Community level, by the Council and European political cooperation. I have had occasion to explain briefly what those initiatives have been. I would point out that this very day, with the agreement reached with Parliament on budgetary matters, a fresh amount was laid down to help to keep scientists in the Soviet Union, which may make a significant contribution to stabilizing this region and avoiding the undesirable consequences of the migration of scientists to other parts of the world.

Mr Cushnahan (PPE): Is it in order for the President-in-Office to ignore the second part of the question I asked, which was how the Council is making its views known to those Middle East countries which are trying to recruit former Soviet scientists?

Mr Martins: I think the answer was given by the positive nature of the action taken. We are interested at the moment in safeguarding stability in this region and making sure that the scientists and the knowledge, that is, the pool of knowledge which there is in this region, remain where they are, and in preventing that knowledge from constituting a threat if it reaches other regions of the world.

We have managed to take these positive measures. Any political initiatives which may be taken in future, and any consequences which may arise from such a transfer are matters which European political cooperation will have to consider in the future.

¹ EPC Bulletin, Doc. 91/472.

² EPC Bulletin, Doc. 92/008.

92/048. Question No H-36/92 by Mr Bowe on El Salvador

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Will the Council of Foreign Ministers continue to exert political pressure on the Government of El Salvador to stop all abuses of human rights by the armed forces which are continuing despite the signing of a peace agreement between the government and the rebels.

Answer:

The honourable Member is certainly aware that, in the framework of the San José dialogue, the Community and its Member States on the one hand, and the countries of the Central American Isthmus on the other, are presently in a process of negotiating, *inter alia*, a political declaration which will be submitted for adoption to Ministers meeting in Lisbon on 24 and 25 February 1992 in the eighth edition of the San José Ministerial Conference.

While the Community and its Member States have welcomed the significant advances towards peace and national reconciliation in El Salvador, they have not lost sight of remaining problems and are currently drawing attention, while discussing matters with the Central American representatives, and more particularly with the Salvadorean senior officials, to the obstacles which might hinder or endanger the peace process under way. The honourable Member may rest assured that the forthcoming San José VIII Conference will be an excellent opportunity for the representatives of the Community and its Member States to have a detailed and comprehensive exchange of views on the situation in El Salvador with the authorities of that country.

92/049. Question No H-38/92 by Mr Habsburg on the absence of democracy in Andorra

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The failure of the Foreign Ministers meeting in EPC to answer my questions H-770/91¹ and H-1013/91² has reinforced my belief that they have succumbed to pressure from the two co-Princes and are systematically refusing to answer a question which the representatives of the people of Europe have a democratic right to ask and are resorting to subterfuges which are incompatible with their function and obligations.

Since the Foreign Ministers meeting in EPC say they are not competent to consider the absence of democracy in Andorra, will they say who is?

Answer:

The honourable parliamentarian made a reference to the answers provided to his questions Nos H-770/91 and H-1013/91 on this same matter. I must simply reiterate their terms. For reasons previously given this question does not fall within the competence of the EPC.

The honourable parliamentarian is reminded that his question was the subject of a report by the Parliamentary Assembly of the Council of Europe, number 6146 of 16 November 1989, to which he might usefully refer.

The honourable parliamentarian might also care to note that at the unanimous request of the Council of the Valleys, a Commission comprising representatives of Andorran Councillors of the French co-Prince and of the Bishop co-Prince, is now studying the terms of a draft constitution.

¹ *EPC Bulletin*, Doc. 91/268.

² *EPC Bulletin*, Doc. 91/439.

92/050. Questions No H-42/92 by Mr Cabezón Alonso and H-44/92 by Mr Bandrés Molet on the death of a Spanish photographer in Panama and responsibility of the United States of America for the death of a Spanish journalist

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-42/92:

On 21 December 1989 Juanxu Rodríguez, a Spanish photographer, was killed in Panama by US troops while covering the invasion of the Central American state.

The US Administration has still not given a satisfactory response, despite the lapse of time involved, to the complaints lodged by the family of Mr Rodríguez and the Spanish Government.

The author of the present question has now asked EPC for information on the matter on several occasions.

Is EPC willing to give active support to the complaints of a Member State *vis-à-vis* the US Administration, with a view to obtaining compensation for the harm caused by the death of this Spanish photographer?

Question No H-44/92:

During the invasion of Panama by the United States of America, US soldiers killed the Spanish photojournalist and European citizen Juan txu Rodríguez under particularly unjust circumstances which leave no room for doubt. US laws protect the army against any criminal or civil action brought against it in connection with its military actions outside US territory. The Spanish Government has acted through diplomatic channels to demand compensation for the family of Juan txu Rodríguez for moral and financial damages, but has so far met with no success.

What action can European political cooperation take to demand compensation from the United States Government for the violent and unjust death of this European photographer?

Answer:

I would wish to give a joint reply to the questions related to the death of a Spanish journalist in Panama in December 1989.

The House will recall that in December 1989, the Community and its Member States deeply deplored the death of Mr Rodríguez, leaving, however, the initiative with the Spanish authorities. They understood that the matter was in the first instance for the latter to take up with the United States on a bilateral basis. Consequently, the Presidency understands that the Spanish Government has decided to exercise the diplomatic protection in favour of the Spanish national Juan txu Rodríguez and all the internal legal actions in the US have been exhausted.

While being aware of the fact that proceedings in the specific case mentioned by the honourable Members are slow and have so far brought little, if any, result, the Presidency would wish to underline that the case raised by the honourable Members falls outside the scope of European political cooperation. The Spanish Government subsequently requested the US administration to open an investigation into the matter and provided the family of the victim with legal aid, with a view to obtaining compensation for moral and financial damages. EPC is, under these circumstances, not competent to undertake any action whatsoever.

92/051. Question No H-64/92 by Mr Marques Mendes concerning EEC/Indonesia (East Timor) cooperation¹

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The EC Foreign Ministers meeting in EPC on 2 and 3 December 1991, referring to the declaration of the European Council of June 1991 on human rights and fundamental freedoms throughout the world,² considered the case of East Timor, particularly in the light of the Santa Cruz massacre in November, and in the final declaration stated that the Community and its Member States would reconsider cooperation between the European Community and Indonesia in the light of the guidelines and principles contained therein.³ It confirmed the continued violation of the fundamental rights of the people of East Timor as exemplified most recently by the above-mentioned massacre and subsequent detentions.

If, in the context of such reconsideration, the Commission has not yet taken any steps, does the Council intend to call on the Commission again to put forward to it its conclusions and proposals?

Answer:

Mr Martins, President-in-Office of the Council: [...]

Although the honourable Member's question clearly falls within the province of the Ministers for Foreign Affairs meeting within the framework of European political cooperation, I am ready to give him the latest details on this situation. Moreover the matter is relevant.

I would point out that the Community and its Member States have been following the human rights position in East Timor with particular care. In spite of everything, the Indonesian authorities are aware of the importance which the Community and its Member States attach to scrupulous respect for human rights.

The position of the Community and its Member States was set out in the declaration of the Luxembourg European Council of June 1991 on human rights, in which it was again stated that the promotion and defence of human rights constitute an essential factor in international relations and one of the pillars of European cooperation and of the relations between the Community and its Member States and third countries.

The honourable Member knows that in the declaration of 3 December 1991 the Community and its Member States asked the Indonesian authorities to reply to the grave concern expressed by the international community and supported the calls made for a credible in-depth inquiry by impartial and independent experts. In the same declaration of 3 December the Community and its Member States stated their intention of reconsidering cooperation with Indonesia on the basis of the guide-lines I have just referred to and of the resolution and regulation adopted by the Development Council on 29 November last on human rights, democracy and development.

Following recent developments and in particular the setting up by the Indonesian Government of an international committee of inquiry, whose report has already been published, and also the appointment of Amos Waco as personal representative of the Secretary-General of the United Nations to obtain clarification of the tragic events of 12 November, the Twelve are at present considering the possibility of a fresh declaration setting out their position on this problem.

Mr Marques Mendes (LDR): Mr President of the Council, I am very glad to see you here and I thank you for your answer.

I should like to say that I did not actually address my question to the Ministers for Foreign Affairs meeting within the framework of European political cooperation for the simple reason that, in the final declaration of the meeting of 2 and 3 December, it is stated very clearly that the Community and its Member States will reconsider the question of cooperation. So I was actually wanting to address myself to the Council as there is a reference here specifically to the Community, which has to come to a decision.

The problem, as the President of the Council is well aware, does not lie solely with what happened on 12 November 1991: the problem of violation of human rights in East Timor has kept coming up for a number of years past. But now the Community has made its views known and will be ready to make another declaration. What I should like to know specifically is whether the Council is prepared to put these declarations into practice and actually to reconsider this cooperation because, in other cases of violation of human rights in the world, positions have been adopted, sanctions have been imposed and so on, and in this specific case I should not like to see the Community applying double standards. In any case I should like, if possible, to hear the comments of the President of the Council on these points.

Mr Martins: To be more specific, I can assure the honourable Member that the Council will reconsider this question of Timor in the light of any developments. In my first reply I had occasion

to refer to certain matters which were in progress and might produce certain developments in the situation. It will be in that light that the Council will consider the question and certainly also in the light of the fresh appraisal of this subject which European political cooperation itself will shortly be making.

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- 1 This question was posed to the Council, but answered as being in the 'province of the Ministers for Foreign Affairs ...'
 - 2 *EPC Bulletin*, Doc. 91/194.
 - 3 *EPC Bulletin*, Doc. 91/429.

92/052. Questions No H-71/92 by Mr van der Waal and H-98/92 by Mr Pronk on threats to Bishop Tökes and the position of minorities in Romania and threats to the life of Bishop Tökes

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-71/92:

According to reports in the Dutch press (*Nederlands Dagblad* and *Reformatorisch Dagblad* of 15 January 1992), the Romanian reformed church bishop Laszlo Tökes, who played a major role in the 1989 uprising, has been threatened with execution by a Romanian people's tribunal. This tribunal, consisting of extreme nationalists, has even put a price on the bishop's head. In addition, the newspaper of the ruling National Salvation Front has accused Tökes of anti-Romanian activities, activities dangerous to the State, treason and revanchism. A regional section of the Front has also brought legal proceedings against Tökes, demanding his expulsion from the country. These threats come at a time when a witch-hunt is being carried out against other prominent Hungarian Romanians, and is related to a large-scale campaign against the 2.5 million strong Hungarian minority in Romania, most of whom live in Transylvania.

Have the Ministers for Foreign Affairs meeting within the framework of European political cooperation taken note of the above facts, and can they say what action they propose to take within the near future with a view to ensuring that the rights of minorities are guaranteed in Romania?

Question No H-98/92:

According to reports from the Dutch churches, representatives of extreme nationalist movements in Romania have decided to put a price of 150,000 lei on the head of Bishop Tökes. Bishop Tökes played a leading role in the fall of the Ceausescu regime in 1989.

Will the EPC do its utmost to arrange for an investigation to be carried out into these threats and to guarantee the safety of Bishop Tökes?

Answer:

The principles with regard to racism and xenophobia adhered to by the Community and its Member States, including the rights of ethnic, national and religious groups and minorities in accordance with the commitments subscribed to in the framework of the CSCE, have been outlined in my answer to the question of Mr Kostopoulos on the situation of national minorities in Georgia.¹

Their general and universal application is beyond doubt and is actively promoted by the Community and its Member States as the Romanian authorities will not have failed to notice.

The Community and its Member States are aware of attempts to intimidate Bishop Tökes, one of the leaders of the Hungarian community.

The Community and its Member States will continue to follow closely developments in Romania.

¹ EPC Bulletin, Doc. 92/046.

92/053. Question No H-76/92 by Mr Hughes on the UN Commission on Human Rights

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Can the President-in-Office confirm that representations to condemn continuing human rights abuses in Iran will be made to the UN Commission on Human Rights prior to the beginning of its deliberations at the end of February?

Answer:

When delivering the opening speech on behalf of the Community and its Member States at the 48th session of the Commission on Human Rights in Geneva,¹ the Presidency indicated, *inter alia*, that 'specific country situations would be raised under the relevant items of the agenda of the Commission', stating that the attention given by the Community and its Member States to various issues would 'contribute to the amelioration of the human rights situation, to raising public awareness of human rights concerns, and to putting pressure on governments to improve their behaviour[']'.

In this connection, the Community and its Member States have, as has become the custom, adopted a common strategy in advance of the session, in order to be able to display the greatest possible cohesion on all matters addressed at the CHR. Specifically referring to the honourable Member's mention of Iran, the Presidency takes the liberty to recall that this country has been at the forefront of EC preoccupations for many years and assure him that the human rights situation in Iran will continue to play an important role in the Community and its Member States' relations and contacts with that country.

¹ EPC Bulletin, Doc. 92/026.

92/054. Question No H-77/92 by Mr Pierros on the Turkish policy of persecution against Greek orthodox population in the region of Antioch

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

There has been a Greek presence in the region of Antioch since ancient times (300 BC approximately). Despite the fact that this region was annexed by Turkey in 1938, Greeks still live there today and villages such as Tokatili and Serelar-Machalesi are purely Greek as the inhabitants speak Greek and follow the Greek orthodox religion. However, Turkey is operating a policy of extermination aimed at wiping out completely the Greek presence in the region; the Greek presence is not officially recognized, Greek schools, the teaching and use of the Greek language are banned and the Turkish State does not provide any social security for these Greeks and denies them access to public life, contrary to the principles of international law. What is the position of EPC in the face of this blatant violation of the most fundamental human rights?

Answer:

The Turkish authorities are aware of the importance which the Community and its Member States attach to the rule of law and to the protection of human rights, including the rights of minorities and their freedom of religion. These rights are enshrined in international conventions as well as in the CSCE Paris Charter, to which Turkey is a signatory. The Declaration on Human Rights adopted by the Luxembourg European Council stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'.¹ Turkey is well aware that any failure to respect human rights, as guaranteed in the international conventions to which it has willingly subscribed, would risk undermining its credibility and standing internationally.

¹ *EPC Bulletin*, Doc. 91/194.

92/055. Question No H-79/92 by Mr Nianias on the protection of Greek minorities in Turkey

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Imvros and Tenedos are islands in the north-eastern Aegean, which for strategic reasons, were ceded to Turkey under the Lausanne Treaty in 1923. Their once numerous Greek population has fallen in our lifetime to a few hundred on account of the Turkish policy of repression and persecution.

Can EPC state what pressure it intends to exert to ensure that the Turkish Government protects and respects the basic rights of the Greek inhabitants of these islands, their property and dignity as guaranteed by international conventions and the UN Charter?

Answer:

The question tabled by the honourable Member has been the subject of much discussion in this House. In high-level contacts, the Community and its Member States have stressed to the Turkish authorities the importance they attach to strict respect for the rule of law and for the rights of minorities. By becoming a party to international agreements on human rights and on the protection of minorities, such as the CSCE Paris Charter, Turkey has committed itself to respect these principles. Turkey is well aware that any failure to comply with them will risk undermining its credibility as a partner in international relations.

92/056. Question No H-90/92 by Mr Moorhouse on European Community representation in Syria

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Following the reports by Amnesty International, dated 9 and 17 January 1992 respectively, alleging that seven Syrians have been arrested and tortured for making a statement criticizing the recent re-election of President Hafez Al-Assad, does European political cooperation consider it appropriate to continue to maintain its representation in Damascus?

Answer:

The Community and its Member States believe it is important to maintain a dialogue with third countries on the question of human rights and to take up violations of those rights wherever they occur. Heads of Mission of the Member States provide invaluable first-hand reporting of the human rights situations in the countries to which they are accredited. These reports are taken into account in formulating the policies of the Community and its Member States towards the country concerned. Heads of Mission may also be asked by the Community and its Member States to raise human rights violations with their host government. These direct contacts are often instrumental in persuading the government concerned to seek to improve its performance in the field of human rights.

Through this ongoing dialogue, the Syrian authorities are well aware of the importance the Community and its Member States attach to respect for the rule of law and to freedom of speech.

The Community and its Member States will continue to monitor the human rights situation in Syria and to take up any violations of those rights.

92/057. Question No H-117/92 by Mr Brito on relations between the EEC and Israel and the Arab countries

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Parliament has voted against the agreements with Syria and Morocco, quite legitimately invoking those countries' failure to respect human rights.

Parliament has, none the less, perpetrated a considerable mistake in using double standards. The same reasoning should logically have implied voting against the agreement with Israel, especially in view of that country's systematic disregard for the decisions of the UN Security Council. Since these double standards on the part of Parliament may give rise to problems with the Arab countries, what measures does European political cooperation believe should be taken to ensure that, while continuing to condemn human rights violations, the Community nevertheless develops a more coherent position as regards its relations with the Arab countries and Israel?

Answer:

The Community and its Member States are committed to raising violations of human rights wherever they occur. This commitment was enshrined in the Declaration on Human Rights adopted by

the Luxembourg European Council.¹ The Community and its Member States believe that their activities, which aim to be as non-discriminatory and universal as possible help to ensure that human rights issues remain at the forefront of international affairs.

The Community and its Member States remain seriously concerned at the situation in the Occupied Territories, which adversely affects the living conditions of the people, compromises the future of Palestinian society and prevents social and economic development. The Community and its Member States have repeatedly expressed this concern publicly and privately to the Israeli Government. They have urged Israel to act in conformity with its obligations under the Fourth Geneva Convention on the protection of the civilian population, and to cooperate with the United Nations. The Community and its Member States have repeatedly condemned violence in the Occupied Territories from whatever quarters it may come and have called upon the parties concerned to refrain from any measure which might risk jeopardizing the peace process.

¹ *EPC Bulletin*, Doc. 91/194.

92/058. Question No H-120/92 by Mr Miranda Da Silva on Community relations with the PLO

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency Portugal

Status of document: Answer to oral question in the European Parliament

The Council's declared commitment to the peace process in the Middle East and the enhanced role which the Community intends to play in that process will require, from the outset, the establishment of proper relations with all the parties involved in the Arab-Israeli conflict and the Palestinian question. Greater involvement on the part of the Community is hardly reasonable or even feasible for as long as it has, as at present, no relations with the Palestinians, and the PLO in particular.

Can the Foreign Ministers meeting in EPC say whether or not relations are to be re-established with the PLO? If so, what form will such relations take and when will they be established?

Answer:

From the outset, the Community and its Member States have given their full support to the Middle East peace process. As a participant at the Madrid Conference and more recently at the Moscow Organizational meeting for the multilateral phase of the peace process, the Community and its Member States have been able to make a full contribution to negotiations between the parties directly involved in the peace process.

The position of the Community and its Member States is based on United Nations Security Council Resolutions 242 and 338. The Community's guiding principles remain those set out in the Venice Declaration of 13 June 1980 and other subsequent declarations. These include the principles of land for peace, the right of all States in the region, including Israel, to live within secure and recognized boundaries and the right of the Palestinian people to self-determination. If a just, lasting and comprehensive settlement is to be found to the conflict it must be acceptable to all the parties involved.

The Community and its Member States had long pressed for the Palestinians to be a participant in the peace process, and not merely associated with it. The Community and its Member States hope that an appropriate solution will be found in a constructive spirit to Palestinian aspirations concerning the composition of their delegation in the multilateral phase of the peace process.

The Community and its Member States maintain an active dialogue with the PLO, with the aim of encouraging it to support the peace process under way constructively. At the same time, they continue their dialogue with Palestinians in the Occupied Territories as well as outside the area.

92/059. Question No H-121/92 by Ms van Putten on human rights violations in East Timor and the Indonesian archipelago

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Do the Ministers meeting in European political cooperation not consider, in the light of the UN reports of human rights violations in East Timor, West New Guinea and the Indonesian archipelago, and Indonesia's refusal to allow an independent international inquiry after the massacre of 12 November in East Timor, and given their own statement on this subject, that steps should be taken to ensure that an international inquiry is held as soon as possible?

Are they not prepared, in view of Parliament's statement, to reconsider development relations?

Answer:

The Community and its Member States are following with deep concern the human rights situation in East Timor, West New Guinea and Indonesia.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights. The Community and its Member States' views were set out in the declaration on Human Rights adopted by the Luxembourg European Council in June 1991,¹ which argued that the promotion and safeguarding of human rights is an essential cornerstone of relations between the Community and its Member States and third countries and a legitimate and permanent duty of the world community and of all states acting individually or collectively.

The Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. The honourable parliamentarian will be aware that in their statement on 3 December 1992, the Community and its Member States called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

As expressed in the above-mentioned statement, the Community and its Member States will review their cooperation with Indonesia in the light of the Indonesian response to the above-mentioned orientations and taking into account the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991.

In view of the recent developments, namely the setting-up of a national commission of inquiry by the Government of Indonesia (whose preliminary report was already rendered public) and the appointment of Mr Amos Waco, as a personal representative of the UN Secretary-General to obtain clarifications on the tragic events of 12 November (who is undertaking, during the current week a visit to Indonesia and presumably with this objective), the Twelve are now considering issuing a new statement expressing their position on this problem.

¹ *EPC Bulletin*, Doc. 91/194.

92/060. Question No H-124/92 by Mr Alavanos on the Balkans and Maastricht

Date of issue: 12 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Statements by leading Italian politicians in connection with the events taking place in the Balkans may create a climate of unease and mutual suspicion among the citizens of Greece and Italy. Statements by the chairman of the Italian Parliament's Foreign Affairs Committee, Mr Picoli, concerning Macedonia and intentions attributed to Greece, which were refuted by the Italian Government, are an example of this kind of behaviour which undermines the principles and objectives of Political Cooperation especially in the light of Maastricht.

What steps does EPC intend to take to bring a halt to this situation?

Answer:

The specific point raised by the honourable Member has not been discussed within the framework of EPC.

92/061. Statement on ASEAN

Date of issue: 13 February 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the conclusions reached by the ASEAN Heads of Government at their summit meeting in Singapore on 27 and 28 January. They believe the summit has opened up promising political perspectives: the internal strengthening of ASEAN and its opening towards the neighbouring countries of South East Asia give hope for the emergence of a strong new pole of stability in Asia, in the context of a multipolar world.

The moves to an ASEAN free trade area through a programme of tariff reductions wholly consistent with GATT are particularly welcome. The Summit's clear endorsement of the GATT open multilateral trading system will assist in our mutual efforts to ensure a successful outcome of the current Uruguay Round.

The Community and its Member States share the wish of ASEAN members for an intensified cooperative relationship, look forward to strengthening the dialogue process and note with interest the proposed widening of the scope of the Post Ministerial Conference process to include security matters.

The Community and its Member States look forward to the next EC/ASEAN ministerial meeting, tentatively scheduled for Autumn 1992, which they see as an opportunity for further discussion, in equal partnership, of issues of both bilateral and global concern. They also look forward to the signature, on that occasion, of a new EC/ASEAN cooperation agreement. The Community and its Member States are also ready to share their experience in regional cooperation.

ASEAN's proposal to seek endorsement of the United Nations for the Treaty of Amity and Cooperation in South East Asia and its commitment to the central role of the UN in the maintenance of world peace and security are welcome.

92/062. Statement on East Timor

Date of issue: 13 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, recalling their declarations issued on 13 November and 3 December 1991,¹ on the violent incident which occurred in Dili on 12 November have continued to follow very closely the situation in East Timor.

The Community and its Member States are encouraged by the prompt response which the summary report of the National Investigation Commission elicited from the highest Indonesian authorities, especially their criticism of the actions of the armed forces, the decision to dismiss the two senior commanders responsible for East Timor and to proceed with further investigation into the actions of the armed forces on 12 November and into the fate of those unaccounted for. They welcome the condolences expressed by the President of the Republic of Indonesia to the people of East Timor and his commitment that such an incident must not happen again.

Although they view favourably these developments, expressing the hope that they will be followed by concrete and effective steps to improve significantly the human rights situation in East Timor, the Community and its Member States remain concerned about other aspects of this question. Referring to the measures already taken by the Indonesian Government, they hope that further investigations will result in all those responsible being identified and, where appropriate, disciplined or brought to trial, and that these investigations will also produce clear information about the number killed and the fate of those still missing.

They welcome the involvement of the United Nations in this process and the appointment of Mr Amos Wako, as the personal representative of the Secretary-General of the United Nations, to undertake a visit to Indonesia and to East Timor in order to obtain clarifications on the tragic events of 12 November and look forward to a report on his visit. They note with satisfaction that the Indonesian authorities have indicated their willingness to cooperate fully with him.

The Community and its Member States call on the Indonesian authorities to ensure that all the East Timorese arrested on the occasion of the Dili shooting are treated humanely, that those not involved in violent activities are released without delay and that those brought to court are assured of proper legal representation and fair trials.

The Community and its Member States support the endeavours by the Secretary-General of the United Nations to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese. They support the start of a dialogue without preconditions between Portugal and Indonesia under the auspices of the United Nations Secretary-General, as contained in the constructive Portuguese proposal.

¹ *EPC Bulletin*, Docs 91/358 and 91/429.

92/063. Statement on air terrorism

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the unanimous adoption by the Security Council on 21 January of Security Council Resolution 731.

Recalling the statement on the bombing of flights Pan Am 103 and UTA 772 issued by the Maastricht European Council,¹ they underline the great importance which they attach to compliance by Libya with Security Council Resolution 731 and they urge Libya to fulfil the requests to which the resolution refers without delay.

¹ *EPC Bulletin*, Doc. 91/426.

92/064. Statement on Albania

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express grave concern at a series of incidents against the Greek minority in Albania, in the course of the last days.

They appeal to the Albanian authorities to take the necessary steps urgently so that incidents of such a nature be put an end to and order re-established to the benefit of all the people living in Albania.

They also remind the Albanian Government of its solemn commitments to abide strictly by CSCE provisions, particularly those pertaining to the respect of human rights and the rights of minorities, including those with regard to participation in national elections.

92/065. Statement on Algeria

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have been following the situation in Algeria with concern.

The Community and its Member States reiterate their wish for Algeria to return to a normal institutional life and their encouragement to the High Committee of State to promote dialogue among all parties concerned. The Community and its Member States strongly urge the Algerian authorities to pursue their publicly announced commitments namely, the social and economic reforms, the restructuring of public administration and the protection of fundamental freedoms.

The Community and its Member States will support all efforts undertaken by the Algerian authorities to restore the democratic process. They hope that this transitional process will be attained with respect for human rights, tolerance and political pluralism.

The Community and its Member States are willing to cooperate with the Algerian authorities in the economic recovery of their country, bearing in mind that compliance with the aforementioned principles will be important in the context of bilateral relations.

92/066. Statement on the Middle East peace process

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States are following closely the developments in the Middle East peace process in both its bilateral and multilateral tracks.

The achievement of lasting peace in the region is of vital importance for Europe. This is why the Community and its Member States are fully committed to playing a consistent role in this process, bearing in mind that the Middle East is a neighbouring region, with which Europe has long-standing political, historical, cultural, economic and commercial ties, and whose stability and security are essential to Europe's own stability and security.

The Community and its Member States have maintained regular contacts with the parties to the bilateral negotiation, as well as with the co-sponsors and other participants. The Community and its Member States will not spare any efforts to provide their good offices if requested by the parties involved themselves.

The inception of the multilateral phase of the Middle East peace process in Moscow has the potential to reinforce the bilateral talks. It is in itself a concrete confidence-building measure, enabling peace to become a reality and genuine regional cooperation to develop. However, substantive progress in the multilaterals can only be attained if the central issues of the bilaterals also register some progress.

The Community and its Member States reiterate their commitment to play a constructive and active role in the multilateral negotiations. To this end, some obstacles should be overcome. First of all, the presence of all the parties directly involved is essential in the next phases of the multilateral process. Secondly, a formula allowing for a broader Palestinian participation should be sought. Thirdly, the United Nations and their specialized agencies should participate and contribute to the building up of regional cooperation. Fourthly, the Community and its Member States should participate, preferably as co-organizer, in all working groups established for the multilateral negotiations. They believe it is necessary to be fully engaged in working groups of a clearly political nature, such as 'Arms Control and Regional Security', besides their full involvement in working groups of an economic nature.

92/067. Statement on Yugoslavia

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States warmly welcome the recommendation made by the Secretary-General of the United Nations to the Security Council on the deployment of a UN peace-keeping force in Yugoslavia, in accordance with the United Nations plan. They strongly hope that a favourable decision will be reached shortly.

They call upon all parties to do their utmost to facilitate the speedy and safe deployment of the UN peace-keeping force.

The Community and its Member States consider that the combined and coordinated efforts of the UN peace-keeping forces and of the monitor mission will constitute a major factor towards the

establishment of the necessary conditions for a peaceful and comprehensive settlement of the crisis, to be reached through the active participation of all parties concerned in the Conference on Yugoslavia. They also underline the continued importance of the strict respect for the arms embargo in force.

The Community and its Member States reiterate their full appreciation for the results already achieved in the framework of the Conference on Yugoslavia, under the chairmanship of Lord Carrington. In this respect, they emphasize the need for all participants to comply fully with the commitments already undertaken regarding the provisions of the draft treaty on the protection of human rights and the rights of minorities and the unacceptability of any change of borders brought about by force.

The Community and its Member States note with appreciation the constructive attitude of Serbia and will take it into account when reviewing the question of positive measures.

The Community and its Member States express their support for the ongoing efforts, under the auspices of the conference, to fostering dialogue among all parties in Bosnia-Herzegovina, aimed at achieving a constitutional solution which must take into consideration the legitimate concerns of all peoples involved within the inviolable borders of the republic. In this light, they indicate their readiness to respond in a positive way to the request of the Bosnian authorities for international supervision of the forthcoming referendum, in close coordination with the relevant institutions of the CSCE.

The Community and its Member States will continue to follow very closely all developments concerning the possible recognition of other republics.

92/068. Statement on Zaire

Date of issue: 17 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States stress the importance they attach to the respect of human rights and to the realization of the democratization process in Zaire.

In this connection, they vigorously condemn the act of violence perpetrated by the security forces in Kinshasa on 16 February 1992 and deplore the fact that a large number of innocent victims were injured or killed among the population as a result of the intervention of these forces.

The Community and its Member States refer to their declaration of 22 January 1992 and reiterate their support to all the institutions and political forces involved in order to enable the National Conference to resume its work shortly and under normal circumstances.

92/069. Statement on the situation in South Lebanon

Date of issue: 20 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their grave concern about the recent worsening of the situation in South Lebanon.

In line with its recent statement on the Middle East peace process, the Community and its Member States strongly reiterate their condemnation of all acts of violence in the region, whatever

their origin. Such acts of violence endanger the lives of innocent civilians and those of UN personnel in the area and may create an obstacle to the current Middle East peace process. Bearing this in mind, the Community and its Member States appeal to the parties involved to refrain from any military actions, to respect the sovereignty of Lebanon and the role of the United Nations forces in the southern part of that country.

92/070. Statement on the appointment of the United Nations High Level Coordinator for Emergency Assistance

Date of issue: 21 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the decision of the Secretary-General of the United Nations to appoint Ambassador Jan Eliasson to the post of High Level Emergency Assistance Coordinator, and express their confidence that this step will contribute decisively to an early implementation of General Assembly Resolution 46/182 on the strengthening of the coordination of humanitarian emergency assistance.

The Community and its Member States remain deeply committed to ensuring prompt relief to victims of catastrophes and emergency situations, as well as to the effective coordination of the actions of UN agencies in this field. Recalling the declaration of the European Council on 29 June 1991,¹ which stated that strengthened coordination would be carried out in Geneva, they take note with interest of the Swiss Government's proposal to make available the necessary facilities in Geneva, where most of the international organizations involved are based.

¹ *EPC Bulletin*, Doc. 91/195.

92/071. Joint political declaration of the Lisbon Ministerial Conference on Political Dialogue and Economic Cooperation between the European Community and its Member States, the countries of Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama), and Colombia, Mexico and Venezuela as cooperating countries, held on 24 and 25 February 1992

Date of issue: 25 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

1. The eighth Ministerial Conference between the European Community and its Member States, the countries of Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama), and Colombia, Mexico and Venezuela as cooperating countries on Political Dialogue and Economic Cooperation between the European Community and the countries of the Central American Isthmus, inaugurated in Costa Rica in 1984 and thereafter pursued at annual meetings, was held in Lisbon on 24 and 25 February 1992.

2. The Conference was attended by the following representatives:

For Central America and Panama

Costa Rica

H.E. Mr Bernd Niehaus Quesada
Minister for External Relations and Religious Affairs

El Salvador

H.E. Mr José Manuel Pacas Castro
Minister for External Relations

Guatemala

H.E. Mr Manuel Villacorta Miron
Vice-Minister for External Relations

Honduras

H.E. Mr Mario Carias Zapata
Minister for External Relations

Nicaragua

H.E. Mr Ernesto Leal Sanchez
Minister for Foreign Affairs

Panama

H.E. Mr Julio E. Linares
Minister for External Relations

For the European Community

Portugal

H.E. Mr João de Deus Pinheiro
Minister for Foreign Affairs

United Kingdom

H.E. Mr Tristan Garel-Jones
Minister of State for Foreign and Commonwealth Affairs

Belgium

H.E. Mr Mark Eyskens
Minister for Foreign Affairs

Denmark

H.E. Mr Henrik Woehlk
Secretary of State for Foreign Affairs

Germany

H.E. Ms Ursula Seiler-Albring
Minister of State for Foreign Affairs

Greece

H.E. Mr George Papastamkos
Secretary of State for Foreign Affairs

Spain

H.E. Mr Francisco Fernández Ordóñez
Minister for Foreign Affairs

France

H.E. Mr Roland Dumas
Minister for Foreign Affairs

Ireland

H.E. Mr Brendan Daly
Minister of State at the Department of Foreign Affairs

Italy

H.E. Mr Ivo Butini
Secretary of State for Foreign Affairs

Luxembourg

H.E. Mr Jacques F. Poos
Minister for Foreign Affairs

The Netherlands

H.E. Mr Piet Dankert
Secretary of State for Foreign Affairs

Commission

H.E. Mr Abel Matutes
Member of the Commission

For Colombia, Mexico and Venezuela as Cooperating Countries

Colombia

H.E. Ms Nohemi Sanin de Rubio
Minister for External Relations

Mexico

H.E. Mr Javier Barros Valero
Secretary of State for External Relations

Venezuela

H.E. Ms Rosario Orellana
Vice-Minister for External Relations

For the Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA)

Mr Rafael Rodriguez Loucel
Secretary-General

3. The participants examined issues of mutual interest in the context of the dialogue and cooperation established in accordance with the principles enshrined in the Declaration of San José of 29 September 1984 and placed on a formal footing by the Final Act of the Luxembourg Conference of 12 November 1985.

They emphasized that this eighth meeting marked a further step towards the strengthening of dialogue and cooperation in a regional and international environment which had undergone considerable and far-reaching political and economic changes.

The Ministers of the European Community welcomed the positive developments in the regional peace process since the conference of Managua of 18 and 19 March 1991¹. At the same time, they noted with satisfaction that in the past year the Central American States had made further progress towards peace, dialogue and reconciliation as well as the consolidation of democracy. They encouraged continued efforts to strengthen regional security, through an agreement for the limitation on arms and military forces and any other appropriate means.

The Ministers of the European Community noted that the advances made in the Central American peace process opened the way to broader international cooperation with the region. Conscious of the fragility of peace and democracy, they considered that the advances made should be sustained and accompanied by the continued efforts of the region and appropriate support by the international community in order to achieve economic development and social justice.

Ministers emphasized that political and economic dialogue between the European Community and its Member States, on the one hand, and the countries of Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama), and Colombia, Mexico and Venezuela as cooperating countries, on the other, was an effective instrument for promoting and strengthening the Central American process of negotiation with a view to securing firm and lasting peace, genuine pluralism and democratic participation in political processes, respect for human rights and international law as well as stability and sustained social and economic development in Central America.

Aware of the need for renewed commitment and support in order to consolidate progress made to date and to bring about comprehensive peace, and determined to build on the Esquipulas and San José processes, the Ministers affirmed their resolve to deepen this direct dialogue.

They commended the United Nations organization for its essential contributions to the peace process and paid tribute in particular to the former United Nations Secretary-General, Mr Javier Perez de Cuellar, for his untiring efforts to foster national reconciliation in the states of the region. They welcomed the commitment already shown by the new Secretary-General, Mr Boutros Boutros Ghali, to continuing this process by giving special attention to the subject of Central America. The Ministers also welcomed the active role played by the Organization of American States and its Secretary-General, Mr João Clemente Baena Soares, in areas which are of vital importance for peace and democracy in Central America. They highlighted the positive contributions made by both organizations to the emergence of a new period of confidence in the region.

Ministers underlined the valuable role played by the United Nations Observer Group in Central America (ONUCA) whose mandate had been brought to an end by the UN Security Council in its Resolution 730/92.

4. The Ministers of the European Community repeated their resolve to continue to support peace and democracy and reaffirmed their willingness to intensify political dialogue and economic cooperation with Central America with a view to strengthening the regional economic integration as well as integration into the world economy in order to foster economic and social progress and greater political stability of the entire region. In this context, the Central American Ministers expressed appreciation for the decision taken by the European Community to grant preferential access on an important range of Central American exports to the European market.

The Ministers welcomed the Declaration issued on the occasion of the summits of Central American Presidents held in San Salvador on 15 to 17 July 1991 and in Tegucigalpa on 12 and 13 December 1991, which represented further steps towards a stable and lasting peace, full integration and the improvement of democratic institutions. This process deserved full international support. They welcomed the decision that Panama should play a full part in the Central American integration process. They also welcomed the presence of the Prime Minister of Belize at the latest summit.

The Ministers of the European Community took note with interest of the signature, on 13 December 1991, by the six Presidents of the countries of the Central American Isthmus, of the 'Protocol of Tegucigalpa', which constitutes the 'Central American Integration System' and provides a framework for the organic structure of the region to realize integration in all fields. The European Community reiterated its willingness to cooperate in the establishment, restructuring and strengthening of institutions for integration in Central America.

They expressed satisfaction at the fact that the Central American Presidents had reaffirmed that respect and promotion of human rights, peace, democracy, development and freedom represented the fundamental basis of the 'Central American Integration System' established by the aforementioned protocol.

The Ministers of the European Community noted with interest the adoption of the 'Compromiso de Tegucigalpa' in which the Central American Presidents committed themselves to making every effort to promote a genuine process of human development, laying emphasis on the development of children and adolescents. In this connection, they expressed their readiness to support the Central American efforts.

In this context, Ministers shared the view that while the basis of the San José dialogue is still valid, the Luxembourg agreement, which is the main instrument of their cooperation, needed to be adapted to the new realities of Central America in order to reflect the trend towards peace, democracy, economic and social development of the region and its closer integration as well as the ongoing role of the European Community in this process.

5. Ministers noted with satisfaction the significant progress towards democratization and peace in Central America in the framework of the Esquipulas agreements and emphasized the desire for

peace of the Central American peoples as expressed in their decision to establish a region of peace, freedom, democracy and development as set out in the statement by the Central American Presidents during the Puntarenas Summit and reaffirmed by UN General Assembly Resolution 46/30 of 13 December 1991.

Central American Ministers repeated the commitment of their governments to the principle of full participation by the peoples of the region in genuinely democratic and pluralist political processes and to the full observance of human rights, political and civil liberties, the rule of law, the subordination of military and security forces to civil authority, separation of powers and the independence and impartiality of the judiciary, which constitute the basis of democracy.

Ministers expressed their wish that the internal conflicts which continue to affect some countries in the region should find a satisfactory solution through the intensification of political dialogue, noting with satisfaction the advances made in this direction, and the important role played by national reconciliation commissions. In this connection, they appealed to all parties to speed up this process, to put an end to violence from whatever quarter and so guarantee the security and promote the well-being of the population. They furthermore appealed to the irregular forces still active in the region to take their place, under due guarantees and security conditions, in the political process and in the peaceful life of their respective countries.

Ministers noted that the roots of the Central American crisis were to be found in the inadequacy of socio-economic structures and in the degree of poverty of the population. They accordingly emphasized the need that progress made in democratization and peace be accompanied by economic growth and social justice as well as by the observance of civil, political and social rights.

Ministers noted with satisfaction the decision taken at the first Ibero/American Summit held in Guadalajara, on 18 and 19 July 1991, in relation to the participants' commitment to negotiating processes to solve regional conflicts. They agreed that these processes deserved full international support.

6. Ministers recognized the decisive importance for the region of the signature, in Mexico City, on 16 January last, of the agreements of Chapultepec, which put an end to the internal conflict in El Salvador and opened the way for a new stage of national reconciliation and reconstruction.

Ministers also conveyed their sincere congratulations to the Salvadorean people for the achievement of peace and appealed to the international community to assist El Salvador in the reconstruction efforts it is now undertaking. The Ministers of the European Community drew attention to their decision to support projects aiming at the country's reconstruction, notably those contributing to the demobilization and reintegration of refugees, demobilized and displaced persons into civilian life.

Ministers called for these agreements to be respected in full, thus putting an end to the loss of human lives and the destruction of the economic infrastructure of the country. In this connection, they commended the establishment, in July 1991, of the United Nations Observer Mission (ONUSAL), whose mandate has been enlarged to include the verification of the implementation of these agreements and to see to their strict observance. They also emphasized the important role the Commission for the Consolidation of Peace (COPAZ) was entrusted with in the supervision of the application of the said agreements.

Ministers expressed their appreciation for the decisive contribution of the former United Nations Secretary-General, Mr Javier Perez de Cuellar, and acknowledged the key role he played in the negotiations. They also expressed satisfaction at the commitment of the new Secretary-General, Mr Boutros Boutros Ghali, to continue supporting the process.

They recognized the importance of the support given to the negotiation process by the countries of the Group of Friends of the Secretary-General, Spain, Colombia, Mexico and Venezuela.

Ministers acknowledged the efforts of the Government of El Salvador to bring about the effective administration of justice, judicial order and strengthening of the civil institutions. In this connection, the conviction of two army officers in the case of the Jesuit priests was an important precedent for Salvadorean justice. Ministers called upon the competent authorities to pursue their efforts in this field.

They accordingly highlighted the role to be played by the 'Comision de la Verdad' in elucidating particularly serious acts of violence from whatever quarter which gave rise to public concern, both nationally and internationally. They called upon all sectors of society to lend all necessary support to the 'Comision' for the effective performance of its role.

The Ministers of the European Community encouraged the Salvadorean Government to continue to repatriate refugees in accordance with the relevant international agreements on the subject, and underlined that all efforts must be made to ensure the provision of proper documentation to returning refugees.

7. The Ministers of the European Community expressed their satisfaction with regard to the initiatives undertaken by the Government of Nicaragua in order to consolidate peace, democracy and development, and conveyed their congratulations for its efforts regarding the reduction of the army, the peaceful demobilization of the Nicaraguan resistance and the launching of the economic plan of stabilization and structural adjustment.

Ministers emphasized the valuable role played by the International Commission of Support and Verification (CIAV) whose mandate was extended until 25 June 1992. Ministers supported the firm efforts of the Government of Nicaragua to achieve national reconciliation and settle remaining situations of tension and violence, recognizing the additional problems of the large number of weapons still in civilian hands and of mines placed within the national territory, which have led the government of that country to prepare and implement special programmes which call for international cooperation.

They supported in particular UNGA Resolution A/46/30 of 13 December 1991 and, given the exceptional circumstances prevailing in Nicaragua, reaffirmed their willingness to pursue their efforts in favour of its economic recovery and expressed support for the Economic and Social Concertation Agreements. They also recalled the request made to the international community by the Central American Presidents in order to enable Nicaragua to find immediate solutions to the problems which it is facing in the economic and social reconstruction of the country.

The Ministers of the European Community once again emphasized the importance of national dialogue as the only viable road towards reconciliation and development. They appealed to all parties concerned to solve their problems solely through peaceful means and within the law and to cooperate in a constructive way in the interest of the development of Nicaragua.

8. Ministers underlined the importance of the dialogue underway in Guatemala. Direct talks between the Government and the Guatemalan National Revolutionary Union (URNG) are essential for the achievement of a lasting peace. They encouraged the accelerated pace of the negotiations and recognized the efforts deployed by the Guatemalan National Reconciliation Commission, headed by the Conciliator and supported by the personal representative of the UN Secretary-General as observer.

Ministers encouraged both sides to create the necessary conditions to reach a political agreement that could lead to a lasting solution to the internal conflict and welcomed the signature of the agreements of Mexico on 26 April 1991 and Queretaro on 25 July 1991.

The Ministers of the European Community noted that respect for human rights was a major topic in the negotiations and expressed support for the positive measures adopted by the government. Nevertheless they remained concerned by reports of human rights violations and encouraged

the Government of Guatemala to give continuing high priority to the implementation of these measures and other reforms which could strengthen the democratic institutions and full observance of human rights.

The Ministers of the European Community warmly welcomed President Serrano's statement of 5 September 1991 recognizing Belize as a sovereign independent state, and the subsequent establishment of diplomatic relations between Guatemala and Belize. This had defused a major source of regional tension and had opened the way for Belize to play her full part in the region's political and economic life. The Ministers expressed the hope that this breakthrough would be followed by a final settlement of the long-standing dispute between the two countries.

9. Ministers welcomed the agreement reached in Washington on 23 February 1992 between President Aristide and a delegation of Haitian Members of Parliament conducive to the return to the rule of law in Haiti and the reinstatement of the legitimate authorities in that country.

Ministers urged the parties concerned to give all their support to the success of this agreement.

Ministers commended the OAS for its active role in finding a solution to the Haitian crisis.

10. Ministers reiterated their support and solidarity with the Government and people of Venezuela in the maintenance of the fundamental principles of peace and democracy and condemned totally the use of violence and military action in attempts to overthrow legitimately constituted governments.

11. Ministers emphasized the need for human rights to be effectively upheld. They recognized the value of the efforts already made to improve the unsatisfactory human rights situation in certain countries of the region and emphasized that they would continue to make every effort to establish full and universal respect for human dignity.

Ministers expressed their satisfaction for the numerous actions undertaken by the European Community in 1990 and 1991 with a view to strengthening the electoral process, the functioning of justice and legislative power in some countries and to promoting human rights in the region.

The Ministers of the European Community also emphasized the importance of increasing and reinforcing cooperation to improve the operation of the machinery of government and in particular to improve the administrative, legal and judicial machinery designed to ensure that human rights are fully guaranteed. They welcomed the commitment shown by the Central American Presidents to introducing regional information and education programmes on human rights.

The Ministers decided to establish the multi-annual programme for the promotion of human rights in Central America, the guide-lines of which had been approved at the Ministerial Conference of San José VII, held in Managua on 18 and 19 March 1991. They welcomed the agreement reached on the document 'Multi-annual programme for the promotion of human rights in Central America' which sets out the objectives, content, organization and implementation of this programme. They noted in particular the establishment of the Committee of Experts in order to monitor the multi-annual programme. Ministers looked forward to the implementation of the first projects under the programme in the near future.

The Central American Ministers expressed their resolve to fully contribute to the success of these projects, in particular those involving their security forces and judicial system.

12. Ministers expressed their continuing support for the Security Commission of Central America, and for its aim of consolidating the peace and democratization process and creating a climate of trust and security in the region. They also indicated their support for the principle of the introduction of confidence-building and security-enhancing measures and of verification mechanisms in

Central America, and declared their willingness to assist the UN and the OAS in their cooperation with the Central American States in the field of security.

Ministers noted with interest the decision taken at the 10th Central American Summit held in San Salvador on 15 to 17 July 1991 regarding the adoption of an agreement on security, verification, control and limitation of arms and military forces in the region. Ministers stated their conviction that reaching a regional balance of forces through the limitation of arms and military forces to as low a level as possible would substantially contribute to the consolidation of the regional peace process as well as to the economic development in Central America.

Ministers reiterated their support for development projects in the social field especially designed to resettle and reintegrate demobilized persons returning to civilian life.

13. Ministers welcomed the inaugural meeting of the Central American Parliament in Guatemala City on 28 October 1991. They highlighted the importance of the Central American Parliament as a forum to promote regional integration, in which representatives democratically elected by the peoples of the region could make proposals on the political, economic, social and cultural problems of Central America.

The Ministers of the European Community appealed to all the states in the region who had not yet done so to take the necessary steps towards their full participation in the Central American Parliament.

Ministers noted that, in line with its commitments, the Community had provided assistance for the process of establishing the Central American Parliament in close collaboration with the European Parliament. The Central American Ministers stated their satisfaction at the continued support of the European Community, by means of technical assistance, towards the effectiveness of this institution.

14. Ministers expressed satisfaction concerning the political and economic dialogue established through the San José conferences and expressed their firm conviction that this dialogue is fostering the peace process and regional development of Central America.

They recognized the need to intensify links between the Central American region and other regions and acknowledged with satisfaction the Central America/CARICOM Ministerial meeting held in San Pedro Sula on 30 and 31 January 1992.

They expressed satisfaction at the representation of Central American States in the first institutionalized ministerial meeting of the European Community and the Rio Group which was held in Luxembourg on 26 and 27 April 1991 and welcomed the new dynamic contained in the integration processes in Latin America.

They furthermore expressed satisfaction at the admission, with observer status, of the Commission of the European Community to the Latin American Economic System (SELA).

15. The Ministers reaffirmed their concern at the serious social and economic problems facing Central America. They acknowledged that servicing the external debt imposed a heavy burden on the Central American countries' economic, political and social development, and stated yet again that all parties should contribute towards a solution to the problem, in particular the creditor countries, the debtor countries, the multilateral financial institutions and international private banks, taking into account the need to ensure economic growth, peace and social harmony in the Central American Isthmus. Both sides agreed to continue their efforts to find solutions.

The Member States of the European Community recognized the encouraging efforts made by the Central American countries in adopting economic adjustment and stabilization policies. The

Ministers of the Community expressed their continuing interest in contributing, within the framework of the instruments at the Community's disposal, to the implementation of programmes aimed at alleviating the social effects of the adjustment which the Central American countries are undertaking.

Ministers expressed the hope that other countries would increase their involvement in and cooperation with Central America, and noted with interest the role that could be played by the Enterprise for the Americas Initiative, the Partnership for Democracy and Development in Central America and the Tuxtla Gutierrez agreements.

Bearing in mind that the San José dialogue is the main channel for EC/Central American cooperation, Ministers, expressed interest in cooperating in various proposals put forward by the Central American countries in the priority areas identified by the Working Group on Democracy of the PDD, and presented at the second plenary meeting held in Ottawa in January 1992.

16. Ministers insisted on the urgent need to continue the implementation of assistance programmes for refugees, returnees and displaced persons in Central America and to provide for their integration into their respective communities.

Ministers welcomed the success of the second international meeting of the follow-up committee of the International Conference on Central American refugees, held in San Pedro Sula, Honduras, on 17, 18 and 19 June 1991 and reiterated that they were in favour of the full and rapid integration of all returnees and displaced persons into their respective communities.

They welcomed progress made in the implementation of the plan of action of the International Conference on Central American Refugees (CIREFCA) in favour of the displaced populations. The Community indicated its willingness to participate in the next CIREFCA session, to be held in San Salvador in April 1992.

17. Ministers reaffirmed their willingness to cooperate in the protection and improvement of the ecological balance in the countries of the area.

They also welcomed the decision taken by the Central American Presidents at their summit in El Salvador (15 to 17 July 1991) to accord priority to the full and immediate implementation of the Central American Tropical Forest Plan.

Ministers affirmed their commitment to contribute to a successful United Nations Conference on Environment and Development (UNCED).

The Central American Ministers requested the support of the Ministers of the European Community in international fora in order to create a New International Ecological Order which would include regional proposals, in accordance with the declaration of the 11th Presidential Summit of Tegucigalpa.

18. Ministers emphasized that the illicit production, processing and trafficking as well as the consumption of drugs and psychotropic substances represents one of the most serious threats facing developing and developed countries alike.

They reaffirmed the importance they attach to the fight against drug abuse and related illicit production and trafficking and considered that all States should take the necessary measures in order to implement the Global Plan of Action adopted by the United Nations special session held in New York from 20 to 23 February 1990.

19. The European Community will examine the possibility of working closely with the Central American countries on programmes to harmonize their legislation and modernize their rules on migration.

20. Ministers expressed their satisfaction at the participation in the dialogue between Central America and the European Community of Colombia, Mexico and Venezuela as cooperating countries having traditionally close links with the countries of the Central American Isthmus. They also highlighted the importance of cooperation activities in the economic and social context between these countries and Central America.

21. In the year of the 5th centenary of the meeting between two worlds, to be regarded as the first Euro/American encounter, Ministers expressed their satisfaction at the Ibero/American Summit of Guadalajara, Mexico, in July 1991. Ministers highlighted the importance of holding the second Ibero/American Summit in Madrid, Spain, on 23 and 24 July 1992. They also underlined the importance of such a dialogue at the highest level.

22. The Central American Ministers stated their satisfaction at the signature, on 7 February 1992, of the agreements of Maastricht, in which the Member States of the European Community define a new stage in their integration.

23. Delegations decided to meet in El Salvador next year, in accordance with the alternation rule.

24. The participants in the Lisbon Conference expressed their profound thanks to the Government of Portugal, at the initiative of which this Conference was held. They likewise thanked the people of Portugal for their warm welcome as well as for the efficient organization which led to the very successful outcome of the eighth Conference in the San José framework.

¹ *EPC Bulletin*, Doc. 91/090.

92/072. Statement on Haiti

Date of issue: 26 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the agreement reached in Washington, on 23 February 1992, between President Jean-Bertrand Aristide and the Parliamentary Commission for Negotiation, which opens the way for the restoration of constitutional order and the return of the legitimate authorities in Haiti.

The Community and its Member States launch an appeal to all Haitian parties involved to implement this agreement.

The Community and its Member States recall their will to support all efforts conducive to a settlement of the Haitian crisis. The[y] reaffirm their readiness to resume relations of cooperation with Haiti as soon as the rule of law will be entirely re-established.

92/073. Statement on South Africa

Date of issue: 26 February 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, referring to the decision by President De Klerk to hold a referendum among the white population on the ongoing reforms in South Africa, recall their statement on the start of the work of the Convention for a Democratic South Africa, issued on 17 December 1991.¹

Stressing the important steps towards the complete abolition of apartheid taken since the autumn of 1989 and the positive results already achieved in CODESA, the Community and its Member States, which have encouraged this policy from the beginning, reaffirm their conviction that this negotiation process is a unique opportunity for the peaceful transformation of South Africa into a democratic and non-racial state and its full reintegration into the international community.

Accordingly, they express the hope that the process initiated in CODESA, of paramount importance for the whole southern Africa region, will continue uninterrupted and that early substantive progress will be achieved, with the broadest possible support of the South African population as a whole.

¹ *EPC Bulletin*, Doc. 91/466.

92/074. Question No 2362/91 by Mr Ribeiro and Mr Wurtz (CG) on the selection of Morocco to chair the International Conference on Human Rights

Date of issue: 28 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 22 October 1991)

It is with surprise, nay, astonishment, that we learned that Morocco had been asked to chair the Committee carrying out preparatory work for the International Conference on Human Rights to be held in 1993 in Berlin.

Given the numerous human rights violations in that country and the numerous resolutions and reports adopted by the European Parliament condemning the repression and violation of human rights in Morocco, and in view of the arrogant response by the King of Morocco at a recent press conference, what view is taken by EPC and/or the Twelve of the selection of Morocco?

Answer:

Each regional group within the UN appointed one delegate to the Bureau of the First Preparatory Committee for the World Conference on Human Rights. The African Group appointed Ms Halima Warzazi. The delegates to the first session of the Preparatory Committee elected Ms Warzazi to chair that session. The question of filling the chair at future sessions of the Preparatory Committee has not been determined as yet.

The Community and its Member States do not view the joining in consensus regarding this election as a statement on Moroccan Government policies.

92/075. Question No 2736/91 by Mr Kostopoulos (S) on voting rights of Community citizens

Date of issue: 28 February 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 21 November 1991)

More than 4.000 women from various European countries are married to Greeks living on the island of Rhodes. According to the 'International Dodecanese Society' these women are keen to take part in public affairs and one of their aims is to gain the right to vote in local elections.

Will EPC say what stage has been reached in the inter-governmental conference talks preparatory to the European Council at Maastricht to resolve this problem for Community citizens?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/076. Statement on events in Sarajevo

Date of issue: 2 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Presidency on behalf of the Community and its Member States condemns the recent violence in Sarajevo following the referendum on the future status of the Republic, held on 29 February and 1 March 1992. It calls upon all parties concerned to refrain from any action which may impede their continuing and constructive participation in the talks on constitutional arrangements.

The Presidency recalls the commitments accepted by all parties regarding the security of all observers present in the republic and calls upon those parties to take immediate measures to ensure the freedom of movement in safety of all observers.

92/077. Question No 1724/91 by Mr Smith (S) on contracts of employment for EC nationals outside the Community

Date of issue: 4 March 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to written question in the European Parliament (from 7 August 1991)

What support is given by the Community to protect EC nationals who enter into contracts of employment in extra-EC countries, particularly in the Middle East?

Answer:

Without prejudice to the provisions of individual contracts of employment, assistance in a third country to nationals of a Member State is currently the responsibility of the authorities of that Member State.

92/078. Statement on Nagorno-Karabagh

Date of issue: 10 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Russian Federation and the Community and its Member States are profoundly concerned about the continuing conflict over Nagorno-Karabagh, which threatens to grow into a protracted

and bloody war. Such a development would be tragic for the Armenian and Azeri peoples and could threaten regional and international security.

The European Community and its Member States and the Russian Federation therefore urge the conflicting parties to honour the immediate cease-fire they agreed to call for in Moscow on 20 February, and as called for by Senior Officials of the CSCE in Prague on the 28 January, before the situation deteriorates still further. It is urgent and necessary that they start immediately to implement the decisions taken at that meeting.

The European Community and its Member States and the Russian Federation welcome the request by CSCE participating States to the CSCE chairman in office to stand ready to participate in the mediation efforts as necessary. In this context, they stress the importance of the meeting of the Committee of Senior Officials on 11 March.

The Community and its Member States express their support for the mediation efforts undertaken by the Russian Federation, as manifested in the initiatives by the President of Russia and in the meeting held on 20 February in Moscow between the Foreign Ministers of Armenia, Azerbaijan and Russia at the suggestion of the Russian Minister of Foreign Affairs. The implementation of the agreements reached at that meeting could reduce tensions over Nagorno-Karabagh and create the necessary conditions for substantive negotiations.

The European Community and its Member States and the Russian Federation support the call for the setting-up of safe corridors for the channelling of humanitarian aid in accordance with the request made by the chairman in office of the CSCE. They welcome the agreement by the conflicting parties to the involvement of the International Committee of the Red Cross in the dispute and hope that the ICRC and other Non-Governmental Organizations will have the leading role in the supply of humanitarian aid to the victims of this dispute.

The Russian Federation and the Community and its Member States strongly appeal to both parties to the conflict to respect the letter and spirit of the CSCE Helsinki Final Act and the Paris Charter, as well as the guiding principles of the United Nations.

92/079. Statement on Romania

Date of issue: 10 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States note that local elections were held in Romania on 9 and 23 February in a generally free and fair manner. Indeed the large number of Romanian and international observers present at the polls did not, reportedly, identify fundamental shortcomings in the way these elections were carried out.

The holding of these first free local elections in Romania for many years is welcomed by the Community and its Member States. They therefore express the hope that the local polls will be followed by the holding of parliamentary elections within three months, as already agreed by the Romanian Prime Minister and the political parties.

92/080. US/EC declaration on the recognition of the Yugoslav republics

Date of issue: 10 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States and the United States reiterate their strong support for the UN peace-keeping plan, for the EC Peace Conference chaired by Lord Carrington and for the key principles underlying the search for a political settlement of the Yugoslav crisis at the EC conference: no changes in the borders of the Yugoslav republics by force or absent mutual consent, strong protection for human rights and the rights of all national and ethnic groups in all republics.

The Community and its Member States and the United States have agreed to coordinate their approaches to completing the process of recognizing those Yugoslav republics that seek independence.

The Community and its Member States, bearing in mind its declaration on 16 December 1991,¹ and the United States are agreed:

- (i) that the United States will, in this context, give rapid and positive consideration to the requests for recognition by Croatia and Slovenia in such a way as to support the dual-track approach based on the deployment of the UN peace-keeping force and the European Community Peace Conference chaired by Lord Carrington.
- (ii) that the Community and its Member States and the United States will also coordinate their approach to Serbia and Montenegro, which have expressed the wish to form a common state, and lay particular emphasis on their demonstrable respect for the territorial integrity of the other republics and for the rights of minorities on their territory as well as their willingness to negotiate Yugoslav state succession issues at the EC conference on the basis of mutual agreement with the other four republics;
and
- (iii) that positive consideration should be given to the requests for recognition of the other two republics, contingent on the resolution of the remaining European Community questions relating to those two republics. In this context, they strongly urge all parties in Bosnia-Herzegovina to adopt without delay constitutional arrangements that will provide for a peaceful and harmonious development of this republic within its existing borders. The Community and its Member States and the United States also agreed strongly to oppose any effort to undermine the stability and territorial integrity of those two republics.

¹ EPC Bulletin, Doc. 91/464.

92/081. Joint debate on oral questions on the situation in the former Yugoslav republics

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Statement in the European Parliament

Mr Martins, President-in-Office of the Council: Mr President, ladies and gentlemen, first of all I will address the members who have submitted a question on humanitarian aid to the region of Yugoslavia and will speak on behalf of the European political cooperation.

Measures have been taken at different levels and by different institutions with the aim of providing humanitarian aid to the victims of the Yugoslav conflict. The European Community's mission of observers set up a special team which was put in charge of monitoring and giving information about possible violations of the second additional protocol to the Geneva conventions. The mission of observers is coordinating its activities on the ground with the United Nations High Commissioner for Refugees, who was asked by the United Nations Secretary-General to help deal

with the problems of those who had fled their homes, and also with the International Red Cross. In this context, and by way of an example, measures have been taken to evacuate the sick and wounded from the hospital of Vukovar and also in relation to the exchange of prisoners.

Furthermore, quadripartite meetings on humanitarian issues also take place regularly between representatives of Croatia, the federal army, the mission of observers and the International Red Cross.

At its meeting of 13 November 1991, the Foreign Ministers agreed to carry out joint operations with UNICEF with the aim of helping to establish peace, supporting humanitarian aid and setting up security corridors which would allow aid to reach Yugoslav children and enable them to be evacuated if necessary within the framework of balanced operations.

Following this coordination meeting which was attended by UNICEF, a European plan was drawn up for humanitarian aid to the Yugoslav people. As you know, the Commission of the European Communities is responsible for coordinating this plan.

The guarantees contained in the Memoranda of Understanding, which were negotiated and concluded between the European Community and the Yugoslav parties in 1991 in relation to the safety of the mission of observers, include the mission's activities in the area of humanitarian aid.

The transport facilities of the mission of observers on the ground have allowed various humanitarian operations to be carried out including, as I already mentioned, the opening up of security corridors for conveying emergency aid from various national and international bodies to the civilian population.

Mr President, I am now speaking on behalf of the Council. Although as you know most of the competence in the area of humanitarian aid is entrusted to the Commission, within the framework of its powers of execution, I should like to give you some information about the general aspects of the action which has been carried out by the Community and the Member States to assist the Yugoslav people who are the victims of military operations.

Firstly it is clear that for the humanitarian aid to be successful, good coordination between Community aid and aid from all the Member States is essential. This aid must reach the people concerned and meet their vital needs, and the Member States must contribute with their experience and their resources. Here I am thinking in particular of military transport, for example. But, apart from this, in the Yugoslav case, the rapid conveyance of aid, often under conditions of conflict on the ground, could not be possible without a certain degree of cooperation between all the parties involved. In this respect, the role of the European political cooperation has proved to be very important and effective.

In the declaration of Nordvik of 13 November 1991, the Community and its Member States agreed to carry out a joint action with UNICEF aimed at creating humanitarian security and peace corridors in order to rescue and if necessary evacuate Yugoslav children. In that same spirit, the Community and its Member States put into practice a European plan of emergency humanitarian aid benefiting all the populations affected by the fighting.

Because this is a particularly delicate situation, a varied, balanced and non-discriminatory approach has been adopted. This plan, which is already practically at an end, covers various aspects, but still maintains the necessary flexibility on the question of emergency aid. The plan has approved an amount of MECU 15, including MECU 8 from the Community budget, on top of the MECU 17 which had already been committed by the Twelve during the months before the humanitarian action. In total, MECU 32 have been allocated to humanitarian aid for Yugoslavia. In parallel to the emergency plan, the Twelve, which were extremely concerned about the humanitarian aspects of the crisis, managed to get all the parties involved to allow emergency aid to reach the communities in need and the many people who had fled their homes due to the fighting. In this

respect we insisted that all the parties involved had to be aware of their responsibility in observing the fundamental humanitarian rules deriving from the Geneva Conventions.

Up to now the Peace Conference has not made it possible to achieve everything we had hoped for, but I think I can say that it has already made a major contribution to ensuring that this humanitarian appeal has been heard and that it has been effective.

Mr President, I will now address Mr Oostlander regarding the question on Bosnia-Herzegovina, firstly to say that unfortunately I am not in a position to answer on behalf of the European political cooperation for procedural reasons, given that the question which was put by the member, the content of which I should like to thank him for, requires an agreement between the Twelve which was impossible to reach in the time available. The question only reached the Presidency a few hours ago and consequently I am not in a position to speak on behalf of the Twelve on this point.

I will just say first of all that I have taken note of the member's speech and secondly, inform the Parliament that the matter is being examined this very day at the headquarters of Political Cooperation, in Lisbon.

Finally, I would also like to say that as soon as there is a position from the Twelve, the Presidency promises to submit its answer to this Parliament as quickly as possible.

92/082. Oral question with debate on humanitarian aid to the Kurds in Iraq

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Statement in the European Parliament

Mr Martins, President-in-Office of the Council: Mr President, first of all I should like to thank Mr Cravinho for the question he has put to the Council about a humanitarian matter which it would be unforgivable to ignore. The Community and its Member States are still deeply concerned about the difficult situation of the Kurds in Iraq, which has been aggravated by continued military activities and economic blockades by the Iraqi authorities and by very harsh winter conditions as has already been mentioned.

The Community and its Member States have called on Iraq repeatedly to put a stop to such operations and to any repressive measures. The Community and its Member States fully support the United Nations interagency programme for the region and significant contributions of money and also of supplies have been made both by the Community and the Member States. The United Nations agencies which are involved have a clear picture of the situation on the ground, and the peace-keeping force of 500 men has played an important role in relation to the safety of the population and the United Nations personnel.

The Community and its Member States believe that the most effective way of helping the Kurdish population is to act in close cooperation with the measures carried out by the United Nations. The Community and its Member States have also called on the Iraqi authorities repeatedly to comply fully with the provisions of United Nations Security Council Resolution 688, which demand an end to the repression against Iraqi civilians and cooperation with the programme of humanitarian aid within the framework of the United Nations. The Community and its Member States have also emphasized the importance they attach to total respect for the human rights of the entire Iraqi population. The present Iraqi regime is responsible for the deterioration of the humanitarian situation in the region. In this respect, the Community and its Member States continue to emphasize the need for the prompt and effective implementation of United Nations Security Coun-

cil Resolutions 706 and 712 which, in our opinion, would help to improve the living conditions of the civilian population in the whole country.

We are very concerned about Iraq's recent withdrawal from talks with the United Nations in Vienna, which were aimed precisely at discussing the implementation of these resolutions. The Community and its Member States, through the European political cooperation, have kept these questions under constant review and are open to new actions in this area. I can also announce, Mr President, that the Political Committee of the European political cooperation, which is meeting this very day in Lisbon, has this question on the agenda.

On the question of the additional budgetary allocation from the European Community to deal with this emergency situation, I have to say that this is the responsibility of the Community and not the European political cooperation. But, as I said before, I am taking this opportunity to announce that the Presidency is willing to consider and encourage proposals along these lines.

92/083. Question No H-3/92 by Mr Langer concerning efforts to arrive at a 'citizens' peace conference' on Yugoslavia

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In view of the worsening conflict in Yugoslavia and the failure of efforts to initiate a dialogue between the warring parties, it is necessary to seek additional (and not alternative) solutions to diplomatic efforts aimed at achieving reconciliation. Representatives of relevant sections of Yugoslav society could contribute to this process. What steps does the Community intend to take to host and encourage initiatives aimed at dialogue between representatives of associations, trade unions, churches and religious communities, political parties, movements, ethnic minority organizations, etc. to explore different possible solutions and open the way for genuine negotiations?

Answer:

Mr Martins, President-in-Office of European political cooperation: The 1991 report to the European Parliament on the progress of European union¹ gives a general survey of the involvement of the Community and its Member States in the Yugoslav conflict during that year. In his report to Parliament on 12 December 1991,² the President of the Council of Ministers emphasized the serious dilemmas and manifold considerations which the Community has had to tackle in dealing with the tragic events in that country. It will be clear, both from the reports and from the fact that, apart from the European Community's observer mission, the CSCE, the Conference on Yugoslavia and the United Nations have also made their contribution to a permanent dialogue with and between the various Yugoslav factions, that the search for a peaceful and comprehensive solution to the Yugoslav conflict is being pursued at institutional level in a great variety of fora and on a basis of reciprocity and mutual support.

Mr Langer (V): Mr President, I thank you for your reply, but frankly I have difficulty in finding the makings of a specific answer. I should like to give a few examples: in 12 days' time there is to be in Rijeka (Fiume) in Istria, now in Croatia, a meeting organized by the European federation of independent radio stations between pacifist groups and above all those employed by the news media from the whole of what used to be Yugoslavia, to find a common way of supplying independent, non-nationalistic news. I think that would be an initiative to support and encourage. On the same date, 21 and 22 March, there is to be at Sarajevo a conference attended by European lawyers

on a spontaneous, civil basis, to determine possibilities for constitutional reforms protecting minorities. That would be another initiative to support, or again, later, the Helsinki Citizen Assembly, for example, which is arranging, as it has done in the past, meetings and conferences between citizens, between groups of citizens in Yugoslavia on the same subjects. Then, as it seems to me that today in many cases the dialogue between the official representatives of the Serbs, the Croats, the Slovenes, the Albanians from Kosovo and so on has come to a full stop and become impossible, I think the Community must make the most of any channels in Yugoslav society through which talks may still be held across the ethnic barriers and lend specific support to these efforts. What have you to say to that?

Mr Martins: Certainly we shall all agree that it is necessary and desirable to support everything that may contribute to a peaceful, healthy and constructive dialogue between the various forces in civil society in particular, as the honourable Member has said. It does not fall only to European political cooperation to shoulder the burden of promoting that dialogue. We are making our contribution, trying to ensure that the authorities of the various regions involved engage in dialogue, and I think that with this we have already made a contribution, as European political cooperation, to avoiding situations of major conflict with much more serious consequences for Europe. European political cooperation has made this contribution and must be backed up. But I agree with the idea that many other initiatives, at other levels, can and must be taken. I am sure that European political cooperation, in the presence of initiatives made by the various parties involved, particularly those of civil society, may adopt measures encouraging them too to make a positive contribution to this question which is so serious for Europe.

¹ *EPC Bulletin*, Doc. 91/419.

² *EPC Bulletin*, Doc. 91/461.

92/084. Question No H-17/92 by Ms Ewing concerning the killing of innocent Kurdish civilians

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What is the position of European governments on the cross-border operations being carried out by the Turkish air force, supposedly on 'terrorist' bases in northern Iraq, but in fact killing and maiming innocent Kurdish civilians?

Answer:

The Community and its Member States have made clear that they condemn all acts of terrorism from whatever source. The operations which Turkey has launched last October into Northern Iraq were mounted against the guerrillas of the Kurdish Workers Party (PKK), which has made repeated attacks on Turkey. The Turkish authorities were concerned at the increase in the number of cross-border attacks including the killing of eleven Turkish soldiers on border patrol within Turkish territory. The PKK appears to have been exploiting the absence of legal authority in Northern Iraq to launch some of their operations in Turkey. The Community and its Member States regret any casualties which may have occurred among the civilian population.

92/085. Question No H-50/92 by Mr Pagoropoulos concerning violation of human rights and obstacles preventing Members of Parliament of Kurdish origin from exercising their functions in Turkey

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to recent substantiated reports, the twenty (20) ethnic Kurds who were recently elected Members of the Turkish Grand National Assembly are facing serious charges carrying prison sentences and even the death penalty for using the Kurdish language in their speeches at the opening session of the Turkish Parliament, despite recent assurances by the current President of the Turkish Republic that the Kurdish language could be freely used.

Do the Foreign Ministers meeting in EPC intend to take any measures – and if so, which measures – to persuade the Turkish Government to ensure that Kurdish people living in Turkey can freely exercise their civil and human rights in practice and in particular that their elected representatives can go about their duties without hindrance?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities. The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community therefore welcomes the Turkish Government's commitment to improve the human rights situation in the country and will continue to monitor the situation closely.

¹ *EPC Bulletin*, Doc. 91/194.

92/086. Question No H-84/92 by Mr Arbeloa Muru concerning respect of human rights in China

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Why, at its meeting of 16 December, did the Ministers meeting in European political cooperation instruct the Community's Political Committee to study in depth the current state of, and future prospects for, human rights in China? What cooperation programme initiatives are to be suspended pending submission of the committee's report? What influence did the recent Parliament resolution on human rights abuse in China have on the Ministers' decision?

Answer:

The Community and its Member States remain concerned over the human rights situation in China, and this issue therefore regularly appears on the agenda for the meetings within the framework of the European political cooperation.

At their meeting on 17 February 1992 Ministers concluded that the Decision of the Council on 22 October 1990 remained the basic reference for the gradual development of the relations between China and the European Community and its Member States. Ministers further pointed to the need, when deciding new development assistance programmes, to take into due consideration good governance, the fight against poverty, minorities, protection of the environment and promotion of economic reforms.

Ministers naturally take into due account all relevant resolutions of the Parliament.

92/087. Question No H-110/92 by Mr Romeos concerning Community involvement in the process to solve the Cyprus problem

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The Community has demonstrated a firm interest in the solution of the Cyprus problem in the context of the process of the international conference and the application of UN decisions.

Does the current Presidency intend to promote this policy and respond to Turkey's negative stance towards the Community's participation in the international conference?

Answer:

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the Mission of Good Offices of the UN Secretary-General, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions and high level agreements. They regret that it has not been possible to convene the high-level international meeting foreseen by the most recent reports of the Secretary-General to the Security Council and the subsequent statements by the President of the Security Council as well as by Security Council Resolution 716/91.

The Community and its Member States had hoped that the resumption by the Secretary-General of discussions with the two parties in Cyprus, Greece and Turkey would have led to the removal of the remaining obstacles and enabled the convening of a high-level international meeting on Cyprus under UN auspices. However, this initiative has regrettably not yet moved forward.

92/088. Question No H-136/92 by Mr Ephremidis concerning systematic torture of children in Turkey

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

International organizations claim that children are subjected to systematic torture in Turkey. Helsinki Watch, for example, documents specific cases of children who have been subjected to 'falaqa' (beatings on the soles of the feet) and electric shocks. These flagrant violations of human rights are coupled with gross infringements of legal procedures such as not allowing them to contact a lawyer, being held in custody for months without specific charges being brought etc.

Does European political cooperation not consider that this indicates that there has been no improvement in the human rights situation in Turkey, which remains an obstacle to closer relations between the EEC and that country?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities and of children. Turkey is well aware that any failure to comply with them will risk undermining its credibility as a partner in international relations.

The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community therefore welcomes the Turkish Government's commitment to improve the human rights situation in the country and will continue to monitor the situation closely.

¹ *EPC Bulletin*, Doc. 91/194.

92/089. Question No H-143/92 Mr Dessylas concerning threat of extradition to Turkey and the granting of political asylum to the Turkish political refugee Farouk Kizilaslan

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In 1985 Farouk Kizilaslan, an anti-fascist activist and member of the left-wing organization 'Partisan Yolu' was arrested in Turkey for his anti-fascist activity. He was brutally tortured, sentenced by a military court to 36 years' imprisonment and thrown into the Metris goal in Istanbul. He escaped from prison in 1988 and sought asylum in various countries before finally arriving in Greece in 1991 where he was arrested for carrying a false passport and sentenced to seven months' imprisonment.

He has consistently maintained that he is a political refugee and asked the Greek authorities for political asylum.

The Greek Government is about to deport him to Turkey (after receiving a request for extradition), putting his life in immediate danger. He has been refused political asylum in violation of international conventions and the Greek constitution.

What is European political cooperation's position on this and what measures will it take to ensure that Farouk Kizilaslan is immediately granted political asylum?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/090. Question No H-157/92 by Mr Bandres Molet concerning the visit by the Prime Minister of China to countries in the south of the Community

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The Prime Minister of the People's Republic of China, Li Peng, recently visited Spain, Italy and Portugal; he did not, however, visit any other Community countries.

Li Peng was Prime Minister at the time of events of Tiananmen Square, when 5.000 people died. Last year 1.600 people were sentenced to death, and 1.000 of these sentences were carried out. According to Amnesty International, the People's Republic of China has one of the worst records as regards lack of respect for human rights.

Did the Council at their meeting in Maastricht agree to this visit? If not, why was the visit made only to the countries in the south of the Community?

Does EPC consider that economic interests took precedence over the defence of human rights with regard to this visit?

Answer:

The visit by the Chinese Prime Minister was not discussed at the European Council in Maastricht.

The decisions on the choice of the countries visited remain at the discretion of China and the specific countries concerned.

Human rights issues were raised in all talks with the Chinese Prime Minister as a subject of major concern and it was stressed that support for human rights is a corner-stone of EC Foreign Policy.

It was also emphasized that EC *démarches* on the above-mentioned matter cannot be considered as an interference in Chinese internal affairs.

92/091. Question No H-163/92 by Ms McIntosh concerning gas supplies from the Russian Federation to Poland

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Following the signature of the European Energy Charter, how do the Foreign Ministers propose to influence the Russian authorities to restore gas supplies to Poland to their contractual level, following a unilateral Russian decision to reduce deliveries to three days' requirements? Poland pays for Russian gas supplies in hard currency.

Answer:

Questions related to the implementation of the European Energy Charter do not fall within EPC competence.

92/092. Question No H-166/92 by Mr Alex Smith concerning Political Cooperation with Cuba

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In reply to Mr Dessylas (H-1268/91)¹ it is stated that 'an improved relationship between the European Community and Cuba cannot be but negatively affected by the preoccupying human rights situation in Cuba' and that the Community will reserve their position 'pending substantive changes in both the internal and external policies of Fidel Castro and his regime'.

Will the ministers detail the specific preoccupation with human rights in Cuba and what substantive changes in the internal and external policies of Cuba they would be satisfied with?

Answer:

I thank the honourable Member for this opportunity to explain the position of the Community and its Member States as regards the human rights situation in Cuba. This position has been clearly stated by the Presidency during the current 48th Session of the United Nations Human Rights Commission in Geneva.²

The Community and its Member States have reiterated in Geneva their specific preoccupation with regard to the human rights situation in Cuba. They are particularly troubled about indications of growing intolerance as revealed by arrests and prison sentences passed against political dissidents not involved in violence, in verbal and physical violence against political dissidents accused of so-called counter-revolutionary activities and in speeches in which government representatives encourage such actions. These repressive measures are an indication of the absence of basic democratic guarantees, such as the right to political participation and the freedoms of expression and of association.

The values which the Community and its Member States share in the field of human rights should be at the forefront of their relations with third countries. Given that 'the defence and promotion of human rights is a corner-stone of European political cooperation' (memorandum on human rights, submitted to the EP in May 1991³), and considering furthermore that this House is a fervent advocate of human rights standards by which nations and governments should abide, the honourable Member might agree that the Cuban stance in this field is not conducive to an improvement in relations between the Community and its Member States and Cuba.

The Community and its Member States express their deep regret for the execution of Mr Eduardo Diaz Betancourt in spite of the appeals for clemency.

¹ *EPC Bulletin*, Doc. 92/019.

² *EPC Bulletin*, Doc. 92/026.

³ *EPC Bulletin*, Doc. 91/132.

92/093. Question No H-170/92 by Mr Hadjigeorgiou concerning the definition of the terms 'nationality' and 'minority'

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The collapse of 'real existing Socialism' in eastern Europe, the former Soviet Union and in the Balkans has led to the emergence of real and artificial nationalities which, in the name of the right of peoples to self-determination and human rights, have declared themselves independent and are demanding to be recognized. The resurgence of national and religious fanaticism is steering the post-communist world towards an unacceptably aggressive form of nationalism rather than honest, peace-loving democracy.

In the southern part of the Yugoslavian Republic (which is Marshall Tito's creation) a multi-ethnic Slav group which despite all the historical and archaeological evidence to the contrary calls itself 'Macedonian' is imposing its will on at least five other nationalities – some of which are more numerous than the so-called Macedonians and creating an explosive situation in the Balkans by demanding recognition.

Will EPC say:

- What it intends to do to clarify what is meant by 'nationality' and 'minority' to prevent these terms being hijacked?
- How it intends to react to the falsification of history by the mini-state in question, obviously done with the purpose of furthering its expansionist designs?

Answer:

Mr Martins, President-in-Office of European political cooperation: At their meeting on 17 February last the Foreign Affairs Ministers were again full of praise for the results so far obtained in the context of the Conference on Yugoslavia. In this connection they emphasized the need for all the participants to act in full accordance with the commitments already entered into as regards the provisions of the draft treaty on the protection of human rights and the rights of minorities.

On 15 January 1992 the Community and its Member States agreed to recognize Croatia and Slovenia. As regards the other two republics which have expressed the wish to become independent, there are still important matters to be dealt with before the Community and its Member States take a similar step.

Mr Hadjigeorgiou (PPE): I know that the statelets of Yugoslavia are trying in every way to escape from the central administration that has been oppressing them for half a century, and the easy way is to claim independence in the name of the self-determination of peoples. However, can those statelets survive? Instead of helping to find some way for the various nationalities to coexist, the Community is busy with recognitions and instead of creating peaceful republics in the post-communist world, focuses for civil war are appearing. An example is the statelet of Skopje, which is calling for recognition under the name 'Macedonia'. Before 1943 nobody ever spoke about a Macedonian nation in the area. With one declaration the dictator Tito created a statelet and called its population 'Macedonians'. But after all, what is a nation? How much history and how many people must a population have behind it to be characterized as a nation? Can a dictator create phoney nations? Among the two million residents in the statelet in question, 700 to 900 thousand are Albanian. There are Serbians, Bulgarians, Muslims, Greeks, all of them with national or minority rights. How is that statelet to survive? Will the other nationalities not arise? Can the Community contemplate the peoples of Yugoslavia killing one another and then send in the blue-helmets to keep them apart? Should Political Cooperation not take all the parameters and consequences into account before it starts talking about the recognition of a statelet?

Mr Martins: As I have already said, our present action is concentrating on the peace conference which is aimed precisely at taking all political factors into account, particularly those which the honourable Member has also mentioned. Similarly the peace conference will take account of economic aspects which are especially important. For myself I should like to say that today the Community has at its disposal a report drafted specifically on the recognition of independence and that

there will always be three basic factors present in any evaluation of the matter made by the Twelve: the question of respect for frontiers or at least the non-violation of frontiers, the question of respect for human rights and the question of the rights of minorities. With that three-fold approach as a basis we shall try to find an answer to these difficult problems raised by the situation in Yugoslavia.

Mr Pasmazoglou (PPE): The Commissioner's answers are very interesting. I would like to comment that in the international press, in every authoritative newspaper, it is reported that recent scientific research has shown that the damage to health caused by the great accident at Chernobyl is proving to be much more serious than originally estimated. And that was the sense of the question.

The second part of the question, which I do not think has been answered, concerns the Commission's estimate of the possibility of danger, both from the nuclear installation in Bulgaria and from those in other European countries. Obviously, the matter is of great interest to the peoples of those countries, but also to the peoples of other European governments and of the European Community, including my own country, Greece.

Mr Martins: As I have already said, this is a subject which is still being considered by European political cooperation. In any case, I repeat that it is a subject on which the Twelve cannot take any decision unless certain guarantees have been provided, and on this specific point it is important to say that the Presidency of European political cooperation will do everything in its power to preserve the cohesion and solidarity of the Twelve with regard to these political questions under discussion.

92/094. Questions No H-186/92 by Mr Cassidy and H-214/92 by Mr Ribeiro on human rights in East Timor and on Indonesia, East Timor and the events which occurred in November

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-186/92:

Following the urgent appeals by Amnesty International, December 1991 and January 1992, will the Foreign Ministers request the ambassadors of the Twelve in Djakarta to submit a joint report to them on the human rights situation in East Timor?

Question No H-214/92:

During the part-session in February, the President of the Council of Ministers replied to a question on the Community's position regarding Indonesia, East Timor and the events which occurred in November, and gave the impression that the Council was not satisfied with the replies and actions of the Indonesian Government.

During the same Question Time, Mr Matutes said that he was satisfied with the Indonesian Government's 'positive response' to what he called 'excesses committed and irregular behaviour'.

Does EPC not consider Mr Matutes' assessment to be somewhat impromptu, has it already made its own assessment, and will the declaration which was announced as a possibility be translated into action?

Answer:

Questions No H-186 and H-214 both relate to the human rights situation in East Timor.

The Community and its Member States are following with deep concern the human rights situation in East Timor, West New Guinea and Indonesia.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights.

The Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. The honourable parliamentarian will be aware that in their statement on 3 December 1991,¹ the Community and its Member States called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

Taking into consideration the recent developments, the Community and its Member States have, on 13 February 1992,² issued a new statement expressing their position on this problem, namely that those developments will be followed by concrete and effective steps to improve significantly the human rights situation in East Timor and welcoming the involvement of the UN in this process, looking forward to a report from the visit to Indonesia and East Timor of the personal representative of the UN Secretary-General.

Statements by Members of the European Commission are not discussed within the EPC framework.

¹ *EPC Bulletin*, Doc. 91/429.

² *EPC Bulletin*, Doc. 92/062.

92/095. Question No H-191/92 by Mr Speroni concerning the agreement by the French authorities to the entry of an Arab terrorist

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The well-known Arab terrorist George Habbash recently entered the territory of the Community with the agreement of senior French civil servants.

Does European political cooperation consider that the behaviour of the French authorities is consistent with the principles of the fight against terrorism and terrorists frequently proclaimed by the Community?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/096. Questions No H-192/92 by Mr Bonde and H-250/92 by Mr Tsimas concerning the Western European Union and accession of Greece to the WEU

Date of issue: 11 March 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral questions in the European Parliament

Question No H-192/92:

What is the significance of the provision in the section of the Union Treaty containing a declaration by eight members of the WEU to the effect that certain decisions are to be taken before 31 December 1992: 'The Member States of WEU assume that treaties and agreements corresponding with the above proposals will be concluded before 31 December 1992'?

Question No H-250/92:

Among other decisions taken at Maastricht it was decided that those Community countries that were not yet members of the WEU – such as Greece – should become members.

This decision issued as a Joint Statement of the Nine Member States of the WEU assumes that the treaties and agreements for the accession of the countries concerned will be concluded during 1992; this will substantially strengthen the stabilizing influence of Greece in the unstable region of the Balkans.

What initiatives does the Presidency intend to take to implement this decision? Has a time schedule been drawn up by the Ministers of the Twelve to achieve the target date of 31 December 1992? When do the Foreign Ministers meeting in EPC believe that negotiations on the new treaties and agreements will begin? During the Portuguese Presidency or during the second half of 1992?

Answer:

The issues raised by the honourable parliamentarians are dealt with in the declarations of WEU which are attached to the Final Act of the Inter-governmental Conferences. It is recognized that WEU forms an integral part of the development of the European Union. However, the questions directly addressed by the honourable parliamentarians are not discussed in the framework of the EPC and are to be answered by the competent WEU instances.

92/097. Question No H-198/92 by Mr McMahon concerning Political Cooperation with Norway

Date of issue: 11 March 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Can the Portuguese Presidency inform the House when discussions last took place between the Council and the Government of the Kingdom of Norway on Political Cooperation, what was the agenda discussed and what conclusions were reached?

Answer:

Two meetings took place with Norway in 1991 in the framework of the political dialogue with that country, one at ministerial level and a second at the level of Political Directors. At these meetings, the Presidency i.a. informed its Norwegian counterpart of the state of play with regard to progress towards European Union. Parties, furthermore, exchanged views on developments in areas of particular interest or concern, a.o. the Gulf crisis, the Middle East, South Africa, China, Yugoslavia and Eastern Europe and the EC/EFTA political dialogue.

The honourable Member will furthermore recall the answer to his Question No H-0795/91,¹ by which he was informed that the consultations between the Netherlands' Minister of Foreign Affairs and his Norwegian counterpart on 5 July 1991, were of a bilateral nature and were focused on topical issues.

¹ EPC Bulletin, Doc. 91/272.

92/098. Question No H-200/92 by Mr Papoutsis concerning attacks on the Greek minority in Albania

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What measures do the Foreign Ministers meeting in EPC intend to take to protect the Greek minority in Albania which is being subjected to violent attacks by unknown persons while the Albanian police stand idly by?

Answer:

In a recent declaration,¹ the Community and its Member States expressed grave concern at a series of incidents against the Greek minority in Albania. They appealed to the Albanian authorities to take the necessary steps urgently so that incidents of such a nature be put an end to and order re-established to the benefit of all the people living in Albania. On that occasion, they also reminded the Albanian Government of its solemn commitments to abide strictly by CSCE provisions, particularly those pertaining to the respect of human rights and the rights of minorities, including those with regard to participation in national elections. The Community and its Member States will continue to follow closely developments in Albania.

¹ EPC Bulletin, Doc. 92/064.

92/099. Question No H-201/92 by Mr Pierros concerning human rights violations in Turkey

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

A series of reports by international organizations has recently been published, giving a detailed account of flagrant human rights violations in Turkey in 1991. In particular, in a critical analysis

of the State Department's report on the human rights situation in Turkey (Feb. 1991), the International League for Human Rights refers to the fact that the Turkish Government is using torture as a means of forcibly evicting villagers from a large number of mountain villages close to the Turkish-Iranian border. The Helsinki Watch organization has also issued a report noting that many political detainees have died in prison under suspicious circumstances and that not only adults but also children are being tortured. Reports by the World Association against Torture and the Foreign Report also refer to human rights violations. How do the Foreign Ministers meeting in EPC view this state of affairs and what do they intend to do about it?

Answer:

The reports to which the honourable parliamentarian refers have not yet been discussed within the framework of EPC. However the Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities. The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community therefore welcomes the Turkish Government's commitment to improve the human rights situation in the country and will continue to monitor the situation closely.

¹ *EPC Bulletin*, Doc. 91/194.

92/100. Question No H-205/92 by Mr Alavanos concerning common position of the Twelve as regards problems yet to be resolved in Yugoslavia

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The Community adopted a common position on recognizing the democracies of the Commonwealth of Independent States and Slovenia and Croatia.

Will the Foreign Ministers meeting in EPC confirm that they will adopt a common position on the other problems yet to be resolved in the region of Yugoslavia?

Answer:

The Community and its Member States have worked towards the peaceful solution of the conflict in Yugoslavia right from the start. They will of course continue to follow very closely all developments in that country and region.

92/101. Question No H-218/92 by Mr Melandri concerning political and economic cooperation with Morocco

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

On 17 February 1992 the Foreign Ministers of the Twel[ve] meeting in Lisbon asked Mr Matutes to examine the possibility of concluding a free trade agreement with Morocco.

What were the political considerations behind this request, which was undoubtedly linked to the European Parliament's rejection of the fourth financial protocol with Morocco at the part-session in January 1992?

Answer:

Mr Martins, President-in-Office of European political cooperation: At their meeting on 17 February last the Foreign Affairs Ministers exchanged views on the situation in the Maghreb. They noted that, as a result of economic and social difficulties, extreme tendencies were emerging in the region and they took the view that it was time to move on to an in-depth study of relations between the Community and its Member States on the one hand and states of the Maghreb region on the other in view specifically because of that trend.

During the meeting of the general affairs Council on 2 March, the Ministers stressed the need to develop political dialogue with these countries and to explore fresh avenues for greater cooperation in the economic and social fields with a view to improving the general stability of the region. Thus the Commission has had from the Council a request to study new possibilities of cooperation with Morocco, particularly based on the idea of a *partenariat*, including the possibility of concluding a free-trade agreement with that country.

Mr Melandri (V): Thank you, Mr President; I should like to ask you whether the Council has taken account of the fact that the European Parliament decided to block the financial protocols with Morocco and of the fact that that political signal ought not to have been absolutely disregarded, especially since Parliament cited as the reason for its action United Nations Resolution 660 on the Western Sahara and human rights in Morocco. I should like to ask whether this fact has been taken into account because, too, it seems to me an insulting assessment of Parliament to state that we do not appear to be wanting to contribute to stability in the Mediterranean. Of course we wish to contribute to it, but there is a right and a wrong way: probably we shall contribute to that objective by demanding respect for human rights and taking account of the voice and the needs of the people over and above any assessments which it is for governments to make.

Mr Martins: I do not think I made any comment in my reply about any decision of the European Parliament. It was not for me to do so: I am here to represent the Council and not to make any comment on decisions taken by the European Parliament on the various matters which are its responsibility. I simply gave a reply about guide-lines drawn up by the Twelve within the framework of European political cooperation and also by the Council with a view to opening the way for considering new methods of collaboration between the European Community and the Maghreb region. That is what is before us at the moment. No decisions have been taken on agreements or formulæ for collaboration. It was the intention of the Council and also of the Twelve, within the framework of Political Cooperation, to pursue that discussion henceforth. I think it is also important to make clear to the honourable Member that the Council and European political cooperation regard human rights as a fundamental objective which the Council does not intend to give up and which will play a part in any assessment of future methods of collaborating with this region as with any other region of the world.

Mr Gutiérrez Díaz (GUE): Mr President-in-Office of the Council, I should like to stress this question, which seems to me extraordinarily important in itself and for the light it sheds on the relations between the Council and Parliament. Does the Council, in its deliberations, take no account of Parliament's opinions? And in view of the vote rejecting the financial protocol with Morocco, does not the possibility of entering into a free-trade agreement with Morocco seem like a

smoke-screen to avoid taking Parliament's opinion into account, all the more so when it is appreciated that a free-trade area with Morocco would not amount to comprehensive treatment of the whole of North Africa? There would be negative discrimination against the rest, which might produce some areas of conflict in Community trade circles.

Mr Martins: Before replying to the honourable Member, perhaps I might point out again that I am speaking on behalf of European political cooperation, although many of the questions being addressed to me are within the Council's province. But of course I am not declining to consider the question which the honourable Member has just put.

In the first place I should like to mention that as regards the financial protocol the Council made a clear response which was sent to the European Parliament. All the institutions know that and I do not think I need to repeat it.

There has been no decision to enter into a free-trade agreement. That is one of the ideas brought up by the Twelve in the framework of Political Cooperation, but no decision has yet been taken on this subject. There is a study which is being drawn up by the Commission and we shall evaluate this point at the appropriate time.

In addition, the case of Morocco must be considered in the context of the Maghreb. I should like to mention here that the idea of the Council and European political cooperation was concerned not only with the case of Morocco but with the Maghreb region although, of course, there was a special and specific reference to the case of Morocco.

Ms Izquierdo Rojo (S): Mr President-in-Office of the Council, I should like to know whether the Council has details of the cost, in financial terms, which the failure to ratify the protocol with Morocco might involve for the European Community. Possibly the Council may not have the financial details available at the moment. I think it would be interesting to have them, to see what the possible repercussions might be. But perhaps the Council could tell us what it would cost in political terms if we do not ratify the protocol with Morocco. If possible I should like to have later a rough estimate of the financial cost which such non-ratification of the protocol might entail.

I should also like to ask whether the Council is considering the possibility of holding a future summit at which a Euro-Maghreb declaration might be signed.

Mr Martins: That is a question which does not come within the province of European political cooperation. So I cannot reply directly to the questions raised by the honourable Member because they have not been considered within the framework of European political cooperation. However, as I have already had occasion to say and now repeat, it is clearly a question which has not been politically evaluated by all the Community institutions and which cannot of course be assessed solely in its financial dimension but perhaps above all in its political dimension.

92/102. Question No H-222/92 by Mr Cushnahan concerning Common Foreign and Security Policy

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What progress have the Foreign Ministers made in moving towards a common foreign and security policy for the Community since the Maastricht European Council meeting last December?

Answer:

Mr Martins, President-in-Office of European political cooperation: The Common Foreign and Security Policy will take the place of European political cooperation when the new Treaty on European Union comes into force.

As stipulated in Title V of the Treaty, the Common Foreign and Security Policy will be pursued by systematic cooperation between the Member States and the gradual implementation of common action.

The European Council stated at Maastricht, in the declaration on areas which might be the subject of common action, that the implementation of common action, in accordance with Article J(3) of the Treaty of European Union, was to be proposed as from the entry into force of the Treaty in areas linked to security, particularly CSCE procedure, disarmament and arms control policy in Europe including measures to boost confidence, questions of nuclear proliferation, the economic aspects of security, especially control of the transference of military technology to third countries and control of arms exports. The European Council also called upon the Foreign Affairs Ministers to start preparatory studies for defining the necessary basic features of a policy of union in these areas. The European Council also called upon the Foreign Affairs Ministers to prepare a report for the European Council, to be held in Lisbon, on the probable trend of the Common Foreign and Security Policy in identifying areas open to common action relating to specific countries or groups of countries.

This work is already under way within the framework of Political Cooperation. Following the ministerial meeting of European political cooperation on 17 February last in Lisbon, the political leaders began work in the political committee on preparing the draft report for consideration at ministerial level with a view to the Lisbon European Council which I have mentioned.

The institutional questions entailed in implementing a Common Foreign and Security Policy are being dealt with at the moment by the group of the Ministers' personal representatives, who will take account, in their work, of the contributions provided in particular by the political committee.

Mr Cushnahan (PPE): I would like to thank the President-in-Office for his answer. I would like to ask him if there is any indication that any Member State is reluctant to go down the road of developing a common foreign and security policy? Would he not agree that if we are to build a genuine European Union, then it is vital that all current Member States participate fully in the development of such an approach and that if any state opted out we would be in danger of setting a second category of membership in the existing Twelve, which would be seized upon by any new applicants to the Community when we are enlarged, and we would not therefore have a cohesive Community, with some states opting in and others opting out?

Mr Martins: In reply to the honourable Member's supplementary question, I should like to say that in starting work on this subject we have met with very constructive collaboration on the part of all Member States.

I should like to say that the Presidency's view is that this Common Foreign and Security Policy must be carried out on the basis of the aptitudes of each Member State, enhancing the characteristics and specific qualities of each. Basically we must ensure with this Common Foreign and Security Policy that the European Community pulls together with a positive synergy which need not necessarily be a substitute for the characteristics of each one of the states.

Mr Lane (RDE): I thank the President-in-Office for his reply because, as I understand it, some people attempt now and again to confuse the question of defence with security. As I see the com-

mon security policy, it is a question of securing the Community against such things as terrorism, drug-trafficking, arms-trafficking and crime in general. Could the President-in-Office confirm that the common foreign and security policy merely talks about the question of securing us against the items I have just mentioned; that where the Maastricht Treaty talks about a common defence policy it is as something which is down the road from us now, something we are not discussing at the moment but may discuss at a later stage, at which time Member States will be able to decide what position they take?

Mr Pasmazoglou (PPE): I thank the President-in-Office of the Council of Ministers for his explanations, which were very interesting. On the basis of the Maastricht agreements, a progressive strengthening of the institutional relations between the Western European Union and the European Community is envisaged. What are the prospects of this reinforcement? Furthermore, on the basis of the Maastricht agreement it is envisaged that as many of the European Community's Member States, as many of the Twelve countries as wish to become full members of the Western European Union, may do so. When will that process be completed?

Mr Martins: I think we must distinguish between the implementation of the Common Foreign and Security Policy and the separate question of the enlargement of the European Community. It is clear that the phenomenon of enlargement, when it comes up for consideration, must be seen from the point of view of European union and not only from that of the Treaties at present in force, which means that enlargement too must be seen from the point of view of the Common Foreign and Security Policy, which will become a policy within the European structure once the Treaty of European Union comes into force.

92/103. Question No H-223/92 by Mr Casini concerning human rights in Iraq

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to press reports and information from various reliable sources, there are still some 2.000 Kuwaiti citizens, including 300 children, in Iraqi gaols. This situation, particularly with regard to the children, would constitute violation of human rights and, in the case of the children, of the Convention on the Rights of the Child adopted by the UN on 20 November 1988.

If this information is true, can the Ministers ascertain the real conditions of the Kuwaiti citizens imprisoned in Iraq and what steps do they intend to take to obtain the immediate release of these prisoners and, most importantly, of the children?

Answer:

The Community and its Member States remain seriously concerned at continued reports of the detention of Kuwaiti citizens in Iraq and of violations of human rights. They are monitoring the situation closely in conjunction with the United Nations and international humanitarian organizations. The behaviour of the Iraqi Government adversely affects the living conditions of the people, compromises the future of Iraqi society and prevents social and economic development. The Community and its Member States have repeatedly expressed this concern publicly and privately to the Iraqi Government. They have urged Iraq to act in conformity with its obligations under international conventions on human rights, including the rights of minorities and of children, and to cooperate with the United Nations.

92/104. Question No H-231/92 by Mr Pesmazoglou concerning the agreement with Albania and violations of electoral legislation at the expense of the Greek minority

Date of issue: 11 March 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

When the Commission recently initialed the trade and cooperation agreement between the European Community and Albania were any steps taken to ensure that the Albanian Government would respect human and minority rights and in particular the right of minorities to participate in national elections? On 13 February 1992 the European Parliament adopted a resolution calling for these rights to be safeguarded and referred in particular to the fact that the Greeks in Albania – internationally recognized as an ethnic minority – have been denied the right to participate on equal terms in the Albanian elections. Will the Foreign Ministers meeting in EPC say whether the Commission took into account the relevant EP resolution and the statement by the Council of Ministers on Albania of 17 February 1992¹ when it initialed the trade and cooperation agreement on that date?

Answer:

The declaration issued by Ministers of Foreign Affairs on 17 February 1992, like the resolution adopted by this House on 13 February, [reminds] the Albanian Government of its solemn commitment to abide strictly by CSCE provisions, particularly those pertaining to the respect of human rights and the rights of minorities, including those with regard to participation in national elections. As the honourable Member is well aware, the long-standing principle of respect for human rights and dignity in all its forms, is the corner-stone of relations of the Community and its Member States with third countries.

¹ *EPC Bulletin*, Doc. 91/064.

92/105. Question No H-242/92 by Ms Banotti concerning association agreements with Romania and Bulgaria

Date of issue: 11 March 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Could the Foreign Ministers inform me of their reaction to the recent Commission proposal to open negotiations with Romania and Bulgaria with a view to concluding Association Agreements and what time span would they envisage before such agreements could be concluded.

Answer:

Exploratory discussions with both Romania and Bulgaria on the negotiation of possible Association Agreements began in December 1991. Negotiating mandates are currently under discussion in the Community. We hope that these will be presented to the Council in the near future.

92/106. Question No H-251/92 by Mr Geraghty concerning the execution of Diaz Betancourt by the Cuban authorities

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The execution of Diaz Betancourt on 20 January last was condemned, enthusiastically and in exceptionally strong terms, by Commissioner Matutes. A planned visit to Cuba, already much deferred, which was scheduled for the end of January did not take place, in protest. Subsequently the Twelve issued a more measured statement regretting the fact that the execution took place notwithstanding the international reaction and the appeals for clemency.¹

Does EPC support the contents of Mr Matutes' statement and his subsequent decision; what criteria does EPC use to determine what executions merit statements of regret or condemnation; and, will similar pronouncements be issued in future when other states, even 'friendly' ones, execute their citizens?

Answer:

As to the first volet of the question, it is not the usual practice in European political cooperation to comment on statements made and decisions taken by members of other Community institutions.

As the honourable Member quite rightly recalls, the Community and its Member States have, in the wake of the execution of Diaz Betancourt, adopted a statement of regret.

Criteria for making such statements are manifold. Apart from the fact that general human rights considerations underlie the issuing of statements on issues of concern to the Community and its Member States, the honourable Member may bear in mind that the inter-governmental nature of EPC and all its implications in the search for a common approach provide all the actors of EPC with a right for initiative, without prejudging the Presidency's own prerogatives and obligations in giving the necessary attention and follow-up to situations which would require this. If one or more partners feel that attention should be drawn to a specific case, consultations among all partners may eventually lead to the adoption of a consensus position, resulting, for example, in the publication of a common statement.

The Community and its Member States have further elaborated on their position concerning the human rights situation in Cuba, including the question of executions, during the current 48th Human Rights Commission in Geneva.² The honourable Member is kindly referred in this respect to the reply just given to Oral Question No H-0166/92³ by Mr Alex Smith on Political Cooperation with Cuba.

¹ *EPC Bulletin*, Doc. 92/025.

² *EPC Bulletin*, Doc. 92/026.

³ *EPC Bulletin*, Doc. 92/092.

92/107. Question No H-254/92 by Ms Oddy concerning the death of journalist Richard de Zoysa in Sri Lanka

Date of issue: 11 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What steps have the Foreign Ministers meeting in Political Cooperation taken to ascertain progress on investigation of the murder of Richard de Zoysa in Sri Lanka? What steps will the Foreign Ministers take to ensure that the perpetrators of the crime are brought to account?

Answer:

The Community and its Member States continue to monitor closely developments in Sri Lanka in the field of human rights and to express their concern in this respect to the Sri Lankan authorities.

At the Sri Lankan Consortium meeting in Paris on 7 February 1992 the representative of the Presidency on behalf of the Community and its Member States made a statement with regard to the human rights situation in Sri Lanka. In that statement, Sri Lanka has been asked for a 'resolution of a number of well-known outstanding cases'.

The specific case referred to by the honourable parliamentarian was considered in the framework of the European political cooperation and was mentioned publicly in the statement on Sri Lanka issued by the Community and its Member States on 22 October 1990.¹

¹ *EPC Bulletin*, Doc. 90/393.

92/108. Statement on Mozambique

Date of issue: 17 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States who have been following from the outset the course of the peace negotiations between the Government of Mozambique and RENAMO, welcome the signing of Protocol III, concerning the electoral law and citizens rights, which took place in Rome last Thursday, 12 March.

They hope that this important new development for the process of national reconciliation will be followed by a significant decrease in the intensity of fighting on the ground before the signing of the cease-fire agreement.

Recalling their statement of 27 May 1991, the Community and its Member States reiterate their support for the efforts of the mediators and encourage the negotiating parties to pursue their efforts towards the bringing about of a final comprehensive peace agreement.

92/109. Statement on South Africa

Date of issue: 19 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the outcome of the referendum held in South Africa, which will allow the determined pursuit of the democratization process initiated more than two years ago.

They consider that the outcome of the referendum and the responsible attitude of all sections of the population during the campaign and the ballot clearly demonstrate the commitment of the

South African people to the transformation process under way in their country. They are confident that all South Africans will be involved in future consultations.

Recalling their statement of 26 February 1992¹ the Community and its Member States reiterate the importance they attach to the work of the Convention for a Democratic South Africa, as a unique opportunity for the peaceful transformation of South Africa. In this context, they commend the courageous stance of President De Klerk and Mr Nelson Mandela.

The Community and its Member States will continue to support the creation of a democratic and non-racial South Africa and the well-being of all its people.

¹ EPC Bulletin, Doc. 92/073.

92/110. Statement on the refugees from Burma

Date of issue: 20 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their deepening concern at the policies of the Burmese military authorities which have caused about 140,000 Muslim refugees to flee into Bangladesh. The refugees' suffering has created a sense of horror among the international community and places a burden on those providing essential humanitarian assistance. The Bangladesh authorities are making a great effort to cope with a difficult situation and attempting to reduce the suffering of refugees by allowing international relief organizations access to their camps. The Community and its Member States welcome the UN Secretary-General's statement on this matter on 6 March 1992 and wish to stress their concern at the threat to regional stability caused by the Burmese actions.

The Community and its Member States note that other minorities in Burma are also suffering intolerable repression, and repeat the terms of the *démarche* they made to the Burmese authorities in Rangoon on 2 March 1992:

- To call on the military government to reassure all elements of the local population of their willingness to guarantee their human and civil rights in accordance with the UN Charter and related internationally recognized norms.
- To urge the military government to refrain from taking further military action against minorities.
- To call on the military government to confirm their readiness to seek peaceful solutions to all ethnic conflicts which will benefit all those living in Burma.

92/111. Statement on the recognition of the Republic of Georgia

Date of issue: 23 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the assurances expressed by Georgia to fulfil the requirements contained in the Declaration on the 'Guide-lines on the recognition of the new states in Eastern Europe and the Soviet Union', adopted by the Community and its Member States on 16 and 31 December 1991.¹ They are, thus, ready to proceed with the recognition of Georgia.

The Community and its Member States note with satisfaction that all the republics of the former Soviet Union have now committed themselves to the above-mentioned guide-lines.

With regard to Georgia, they welcome in particular:

- The acceptance of international obligations and of the commitments outlined in the UN Charter and the Helsinki Final Act, the Charter of Paris and all other CSCE documents, especially with regard to the rule of law, democracy and human rights;
- The guarantee of the rights of ethnic and national groups and minorities in accordance with the commitments subscribed in the CSCE framework;
- Georgia's commitment to recognize and respect the inviolability of all borders which can only be changed by peaceful means and by common agreement;
- The commitment to settle by agreement, including where appropriate, by recourse to arbitration, all issues concerning state succession and regional disputes;
- The acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability as a non-nuclear weapon state.

¹ *EPC Bulletin*, Docs 91/464 and 91/472.

92/112. Statement on Kenya

Date of issue: 24 March 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have been following with grave concern the recent marked increase in violence throughout the country, notably in western Kenya. They strongly support the process of political reform recently initiated in Kenya which would be put at risk by a continuation of this violence.

The Community and its Member States therefore appeal to all those involved in the political process to embark on a constructive dialogue in order to lessen the existing tension and to create the necessary conditions for free and fair elections.

They reiterate the need for all concerned to show moderation and restraint and to work in a spirit of reconciliation for an early return to stability so as to enable progress towards democracy and prosperity.

92/113. Statement at the opening session of the Helsinki CSCE follow-up meeting

Date of issue: 24 March 1992
Place of issue: Helsinki
Country of Presidency: Portugal
Status of document: Statement in international forum

Mr Chairman, first of all let me welcome on behalf of the European Community and its Member States the distinguished representatives of the newly admitted participating States. The accession of Croatia, Georgia and Slovenia is a further important step in developing and consolidating the CSCE process.

I would also like to pay tribute to the great efforts made by our host country in providing the magnificent facilities and pleasant surroundings which I am sure will contribute to the success of this follow-up meeting.

Mr Chairman, when, almost twenty years ago, in this same European capital, the CSCE process came to life with the signature of the Helsinki Final Act, Europe was very different from today.

The Helsinki Final Act and its ten principles stood then, as they stand today, as the necessary reference in what concerns values, rights and obligations and as a code of behaviour. They guided the path as a charter for the future and played a very important role in shaping the new Europe.

The radical and dramatic alteration of the European framework called for a new CSCE approach. The Paris Summit of November 1990 gave effect to that need. The different perspectives and also the problems of the emerging situation in Europe were then evaluated and the resulting document of the summit clearly indicated the guide-lines for the future of the CSCE process. The charter opened the way for strengthening the CSCE by building-up institutions and structures and by setting down priorities with a view to fostering cooperation among the participating States.

The adoption of the Vienna document on CSBM's as well as the signature, at the margins of the Paris Summit, of the CFE Treaty and of the declaration of the 22 States, solemnly confirmed the end of the long era of East-West confrontation and paved the way for a new relationship in the security field. We look forward to the entry into force of that treaty by the time of the Helsinki Summit Meeting in July.

The necessity of a more comprehensive and regular dialogue, at a political level, determined the decision of establishing the CSCE Council. To support the Council, as its agent, the CSO was brought into existence. At the same occasion the CSCE secretariat, the Conflict Prevention Centre and the Warsaw office were established. All these bodies have great potential in the further development of the CSCE process and were already further strengthened at the Prague Council Meeting.

The Paris Charter gave a new impulse to the process which will allow the CSCE to respond effectively to the demanding new situations and so to play the role we all expect it should be able to assume in the future.

During the next three months the delegations here assembled will put together their efforts aimed at achieving positive results and guarantee a successful outcome of the summit meeting scheduled for July.

Mr Chairman, at present, the security situation in Europe is completely different from the recent past. The risk for peace and stability in Europe no longer derives from the overall political-military confrontation, but from the occurrence of conflicts of various origins including those of ethnic nature.

The Yugoslav crisis and the Nagorno-Karabagh conflict constitute tragic examples. As long as hostilities persist anywhere in the CSCE area, whether in Nagorno-Karabagh or in parts of Yugoslavia, the stability of Europe as a whole will remain uncertain. The European Community and its Member States stand behind the efforts of the chairman of the CSCE Council, Mr Dienstbier, to find a way out of the crisis of Nagorno-Karabagh. We are also fully committed to ensure the success of the peace conference on Yugoslavia.

Other potential situations of violence cannot be excluded, nor can the possibility for those conflicts to escalate and expand to neighbouring countries. The CSCE must be able to react promptly, in a more operational way, in order to contribute more effectively and in a timely way to the resolution of disputes and conflicts. The CSCE must be capable of engaging adequately in the identification and prevention of crisis and conflict situations and the peaceful settlement of disputes.

Building upon existing structures and procedures, the CSCE must strengthen its operational capacity to implement procedures in order to be able to act at very short notice.

The European Community and its Member States will develop ideas and proposals to this effect, based on the deliberations and results of the Prague meeting of the CSCE Council and on proposals from Member States of the Community brought forward during that meeting. The CSCE could, for example, build upon the proposals submitted by the recent meeting of a high level group of legal experts, to create a CSCE court of conciliation and arbitration. We could also build upon the notion of a CSCE High Commissioner, which would provide vital early warning capacities in situations of internal strife involving minorities.

We also feel that, in order to make CSCE more effective and operational, it would be useful to develop ways of supporting the Presidency-in-Office. The creation of a small group of countries closely related to the succession of presidencies and of the specific issues at stake might be a means to achieve this objective.

Another task assigned to this conference in the security field, refers to 'the establishment, from the conclusion of the FUM, of a new negotiations on disarmament and confidence and security building open to all participating States, as well as of a broader security dialogue'.

The work already carried out in Vienna in the context of the informal consultations showed a significant degree of common ground that will undoubtedly help progress in Helsinki, raising well founded expectations for the establishment of a new forum for security cooperation in the shortest possible time frame. The forum should aim at further contributing to the reduction of the potential for military conflict by means of negotiations, as required, on arms control and disarmament, by the negotiation of cooperative measures aimed at the enhancement of confidence, mutual trust and transparency and by the setting up of a broad dialogue on security matters with politico-military implications, and by further developing the CSCE's capabilities in the field of conflict prevention.

Another important step in the security field will be taken today when the 'treaty on open skies' is signed. It constitutes, undoubtedly, a significant instrument for confidence and transparency.

As far as cooperation in the field of the human dimension is concerned the Helsinki follow-up meeting is asked to seek the means to further promote and consolidate greater respect for human rights, democracy and the rule of law. The enhancement of the role of the Warsaw office, now the 'Office for Democratic Institutions and Human Rights', through a better clarification and organization of its tasks, appears as one of the priority actions to undertake. Among other functions, the office should bring together those wanting technical and legal assistance concerning the functioning and development of democratic institutions with those able and willing to provide it. Forward looking regular review meetings should offer the possibility for participating States to cooperate with a view to improving the implementation of CSCE commitments in the area of the human dimension, namely by identifying, at an early stage, potential deviations to those commitments. Problems regarding national minorities are of particular importance in this context and should be addressed in review meetings.

Establishing adequate and practical ways to ensure cooperation in the field of the human dimension with other international institutions and organizations, in particular with the Council of Europe, would allow at the same time avoiding duplication, lowering the costs and optimizing the performance. This could be achieved by improving the channels of communication, by regular exchange of information on activities and relevant projects and by promoting expert meetings with the contributions from interested institutions and organizations in order to share common experiences and to address concrete subjects.

Developing economic cooperation as well as cooperation in the areas of science and technology, culture, environment and others, will mostly relate to dealing with the problems of implementing commitments. The Helsinki follow-up meeting should define clear patterns in order to

render more effective the role of existing institutions and structures in promoting concerted action in those fields.

The economic forum will provide a renewed impetus to economic cooperation through the regular exchange of experiences, the provision of advice in specific areas of activities and by supporting relevant initiatives.

Careful consideration should be given in order to ensure closer coordination with different existing international institutions with particular responsibilities in the above-mentioned areas of activity.

An important theme for debate during this follow-up meeting will be the fostering of relations with non-participating States, especially with the Mediterranean countries which should be encouraged to express more actively their views and to contribute with their experience in what concerns problems in the region.

The summit document will establish orientations for the future. It should be of a political nature, containing clear cut guide-lines.

Mr Chairman, the work ahead during the next three months will be of a crucial importance for the future of the CSCE. The task is arduous, demanding and laborious but the objectives are easy to identify: to render the CSCE more effective, its institutions and structures more operational and its role more decisive.

The European Community and its Member States will spare no effort towards the accomplishment of those goals.

92/114. Question No 2603/91 by Ms Grund (NI) on compliance with international treaties concluded between the USSR and the European Community

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 19 November 1991)

Can the Council of Foreign Ministers (EPC) assure the European Parliament that the autonomous or sovereign republics that will be established on the territory of the present USSR after the political restructuring now taking place there will comply with the international treaties concluded between the USSR and the European Community and its Member States (concerning matters such as troop withdrawals from the territory of the former German Democratic Republic)?

Answer:

In their declaration on the 'guide-lines on the recognition of new States in eastern Europe and in the Soviet Union' issued on 16 December 1991,¹ the Community and its Member States affirmed their readiness to recognize, subject to the normal standards of international practice and the political realities in each case, those new States which had accepted the appropriate international obligations and had committed themselves in good faith to a peaceful process and to negotiations. As the first of the requirements for recognition, they listed 'respect for the provisions of the Charter of the United Nations and the commitments subscribed to in the Final Act of Helsinki and in the Charter of Paris, especially with regard to the rule of law, democracy and human rights.'

In a subsequent statement following the meeting in Alma Ata on 21 December 1991² which saw the creation of the Commonwealth of Independent States (CIS), the Community and its Member States noted that the international rights and obligations of the former USSR, including those under the UN Charter, would continue to be exercised by Russia. They welcomed the Russian

Government's acceptance of these commitments and responsibilities and in this capacity wished to continue their dealings with Russia.

Following their assurances to fulfil the requirements contained in the above-mentioned 'guidelines', the Community and its Member States, on 31 December 1991³ and 15 January 1992,⁴ expressed their readiness to proceed with recognition of the remaining 10 republics of the CIS.

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- 1 *EPC Bulletin*, Doc. 91/464.
 - 2 *EPC Bulletin*, Doc. 91/469.
 - 3 *EPC Bulletin*, Doc. 91/472.
 - 4 *EPC Bulletin*, Doc. 92/008.

92/115. Questions No 3225/91 by Ms Oddy (S) and 3226/91 by Ms Oddy (S) on Abdul Qadeer – Sahiwal Central Jail Pakistan and on human rights in Pakistan

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written questions in the European Parliament (from 28 January 1992)

Question No 3225/91:

Would the Foreign Ministers meeting in Political Cooperation make enquiries as to the welfare of the above detainee in Sahiwal Central Jail Pakistan as the local Amnesty group in my constituency has not been able to obtain satisfactory information about the detainee who has been detained for over seven years?

Question No 3226/91:

When did the Foreign Ministers meeting in Political Cooperation last discuss the position of human rights in Pakistan?

What steps do the Foreign Ministers intend to take to express disapproval of alleged cases of torture and arrest of opposition leaders?

Answer:

Questions 3225/91 and 3226/91 both deal with the human rights situation in Pakistan.

The Community and its Member States will continue to take up violations of human rights with the Pakistani authorities; firmly believing that the promotion and safeguarding of such rights is an essential cornerstone of their relations with other countries and a legitimate and permanent duty of the world community. These views were elaborated in the Declaration on Human Rights adopted by the Luxembourg European Council in June [1991]¹ which stressed that no specific provision based on national, cultural or religious factors could validly be invoked to detract from the principles established by the many international instruments on human rights.

The Pakistani authorities are well aware of the importance the Community and its Member States attach to the respect of human rights as laid down in the resolution adopted by the Development Council on Human Rights, Democracy and Development on 28 November 1991.

The specific case, referred to by the honourable parliamentarian, has not been discussed within the framework of the European political cooperation. Nevertheless, information about this case [is] being sought.

¹ *EPC Bulletin*, Doc. 91/194.

92/116. Question No 3236/91 by Mr Arbeloa Muru (S) on prisoners in Uganda

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 28 January 1992)

Have the Foreign Ministers meeting in European political cooperation taken any action in respect of prisoners in Uganda, including the Minister of Foreign and Regional Affairs, Mr Omara Atubo, accused of taking part in rebel activities against the government?

Answer:

Recent information made available to the Community and its Member States indicate that the case against the six persons still held on charges of treason in Uganda is to go before the High Court at the beginning of March. It is not the Community and its Member States' intention to interfere in the course of justice. Nevertheless, I can assure the honourable parliamentarian that the authorities of Uganda are in no doubt as to how closely the Community and its Member States are following developments regarding the question he raised.

92/117. Question No 3247/91 by Ms Rawlings (ED) on European cooperation in sanctions against Yugoslavia

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 29 January 1992)

Which, if any, of the frontier states with Yugoslavia are unwilling to apply sanctions to Yugoslavia, in the light of the unwillingness of the Serb-led Federal Army to lay down arms?

Answer:

On 5 July 1991 the Community and its Member States decided upon an embargo on armaments and military equipments applicable to the whole of Yugoslavia. Following their urgent appeal to other countries to follow this example, they received formal support for this measure from European and non-European countries alike, including the neighbouring states of Yugoslavia.

Many countries, including those in the region, also expressed support for the range of restrictive measures taken by Ministers at their extraordinary meeting on 8 November 1991 (a.o. the immediate suspension of the application of the Trade and Cooperation Agreement with Yugoslavia) with a number of them adopting similar measures.

92/118. Question No 141/92 by Ms Ewing (ARC) on persecution of the Kurdish people by Turkish security forces

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 7 February 1992)

What representation have the European governments made to Turkey concerning the practice of extra-judicial killings, torture and persecution of the Kurdish people by the Turkish security forces in south-east Turkey, despite promises of democratization from the new coalition government?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities. The Community and its Member States recognize, nevertheless, the difficult situation the Turkish authorities face in handling with the methods used by the Kurdish Workers Party (PKK) in the South-East. They welcome the Turkish Government's commitment to combat this threat by legal and democratic means.

92/119. Question No 243/92 by Ms van den Brink (S) on Cyprus and the role of the EC

Date of issue: 24 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 13 February 1992)

1. What steps have been taken in the past year to move towards a solution of the Cyprus question?
2. If there is a peace conference, do the Ministers believe the Community should be a participant?
3. If no peace conference is organized to settle the Cyprus question, are the Ministers prepared to take steps to hasten a peaceful settlement?
4. Are the Ministers prepared to arrange for future six-monthly meetings with the Government of Cyprus to be held with the troika?

Answer:

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the Mission of Good Offices of the UN Secretary-General, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN Resolutions and high level agreements. They regret that it has not been possible to convene the high-level international meeting foreseen by the most recent reports of the Secretary-General to the Security Council and the subsequent statements by the President of the Security Council as well as by Security Council Resolution 716/91.

The Community and its Member States had hoped that the resumption by the Secretary-General of discussions with the two parties in Cyprus, Greece and Turkey would have led to the removal of the remaining obstacles and enabled the convening of a high-level international meeting on Cyprus under UN auspices.

The Community and its Member States already hold regular meetings with Cyprus at Presidency Ministerial and Presidency Political Director level. There are no plans to change to a troika format.

92/120. Question No 172/92 by Mr Lagorio, Ms Magnani Noya and Mr Mattina (S) on Yugoslavia – shooting down of a European Community helicopter

Date of issue: 25 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 10 February 1992)

In Croatia on 7 January 1992 a jet fighter belonging to the Yugoslav federal airforce shot down an Italian helicopter bearing the EC emblem. The weather conditions and the place of the attack rule out any possibility of a tragic mistake.

1. What action will the European Community take with regard to the political authorities in Belgrade?
2. Will the Community suggest that the Member State Governments immediately withdraw their ambassadors from Belgrade?
3. Does the Community consider that the obvious disintegration of the Yugoslav Federal Republic calls for a dual response:
 - (a) the immediate recognition of the former Yugoslav states which have proclaimed their independence;
 - (b) all possible international pressure to be brought to bear on the Belgrade authorities to force Serbia to give up its ambiguous 'federal' role and present itself to the world as an independent state capable of assuming full responsibility for its actions?

Answer:

The shooting down of a helicopter causing the death of five members of the European Community Monitor Mission to Yugoslavia has been condemned by the Community and its Member States in their statement on 7 January 1992.¹ They also demanded a thorough investigation of the circumstances which led to this grave incident in order to determine responsibilities to the fullest extent. To this end, the Head of the Monitor Mission was instructed to organize immediately a tri-partite commission of inquiry, while the Presidency's representative in Belgrade received instructions to meet the local authorities with a view to securing their complete cooperation with the above-mentioned investigation. The Community and its Member States also recalled the commitments accepted by all parties involved in the present crisis to ensure the security of all members of the Monitor Mission, and strongly urged them to abstain from any act which might jeopardize the present cease-fire which constitutes the key element in the search for a peaceful and negotiated solution. Following the incident, the Head of the Monitor Mission decided to temporarily suspend the activities of the monitors on the ground. No decision was taken by the Community and its Member States to collectively withdraw their Ambassadors from Belgrade.

The ECMM inquiry is still in progress. Following press reports about the findings of a separate federal commission of inquiry appointed by the authorities in Belgrade, alleging that the ECMM helicopters did not have the necessary authorization to use the route they were taking at the time of the incident nor the appropriate EC markings, the Presidency's Ambassador has requested that a copy of the report be made available as soon as possible. The ECMM will comment on the findings once its own inquiries have been concluded.

In their declaration on 16 December 1991,² Ministers agreed to recognize the independence of all the Yugoslav Republics fulfilling all the conditions enumerated in that declaration. In conformity with this declaration, and in the light of the advice of the Arbitration Commission, the Community and its Member States decided on the 15 January 1992,³ in accordance with these provisions and in accordance with their respective procedures, to proceed with the recognition of Slovenia and Croatia. With regard to the other two republics which have expressed the wish to become independent, there are still important matters to be addressed before a similar step by the Community and its Member States will be taken.

1 EPC Bulletin, Doc. 92/003.

2 EPC Bulletin, Doc. 91/465.

3 EPC Bulletin, Doc. 92/009.

92/121. Question No 182/92 by Mr Kostopoulos (S) on human rights in Saudi Arabia

Date of issue: 25 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 10 February 1992)

The International Committee for the Defence of Mohammed Al Fasi recently published a full-page appeal in the *International Herald Tribune* calling for his release from prison in Saudi Arabia. His crime had been to call for democratic reforms in Saudi Arabia and to assist with the sending of food to children in Iraq. Will the Community call on the Saudi authorities to respect human rights and to release Mohammed Al Fasi as requested by dozens of prominent figures throughout the world?

Answer:

The specific case mentioned by the honourable Member has not been discussed in the framework of EPC. Nevertheless the Saudi Arabian authorities are fully aware of the importance which the Community and its Member States attach to respect for human rights, including freedom of speech. The Community and its Member States have repeatedly stressed that the protection of human rights is the legitimate concern of the world community and of states individually and that respect for human rights will continue to be an important element in their relations with third countries.

92/122. Question No 274/92 by Mr Langer (V) on anti-semitic remarks by President Tudjman of Croatia

Date of issue: 25 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 24 February 1992)

According to press reports, a book entitled *Bespuca Povijesne Zbiljnosti* (The truth of history con-founded) was published in Zagreb (Croatia) in 1990, the author of which is supposedly Franjo Tudjman, President of the Republic of Croatia. The book reportedly contains very serious and incredible claims concerning the Holocaust perpetrated against the Jews by the Nazis (understating their responsibility for the Holocaust, and the scale thereof), all but denies Croatian involvement in the extermination process and shifts the blame onto the victims.

Although the book has apparently been taken off the market, the fact remains that the president of a newly independent state whose existence is so contingent on European Community recognition is drawing attention to himself through views and attitudes which, without a shadow of a doubt, are highly dangerous in the 'new Europe' that is taking shape in so laborious a fashion.

How do Foreign Ministers meeting in European political cooperation view this situation, and what steps do they propose to take to point out to the Croatian President and Government that there is little likelihood of the European Community placing its trust in anyone who distinguishes himself by such remarks?

Answer:

Publications espousing the views outlined by the honourable Member deserve nothing but contempt. The unequivocal position of the Community and its Member States in that respect, has once again been clearly stated in the declaration against racism and xenophobia adopted at the Community Council on 9 and 10 December 1991 in Maastricht.¹

The declaration on Yugoslavia, issued on 16 December 1991,² furthermore, clearly points out that the principle of respect for human rights and dignity, which has long been the cornerstone of relations of the Community and its Member States with third countries, does equally apply to Croatia.

¹ EPC Bulletin, Doc. 91/434.

² EPC Bulletin, Doc. 91/465.

92/123. Question No 291/92 by Mr Kostopoulos (S) on the migration of Pontic Greeks

Date of issue: 25 March 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 24 February 1992)

In view of the fact that conditions are steadily deteriorating in many democracies of the former Soviet Union, where many thousands of Pontic Greeks live, can EPC take steps to allow these Greeks to emigrate with their households as happened previously?

Answer:

The honourable Member will recall the answer to his oral question No H-32/92,¹ which concluded that there can be no doubt that the principle of respect for human rights and dignity, which has long been the cornerstone of relations of the Community and its Member States with third countries, will remain so in the future.

¹ EPC Bulletin, Doc. 92/046.

92/124. Statement on Ethiopia

Date of issue: 27 March 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The EC and its Member States have from the beginning supported the process of democratization in Ethiopia which was initiated by the National Conference held in Addis Ababa in July 1991. The recent signature of a revised national indicative programme with Ethiopia, providing for over 200 million ECU of assistance under the Lomé IV Convention, together with member States' bilateral assistance programmes, shows their readiness to support this process. But they firmly believe that the holding of elections, to be preceded by encampment of the armed forces of the groups involved, as set out in government proclamations, is the essential next step in taking this process forward.

They have therefore watched with increasing anxiety over recent weeks the difficulties apparently preventing the electoral process from moving forward. They urge the parties involved to conclude their negotiations over encampment of troops rapidly, and showing the essential spirit of compromise. In this way the process intended to lead to free and fair elections can get underway again. Any other way forward, in particular any resumption of fighting, is not in the interests of Ethiopia as a whole, or of the country's future development.

The European Community and its Member States would be deeply concerned by any abandonment of the process of democratization.

92/125. Statement at the plenary meeting of the Helsinki CSCE follow-up meeting

Date of issue: 30 March 1992

Place of issue: Helsinki

Country of Presidency: Portugal

Status of document: Statement in international forum

Mr Chairman, in the name of the European Community and its Member States, I would like to present a very first contribution to our debates on implementation.

We have seen since the Vienna follow-up meeting and in particular in the past two years dramatic changes in our continent.

Those changes were positive and very promising, although some areas of concern still remain and new ones have appeared. Some tragic developments have taken place and are indeed still taking place.

Mr Chairman, on the positive side, we have committed ourselves to common values in the fields of human rights, fundamental freedoms, democracy and the rule of law and have made progress towards a common understanding of them.

We have welcomed evidence of the development and consolidation of democratic processes in many CSCE States in the past two years. New elections have been held in conformity with the commitments contained in the document of the Copenhagen meeting. New legislation has been passed reflecting the standards to which we are committed.

The extent to which democratic values have penetrated beyond the governmental level was dramatically illustrated in August 1991. The attachment of the people of Russia to genuine democracy was put to the test on the barricades in Moscow. It proved more than equal to the challenge then and we have seen since how it has withstood further attempts to turn the clock back to the days when the notion of democracy was paid no more than cynical lip service.

But it was a desperately close run thing. All that the CSCE stands for was subjected to the most fundamental assault. We must not assume that CSCE States will be immune to further attempts to bury the standards and values we have developed over the past 17 years. There will be a need for constant vigilance to ensure that the democratic principles we have agreed become the unquestioned norm for all our states.

Mr Chairman, as a consequence of this new understanding among ourselves, we were able to adopt during the past years a number of ambitious measures on disarmament and confidence building that in turn will, and already are, contributing to further develop our understanding and security.

In this field we believe that the progress achieved since the last follow-up meeting has been very impressive and has opened the way for an entirely new set of security relations among participating states.

The signature of the CFE Treaty on the 18th of November 1990, although it directly involves only twenty-two signatories, laid the groundwork for a process of orderly reduction of the main conventional armaments and the elimination of the capacity for surprise attack in Europe. It therefore greatly benefits all CSCE members. It is vital that the treaty is ratified and enters into force by the July summit. The Vienna 1990 and 1992 documents significantly contribute to the strengthening of our common security by defining a comprehensive set of confidence and security building measures which enhances openness and trust among all participants to the CSCE process on a broad range of military and politico-military matters. The regular assessment of the implementation of these measures takes place annually in the framework of the CPC, which is the appropriate body to conduct in a thorough way a discussion on this matter.

We are satisfied that the first assessment of these measures has shown a generally positive spirit of compliance and cooperation, as have the two seminars on military doctrine which took place in Vienna. The CPC following the Prague meeting has been entrusted with a mandate for a broad dialogue on politico-military aspects of security which is an important development that complements the progress achieved in the field of conflict prevention and crisis management by the CSO and the CPC.

Similarly the recently signed Open Skies treaty hold great promise for the strengthening of confidence, trust and transparency between all its signatories and all CSCE participating States. We hope that once the treaty enters into force all CSCE States who so wish will be able to accede to the treaty as stated in the Open Skies CSCE declaration of Ministers of the 24th of March 1992.

Thus, institutions and instruments have been created for a broad cooperation on security matters among all CSCE participants. We attach great importance to this development, which will facilitate interaction with the contribution made by other institutions such as NATO and WEU.

Mr Chairman, we were also able to develop the CSCE significantly in other areas, creating for the first time institutions and mechanisms that have potential to address all the problems that might arise in the CSCE area, as well as serve as the 'fora' for our increased cooperation.

In fact, Mr Chairman, the new structures of the CSCE were established at Paris to underpin our common efforts to consolidate respect for human rights, fundamental freedoms, democracy and the rule of law and to strengthen peace and unity in Europe. The Prague Council took major decisions on the further development of CSCE institutions and structures and established guide-lines for our discussions here.

Mr Chairman, the Berlin Council constituted a turning point in the CSCE development as to the way in which the CSCE wants to conduct a debate on the implementation of its commitments. When Albania, in connection with its request for admission to the CSCE, invited a CSCE observer mission to take stock of progress towards full implementation of CSCE commitments and to assist it towards that objective a new phase in the CSCE implementation debate began.

The approach which the CSCE adopted in this case has been the model for the subsequent observer or fact-finding missions which the CSCE has sent out since then. CSCE missions have been to Yugoslavia and – twice – to Nagorno-Karabagh. The reports of these fact finding missions have been made available to all participating States. Their content will be, as appropriate, subject of further discussion during our deliberations.

Further missions to newly admitted participating States have already taken place, their reports are expected and will also be discussed in the course of this meeting.

Finally, more such missions are to take place in the near future and their findings will also constitute a valuable contribution to our common reflection on an ever better implementation of CSCE commitments.

As to the substance of the findings of these missions we have noted the progress which has been made and the still existing deficiencies and the need for improvement and assistance.

We feel that the countries concerned and the follow-up meeting are provided with good material by findings to draw upon in the future deliberations. It may be a good idea that new participating States and countries covered by the reports of fact finding missions would take the initiative themselves to discuss with the other participating States with which areas of commitments laid down in the Helsinki Final Act and the Charter of Paris they have problems. Thereby ways and means to overcome the deficiencies in the areas of human rights and democratic institutions could be usefully and profitably discussed.

Mr Chairman, the significant enlargement of the CSCE was indeed another positive development in the last years.

We have whole-heartedly welcomed into our family 17 new states since the Paris Summit. We recognize that they are all firmly committed to uphold the values of the CSCE.

At the same time, we accept that all these states are at differing stages of transition. Each has its own particular agenda; the circumstances in which the transition is taking place vary enormously.

We would like to hope that the new participating States will be forthcoming in their evaluation of how far they still need to travel in order to satisfy the standards laid down in CSCE documents. We know that there are constraints which will govern both the pace and the extent of moves towards full respect for human rights, democratic principles and the rule of law. We would welcome an indication of how they themselves see their priorities and the efforts they are making to bridge the gap between commitments and performance.

The first steps towards implementing CSCE commitments, particularly in the field of human dimension, consist in adapting national legislation to meet CSCE standards. Without this legal safeguard the chances of a consolidation of democratic practices is lessened. But the mere passing of legislation is not enough. If individuals at all levels of society are to feel the benefit of the standards we have developed, governments must ensure that CSCE commitments are understood and put into practice by all those who have the power to influence the lives of men and women.

Mr Chairman, although the list of achievements of the past couple of years is impressive, serious areas of concern remain.

Concrete examples of non-compliance with CSCE principles and commitments have been cited by our ministers during the opening phase of this conference. The most frequent issue pointed out was the danger of regional or internal conflicts due to the non-respect of individual rights of persons belonging to national minorities and the lack of consideration of their legitimate aspirations for political participation and cultural identity, as enshrined in the relevant parts of the Copenhagen Geneva and Moscow CSCE documents.

Since before the Berlin Council the CSCE has been dealing with the crisis in Yugoslavia. Under CSCE mandate, the EC and its Member States have set up a peace conference on Yugoslavia and dispatched a monitoring mission with the participation of the other CSCE States, which shows our commitment to a peaceful settlement of the crisis. The dispatch of UN peace-keeping forces will help to accelerate momentum in the negotiations under the Brussels conference. We hope that it will also act as a deterrent to the danger of outbreak or spread of further violence.

Also since the Berlin Council and in particular during the recent extraordinary ministerial [meeting] here in Helsinki, the CSCE had to deal with the Nagorno-Karabagh conflict. In this context we wholeheartedly support the efforts by the current chairman in office of the CSCE Council. We were able to reach agreement on a peace conference that will take place in Minsk and that we hope will make quick progress towards the solution of this conflict.

There are, however, other areas where the principle of refraining from the threat or use of force is violated. The European Community and its Member States are deeply concerned by any use of military force against civil populations and the loss of life and destruction occurred thereby.

The suppression of legitimate aspirations which are based upon CSCE commitments cannot be tolerated by the CSCE community. The escalation of violence with its sufferings for the population must end and the underlying problems be solved through lawful and democratic means. We condemn any use of force, wherever it may come from, which may hamper the democratic dialogue so necessary for peace, justice, stability and democracy in all our countries. We also condemn unequivocally any recourse to terrorism and we will not accord legitimacy to organizations which practice or condone it.

Mr Chairman, another acute problem is the preservation of our endangered natural environment. Environmental accidents and catastrophes, even in the recent past, have demonstrated blatant insufficiencies and, thereby, the urgent need for coordination and cooperation, particularly early warning to ensure greater environmental protection. Adequate reactor safety, particularly in the case of outdated technology, is a question of survival for all our peoples.

Mr Chairman, in all the situations of tension or crisis we had recently in Europe, we see not only the failing of states to comply internally with CSCE standards but also the fact that a number of CSCE mechanisms we already have at our disposal are not fully used.

We already have at our disposal a significant number of mechanisms to try to diffuse and solve situations of tension. I am speaking of the already familiar CHD mechanism, of its further development in Moscow, of the measure on unusual military activities of the Vienna 1990 CSBM document, or of the mechanism that resulted from the Valletta meeting.

We must review their use in the past years and months, so that we can draw the necessary lessons for their further development. The CSCE needs to develop a coherent and comprehensive range of instruments for the management of crisis and the prevention of conflict, including in the field of peace-keeping.

In this perspective I would like to conclude by saying that the future development of the CSCE will have to be made in a threefold perspective:

- Continuity – we must keep faith with the entire range of commitments that we have developed in order to preserve the comprehensive concept of security that is the basic strength of the CSCE;
- Consolidation – by this meaning the reinforcement of areas of cooperation which are extremely important but which until now have not been fully developed in the CSCE;
- Construction – rationalizing the activities of the CSCE institutions and mechanisms and building further upon them so as to develop our capabilities for effective and timely action.

92/126. Statement at the plenary meeting of the Helsinki CSCE follow-up meeting

Date of issue: 1 April 1992

Place of issue: Helsinki

Country of Presidency: Portugal

Status of document: Statement in international forum

Mr Chairman, I would like to outline the general concept of the European Community and its Member States on the role of the CSCE in the current political situation and in respect with the challenges facing all participating States, and set out what are our main objectives for the future of the CSCE.

The essential objective of the CSCE remains as in the past the achievement of a European peace order based on the ten principles of the Helsinki Final Act and the commitments of the subsequent CSCE documents, in particular the Charter of Paris. With the Charter of Paris the CSCE began developing from a forum for dialogue and standard setting into an instrument of active political cooperation to achieve and maintain peace and security.

The main strength of the CSCE process is its concept of security based on a comprehensive approach. This comprises protecting and promoting human rights, safeguarding democracy and the rule of law, political pluralism, promoting the cultural and spiritual values of our common heritage, renouncing any use of force or the threat of its use, agreeing to settle disputes peacefully, promoting cooperation among free market economies and economic growth and assuming ecological responsibilities – these are important elements of the stability and peace we are striving for.

The main task which lies ahead consists in finding ways and means to cope with the various challenges within the CSCE area, deriving among others from both the process of desegregation of some political entities and the enlargement of the CSCE to the newly admitted States. In order to meet these challenges the CSCE must develop an organized system of cooperation.

With respect to peace and security in the CSCE area, a proposal has been made that consideration be given to conditions and modalities whereby the CSCE would in effect function and qualify as a 'regional arrangement' in accordance with Chapter VIII of the Charter of the United Nations. The CSCE should in any event have its own system for early warning, crisis management and arrangements for peace-keeping within its area.

We have already stressed that the CSCE has a prominent role to play in the evolving European architecture and that the challenges facing Europe call for multi-faceted forms of cooperation, and close relationship among European, transatlantic and other international institutions and organizations, drawing as appropriate upon their respective competences.

A) Strengthening the CSCE operational capabilities

Mr Chairman, in order to consolidate respect for human rights, democracy and the rule of law, maintain peace and stability and prevent conflicts it will be necessary to further strengthen the existing operational capabilities of the CSCE. CSCE has, so far, developed its activities mainly through information, consultation and cooperation. Now we should seek to enhance these traditional forms of action and address the CSCE's potential for concerted action. These four ways of operating would apply to various fields of CSCE responsibility, in particular to human rights and the politico-military field. Such a common approach would underline the interdependence of factors decisive for security.

Mr Chairman, let me set out the main forms of the future CSCE activities as we see them.

1. Information

The readiness to provide quick and sound information, when it is required, is an essential prerequisite of the CSCE and constitutes the basis for an efficient system of conflict prevention and crisis management. The CDH mechanism and the confidence and security building regime are of particular importance for the maintenance of stability and conflict prevention. But we should also focus on extending information activities to the collection of 'early warning indicators' of situations which could lead to conflict.

Information on 'early warning indicators' could, according to their nature, be collected and processed either by the ODIHR or by the CPC Consultative Committee for referral to the CSO and when appropriate to the Council for 'early risk analysis'.

With regard to the 'early warning' of possible conflicts involving national minorities, the proposal to appoint a CSCE High Commissioner for Minorities, who would be supported by the ODIHR, merits also careful consideration.

2. Consultation

Mr Chairman, further to exchange of information, there are several possible ways under existing mechanisms and institutional procedures whereby participating States can undertake bilateral and multi-lateral consultations in order to clarify information, raise issues of concern, seek when needed a peaceful solution on the basis of international law and CSCE standards.

We should work to ensure that consultation procedures in the different institutions and under the different mechanisms are effectively implemented in a coordinated and coherent way.

3. Cooperation

Mr Chairman, on this level the CSCE will seek to expand or supplement the instruments at its disposal in the following areas:

- cooperation, consultation and negotiation in the field of military security
- fact-finding and rapporteur missions
- peaceful settlement of disputes, including consideration of procedures for conciliation and arbitration in the framework of CSCE.

The further development and rationalization of the existing provisions of the Moscow Document (human dimension) and the Vienna Document 1992 (with regard to unusual military activities) should be examined. In both areas the procedures for using fact-finding, rapporteurs and observers could be developed and improved.

The Valletta Report which was endorsed by the Berlin Council created a CSCE mechanism on peaceful settlement of disputes. While we deem that such mechanism should be applied and requires further development, we note that a consistent structure for conciliation and binding arbitration is still missing. A proposal for such a structure has been made and will have to be considered.

4. Concerted action

Mr Chairman, up to now – and probably as a result of the security situations that in the past prevailed – identification and prevention of crisis has been neglected in favour of limiting and reducing conflicts and crisis that have already broken out. The need to develop further effective mechanisms for conflict prevention has been stressed by practically all our Foreign Ministers, including an early warning system and action in the political framework for settlement of disputes to be complemented operationally by action to maintain stability on the ground.

At the same time the importance of peace-keeping must be stressed. Peace-keeping could provide the means to guarantee the orderly conclusion of a process of dispute resolution, when early warning and crisis management mechanism have been put into play. Coherent action by the CSCE would therefore hardly be credible if no possibility for peace-keeping existed. With regard to peace-keeping the CSCE should consider the suitability and operational expertise of other relevant organizations.

A further step has already been taken in paragraphs 16 and 17 of the Prague Document with the addition of the possibility to react to clear, gross and uncorrected violations of CSCE commit-

ments for the safeguard of human rights, fundamental freedoms, democracy and the rule of law, without the consent of the State responsible for these actions. However even in the new era of the CSCE the consensus principle retains the advantage of avoiding confrontation and stimulating constructive cooperation through the agreement of texts which can be supported by all.

In the context of our future discussions on CSCE concerted action, the question of the CSCE's relations with other organizations which contribute to the evolving European architecture, including proposals for cooperation with them, such as delegation of tasks, will have to be addressed.

B) Further development of the CSCE institutions and structures

Mr Chairman, the further development and refining of the CSCE institutions should be a function of its objectives and not an abstract undertaking. The institutionalization of the CSCE must reflect its functional priorities.

1. Council of Ministers

The Council should have at its disposal strengthened and more effective working procedures to fulfil its role as the central forum for political consultations within the CSCE. The chairman-in-office of the Council will need to be provided with support in carrying out his/her tasks. Assistance to the chairman-in-office if need be by the preceding and following participating States to hold the chairmanship might be a means to achieve this objective.

Agreement should be sought, e.g. on the need for a more structured agenda (in this respect a division could be established between items for adoption and points for discussion) which would facilitate a genuine debate ruled by well defined procedures. The practice of key-note speakers should be refined and applied as appropriate and the possibility of Council of Ministers restricted sessions should be examined.

2. Committee of Senior Officials

As decided in the Prague document, the CSO will be responsible, between Council meetings, for overview, management and coordination and will act as the Council's agent in taking appropriate decisions. It should have the primary responsibility for crisis management and for the political aspects of conflict prevention. A clearer division of competence between the CSO, the CPC and the Office for Democratic Institutions and Human Rights must be established.

Given the special burden that the demands of crisis management may impose on the chairman-in-office and in order to make the CSO more effective and more operational, we feel it would be useful to develop, as was above recommend in respect to the Council of Ministers, ways of supporting the chairman-in-office. A number of possibilities exist in this connection. One such possibility could be, *inter alia*, the creation of a small group of countries closely related to the succession of chairmanships and to the specific issues under discussion. We will revert to this subject and we will develop our ideas in due course.

Since the CSO is entrusted with an increasing number of subjects, many of which are of a routine character, its working procedures for the overall conduct of ordinary CSCE business should be improved.

Appropriate use of the CSCE communications system could give additional support to this structure.

3. CSCE security forum

A new CSCE security forum should be established, within whose framework the Conflict Prevention Centre should henceforth operate. The work done in the informal consultations in Vienna has

revealed a wide measure of agreement on terms of reference for the new security forum and for the coherent organization of work of its constituent committees. One of these will be the existing Consultative Committee of the CPC whose precise responsibilities for the operational aspects of conflict prevention in relation to maintenance of stability on the ground, will have to be further developed.

The new security forum should be the focal point for all the CSCE's activities concerning the politico-military aspects of security, notably in the fields of arms control and disarmament, security enhancement and cooperation and the operational aspects of conflict prevention.

A proposal for the elaboration in the framework of the CSCE security forum of a CSCE security treaty, which would give legal form to the commitments we have undertaken, will have to be studied carefully in due course.

4. Resources available for institutions

Mr Chairman, in order to meet new demands and perform their tasks in an effective way, the CSCE institutions will require additional resources. Consequently it seems appropriate to review the number of persons assigned and some of the procedures ruling them when the functions of the various institutions are being redefined. This review should be guided by considerations of cost-effectiveness, budgetary clarity and accountability, organizational flexibility and adaptability.

5. Meetings of Heads of States and Government and their preparation

Mr Chairman, special thought will have to be given to the relationship between follow-up meetings and the meetings of Heads of State and Government and their appropriate preparation. Preparation of the summit meetings should conform with the objectives of and coincide with follow-up meetings set out in the Charter of Paris.

6. Relations with non-participating States

Mr Chairman, many Foreign Ministers touched upon the request of the Prague Council to this follow-up meeting to recommend practical ways to establish a flexible dialogue between the CSCE and interested non-participating States or group[s] of States. Examples have been put forward at the opening session. We trust that the Helsinki Follow-Up Meeting will develop the modalities for such a dialogue with countries interested in closer links with the CSCE.

Thank you, Mr Chairman.

92/127. Statement on Haiti

Date of issue: 7 April 1992
 Place of issue: Brussels, Lisbon
 Country of Presidency: Portugal
 Status of document: Press statement

The Community and its Member States reaffirm their conviction that the two Washington protocols of 23 and 25 February last between representative Haitian partners remain an important step on the path towards the re-establishment of the rule of law in Haiti.

They deplore the fact that the protocol of 23 February has not been ratified by the Haitian Parliament and that the *de facto* authorities believed it necessary to have the constitutionality of that agreement verified.

They urge all Haitian parties to make a combined effort, in accordance with the verdict of the elections and with the constitution, to remove the obstacles to the settlement of the Haitian crisis as elaborated in Washington.

They recall that once again it is the Haitian people who are the victims of these delays and dilatory schemes.

The Community and its Member States reiterate their intention to resume cooperation once a democratic regime has been reinstated in Haiti.

92/128. Statement on Libya

Date of issue: 7 April 1992
Place of issue: Brussels, Luxembourg, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States urge Libya to comply unconditionally with UN Security Council Resolutions 731 and 748, which will be scrupulously implemented by the Community and its Member States.

The Community and its Member States condemn the acts of violence perpetrated on 2 April against foreign embassies. They call upon the Libyan authorities to implement the assurances with regard to the protection of diplomatic missions and the guarantees concerning free movement of foreign nationals.

They expect Libya to fully abide by international law as well as the rights and fundamental freedoms of all those living on its territory.

92/129. Statement on South Africa

Date of issue: 7 April 1992
Place of issue: Brussels, Luxembourg, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, which have been following very closely the positive developments taking place in the framework of the Convention for a democratic South Africa, reaffirm their commitment to the creation of a democratic and non-racial South Africa and the well-being of all its people.

Recalling the Rome European Council decision of December 1990¹ of gradually reviewing restrictive measures adopted towards South Africa, the Community and its Member States have decided to lift the oil embargo in effect since 1985.

The Community and its Member States, recalling the declarations issued by the ministerial meeting of 20 February 1990 and the European Council of Luxembourg of June 1991,² have also decided to lift the restrictive measures in the cultural, scientific and sporting fields.

The Community and its Member States express their willingness to continue to support the positive measures programme put in place in 1985 to help the victims of apartheid.

The Community and its Member States hope that these measures will encourage positive developments in South Africa, in particular the establishment of an interim government.

¹ *EPC Bulletin*, Doc. 90/472.

² *EPC Bulletin*, Doc. 91/199.

92/130. Statement on Yugoslavia

Date of issue: 7 April 1992
Place of issue: Brussels, Luxembourg, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have decided to recognize as from 7 April 1992 the Republic of Bosnia-Herzegovina. The measures implementing this decision will be taken nationally in accordance with international practice.

The Community and its Member States have also decided to extend to the Republic of Serbia the benefit of positive measures similar to those granted to the other republics of 2 December 1991 and 10 January 1992. The Presidency, the Commission and the Chairman of the Conference on Yugoslavia are asked to discuss with the authorities of Serbia the modalities for the implementation of this decision, in accordance with principles agreed among the Community and its Member States.

The Community and its Member States also heard a report from the Presidency about its efforts to reach a solution on the issue of the recognition of another republic. They expect these efforts to produce results soon.

92/131. Statement on Zaire

Date of issue: 7 April 1992
Place of issue: Brussels, Luxembourg, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have taken note of the decision of the President of the Republic to resume the work of the 'National Sovereign Conference' which was unilaterally suspended last January. They hope that this measure will put an end to the political, economic and social deadlock that Zaire has known for several months.

The Community and its Member States reaffirm the indispensable character of the resumption of the National Conference and the formation of a neutral, transitional government which will be in a position to carry forward the process of democratization and to establish an electoral calendar. They ask the President of the Republic, the Government, the Bureau of the National Sovereign Conference and all segments of Zairean society to do their utmost to allow for the country's definitive reconciliation and for the creation of a climate of consensus and tolerance.

Only these conditions will permit the economic and social recovery of Zaire which will finally render possible the improvement of the living conditions of the people.

92/132. Statement on European Union

Date of issue: 7 April 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Statement in the European Parliament

Mr Martins, President-in-Office of the Council: Mr President, Members of the House, it is very gratifying for me to be here today, to participate in your debate of the results of the inter-governmental conferences and more specifically on the Treaty on European Union. The drafting of this treaty was a complex task and the results of the conferences reflect the ideas arising [from] the various sources, Member States, the Commission, the European Parliament. The European Parlia-

ment's work made a particularly valuable contribution. Despite criticisms, I am sure that the Members of the House will, in the final version of the Treaty, recognize many of the ideas and specific concepts that were originally voiced by the Parliament. The length of the Treaty implies a certain risk of loss of an overview. For this reason, before proceeding with discussion of certain specific points, I would like to speak briefly on some of the Treaty's basic elements, which will constitute the basis of the development towards union in coming years.

It would perhaps be useful to cast a glance back over the negotiation process which has now been concluded. The real beginning of the process which would result in the Maastricht Treaty was in 1988, when the European Council of Hanover decided to give the Delors Committee the task of studying and proposing concrete steps towards economic and monetary union. The Hanover decision was the culmination of a process of rapid cooperation expansion within the Community. It was likewise the result of the successful enlargement of the Community to include Spain and Portugal. It was also the result of the financial reform of 1988.

At that time, the Community was developing rapidly. The international political situation was stable, particularly within Europe. The inspiration to further develop the Community came from within, and it must unquestionably be recognized that economic and monetary union must be the logical step to take after the internal market has been achieved.

The idea of adding the dimension of political union to that of economic and monetary union was put forward a year and a half after Hanover, by which time the international political situation had changed drastically. The Berlin wall had fallen, a new Germany was about to emerge, the historic changes in Eastern Europe and the Soviet Union were already under way.

It then became clearly apparent that it would be necessary to round off the development of the Community, a powerful economic union, with a political dimension. Institutional reform was required to enable the Community to present a common front to the outside world, develop joint actions and use its influence towards ensuring stable economic and political development in Europe.

German unification further made it essential that the economic, social and political development in the European Community be strengthened, since Community development could no longer be restricted to the economic sphere alone. In addition, the Member States examined the need for institutional reforms guaranteeing the efficiency of the system and strengthening of its democratic nature.

The time has perhaps come to compare what we have effectively achieved with what we had hoped to achieve. Let us begin with economic and monetary union: the treaty's provisions dealing with economic and monetary union, as approved in Maastricht, are even more ambitious than in the Delors report. One of its main features is the irreversible nature of the process leading to the final phase of union and the precise schedule established in the treaty for attaining this objective. We are now certain that economic and financial union will be a reality before the end of this century. A year ago, very few would have considered this conceivable.

From the monetary angle, union aims are not limited to achieving irreversibly fixed exchange rates, but also include the introduction of a single currency, the ECU. The conference selected the most ambitious of the two versions of monetary union contained in the Delors report.

The over-riding feature of the economic union to be attained is the rigour of economic policy. The criteria defined in the treaty, which Member States will be obliged to respect, are very strict as regards excessive deficits in respective budgets. And the conditions imposed on Member States are extremely demanding as regards their economic performance, with a view to permitting them to participate in the third phase. For such aims to be achieved, it was necessary that real and nominal convergence first be achieved. Every effort was made to guarantee that the monetary union created is solidly based and that the stability of the single currency, which will be introduced

shortly after the initiation of the third phase, is protected. The creation of economic and monetary union is not a mere question of exchange rates, interest rates and budgetary deficits. It is simultaneously a wide-ranging political achievement and constitutes an important step in the construction of a unified Europe, as well as a decisive factor in consolidating European union.

Let me move on now to political union. We firmly believe that the results achieved constitute a significant step in European integration. The consensus reached in Maastricht allows us to approve a significant extension of community powers. Common citizenship was introduced. New institutional mechanisms allowing for a more efficient, coherent and democratic decision-making process were introduced. Economic and social cohesion were enhanced. Last but not least, an agreement was reached on a common foreign and security policy which opens the way for a truly political dimension in the construction of Europe.

To begin with this last point, allow me to draw your attention to certain new elements of crucial importance in this area, establishing a clear distinction between this new framework for development of a common foreign policy and the Single European Act that is currently in force. Firstly, the commitment by Member States, on the basis of the stipulations of the new treaty in the area of consultation, political coordination and duty to adhere to agreed policy and action is much greater than that contained in the Single European Act. The provisions on European political cooperation ruled out such expressions as 'bearing in mind', 'taking into due consideration', 'undertake to', and others in this vein. The language used in the Treaty of European Union is clear and direct. The commitments engaged in by Member States are rarely qualified.

Secondly, a feature of the Common Foreign and Security Policy is the way in which a policy is defined in a more organized manner and with a greater degree of forward planning and formulation which is a marked departure from current practice which has caused the Community to frequently be accused of merely reacting to events. The new treaty obliges us to define the specific area as well as the general objective specified in this policy that we are attempting to implement.

Thirdly, we have included all aspects of security in our new foreign policy, drawing the logical conclusions from the experiences of the last few years, which clearly show that foreign policy cannot be separated from security policy. I am sure that security questions will have an important place on our agenda over the next few years.

In Maastricht we set down four areas relating to security which will serve as a focus for joint action to be developed as soon as the treaty comes into force: the CSCE process, disarmament and control of arms in Europe, nuclear non-proliferation and the economic aspects of security, in particular concerning transfer of military technology to third countries and control of arms exports.

Fourthly, defence will cease to be a taboo issue and the Twelve will now be in a position to address this question in our deliberations. We decided to use the West European Union to take decisions and develop union actions to be implemented in the sphere of defence. This point will probably speed the process that has been going on for the last few years in that it turns the West European Union into an operational body for promoting European unity in this regard.

And so we come to the fifth point, the single institutional framework. The same institutions, namely the Commission, the Council and the European Parliament will be responsible for actions in the area of Common Foreign and Security Policy. This is essential for guaranteeing what has so far been absent: incorporation of the economic and political strands in our foreign policy. The Community's foreign relations must be a pillar of our common foreign policy.

Moving on now to the matter of extension of the union powers, I think I can safely say that we have achieved our prime aims. The powers of the Community have been considerably extended with the new treaty. We are no longer part of a European Economic Community but of a European Community with powers in areas which go far beyond the mere economic sphere: education,

health, culture, consumer protection. We are now fully empowered to pursue policies in these areas without having to invoke economic and commercial arguments which frequently served in the past as alibis. We have enhanced the efficiency of our decision-making process, introducing voting by qualified majority as a general rule for voting in the Council, even in areas as important as environmental policy and social policy. Remarks have been made on the limitations of restrictions on using qualified majority voting in the two spheres which were introduced as part of the final political agreement. Another of the treaty's provisions demonstrates that a large majority of environment-related decisions adopted unanimously in previous years, could have been taken by qualified majority if the new provisions of the treaty had been in force.

As for social policy, eleven delegations regretted, obviously, that it was not possible to introduce the revision of the social policy section as a section in the treaty and there was no alternative but to draw up a special protocol between eleven Member States. But the main political point that should not be forgotten is that eleven delegations were not prepared to accept a new treaty without strengthening our capacity to act in the social sphere. It was necessary to resort to a special legal construction. A solution that is not ideal is still better than no solution at all. Concerning the extension of powers, allow me also to mention other particularly important areas included in the treaty: trans-European networks and industrial policy. Trans-European networks are going to be one of the great challenges in building Europe, precisely because planning of the physical area of Europe is one of the main challenges facing the Twelve. Decisions on trans-European networks cannot be made in obedience to merely national rationales, ignoring the fact that we are creating a space that is genuinely without borders. In addition, the Twelve recognize the need to enhance the competitive capacity of our businesses, and in particular of industry.

Two further remarks now on the matter of powers: European citizenship and cooperation in the legal sector and in internal administration. I consider it worthy of particular note that the conference should have agreed to introduce a section on European citizenship in the treaty. In the early days of the Community, we saw how difficult it was to reach agreement on concrete measures with direct implications for the citizen on the street. To be able to vote in local elections and for the European Parliament in your place of residence, to be entitled to reside anywhere in the Community, to enjoy the diplomatic protection of embassies and consulates of other Member States in regions in which your own country is not represented. These are some of the achievements that have real meaning for our citizens.

The new section on cooperation in the sphere of justice and domestic affairs provides us with the basis for joint action in such crucial areas as welfare of Community citizens. Determined and concerted efforts are called for in matters of immigration, asylum or the fight against drugs, which are matters at the top of the list of priorities for participants. The treaty provisions on which we agreed are the first step along this road. These provisions are first and foremost of an inter-governmental nature, although visa policy already fell within the spheres of genuine Community power. The treaty also caters for the possibility of extending community powers to others areas. Its translation into reality will depend on the progress we achieve through the exercise of the new treaty's provisions. This area of cooperation is relatively new to us. We are entering here into a sphere involving the penal law of Member States. When we review the treaty in 1996 we will no doubt have a new outlook as to additional elements that may be brought under Community jurisdiction.

Current treaty provisions on economic and social cohesion were strengthened, particularly through the agreement to create a cohesion fund which will channel financial assistance to less-developed Member States for projects in the areas of environment and trans-European networks. The protocol appended to the new treaty also lays down measures to be implemented in the near future for promoting greater cohesion including, in particular, a declaration of intent to give closer consideration to each member state's ability to contribute to the system governing the Community's own resources. Work has already begun on these important questions, particularly as regards anal-

ysis of the financial package to which, may I remind you, the Presidency which is soon to come to end is giving particular attention.

May I conclude, Mr President and Members of the House, by raising the question of democratic legitimacy. One of the main merits of the conference was to place the question of democratic legitimacy squarely in the centre of the debate on development of the European Community and of European union. It is fair to say that the new treaty constitutes a major advance in the process of achieving necessary democratic control. The political legislative and monitoring role of the European Parliament was substantially enlarged. Introduction of the process of article 189-B represents the first real change in the division of legislative powers between the Council and the European Parliament since the Treaty of Rome. For the first time, the Parliament becomes a genuine co-legislator. The third reading is very useful in the co-decision-making process. Adoption of this third reading is an unequivocal part of the overall commitment designed to guarantee that the co-decision-making process is applied to the core of community legislation. Important steps in this regard are the determining role to be played by the Parliament in appointment of the Commission after 1995, the right to enquiry and the right to petition, the ombudsman and also the increased powers it will exercise in budgetary control. I think that we would all agree that this constitutes an enhancement of a democratic legitimacy which could not be taken for granted at the beginning of the conference.

Finally, we cannot lose sight of the fact that the provisions of the treaty are no more than a framework or instrument and that concrete policy will be achieved through the efficient use of these instruments. I am sure that the European Parliament will take the necessary measures to ensure that the new treaty provisions are effectively used in the years to come. This is an area, likewise, in which inter-institutional cooperation will be necessary to attain our desired objectives, thus guaranteeing the more fruitful use of the new possibilities opened up by this treaty. It is now up to national parliaments to ratify the treaty. The opinion expressed by the European Parliament will certainly contribute to elucidating them, ensuring thus that the new treaty comes into force on the scheduled date. Maastricht constitutes a balance between subsidiarity and solidarity, between aims and means. The Council views Maastricht as a leap forward. Let us exert every effort to make it reality, in a spirit of dialogue and solidary cooperation with other community institutions. This is what our fellow citizens expect of us.

[After the following debate, Mr Martins stated:] Members of the House, President of the Commission, may I make a few observations in response to the excellent presentations I have heard during this debate. My first point is to say that we all agree that Maastricht is not an end in itself, it is not a finished construction and it has its imperfections. We are unanimous in this opinion. Allow me to draw attention to the fact that, at the present time, it might not be wise to dwell excessively on Maastricht's shortcomings, since this could alienate public opinion from the agreements that the Twelve have worked so hard to achieve; on the other hand, it could weaken the power of the Community bodies to intervene and, finally, because this is one way of opening the doors to what could be called primary anti-Europeanism. I think that what we should concentrate on at this stage is enhancing Maastricht's positive results.

Secondly, I would like to say that precisely because we feel that it is important not to lose the momentum mentioned by Mr Capucho in the preceding statement, we feel that it is important to give priority to the follow-up to Maastricht. One of the first priorities, as it has been stated on several occasions – and as I myself said this morning – is the financial package that we have before us. We should work towards ensuring that this result of Maastricht, rather than the Maastricht bill, is followed through.

Thirdly, Mr President, Members of the House, I would like to refer to the matter of enlargement because this has been brought up several times. There is no denying that enlargement is on

the agenda of the Twelve as a major challenge for the future. It is also undeniable – as President Delors so rightly said this morning – that a difficult balance must be struck, calling for prudence and wisdom, between widening and deepening. Personally, I would just like to emphasize that it is important the debate on enlargement should not distract the Twelve to the immediate challenges that have to be met, particularly those arising from the financial package I mentioned, ratification of Maastricht and the implementation of the single market, in acceptable conditions, by the end of the year. May I repeat the earlier mention that the Portuguese Presidency, which considers that expansion is one of the major concerns for the immediate future of the Community[,], has opened a space during its Presidency which should lead to discussion of this topic during the Lisbon summit, on the basis moreover of a report which the Commission is drawing up and which President Delors mentioned today.

A further reference, Mr President, Members of the House, to the matter of social policy, because this has likewise been mentioned several times. I would like to remind you that when we completed the Maastricht negotiations, the alternative before us was either to chose orthodoxy of European construction without repercussions in social policy, or achieve results at the cost of moving away from orthodoxy of European construction. We chose the second alternative and eleven, or rather twelve, delegations gave their agreement to this move towards social policy. I think that what we should emphasize at the present moment in time, as was made clear by several speakers, is that this imperfect situation is not irreversible and I think that this is a political fact that should certainly be stressed.

I believe that Mr Lalor is not present but I would like to mention a matter that Ireland raised in the Council concerning a very specific point of the inter-governmental conference. I would like to clarify that this extremely sensitive point won the respect of the twelve delegations, it is not a closed matter and it is still being reviewed by the Twelve.

Finally, Mr President, Members of the House, may I emphasize yet again that, in my opinion, your vote on the outcome of Maastricht is of extreme importance for the process that national parliaments will not be called upon to carry out, but also for the image that we create in the eyes of European public opinion. For this same reason, allow me to warmly congratulate all the Members of the House who have contributed to the excellent work carried out by the European Parliament and, in particular, Mr Martin and Mr Herman. My warmest thanks for giving me the opportunity to take part in your debate.

92/133. Statement on Peru

Date of issue: 8 April 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their deep concern about the decision of President Fujimori, on 5 April 1992, to break off constitutional order and, in particular, to dissolve Parliament and to suspend the functioning of the judiciary, measures which cannot be justified. The Community and its Member States also express their disquiet about the interference with individual liberties, which have been noted.

The Community and its Member States urge President Fujimori to re-establish, as soon as possible the democratic institutions with the full participation of the political parties, and the respect of human rights in the framework of the rule of law with a view to resolving the grave problems which Peru faces.

92/134. Question No H-174/92 by Mr Arbeloa Muru on agreement on Vietnamese immigrants in Hong Kong

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The Vietnamese Government, which is a party to the Tri-partite Agreement of 29 October 1991, has given an undertaking that no person who left Vietnam illegally and returns to that country will be persecuted and that monitoring by the UN High Commission on Refugees, to ensure that the safeguards for all those returning are fully guaranteed, will be facilitated. Has this been the case in actual practice?

Answer:

As the honourable Member will be aware, the Community and its Member States welcomed in a statement dated 4 November 1991¹ the agreement of 29 October 1991 reached by the Governments of the United Kingdom, Hong Kong and Vietnam on the return to Vietnam under procedures agreed with the UN High Commissioner for Refugees of Vietnamese migrants in Hong Kong determined not to be refugees. This agreement was considered a major step forward in the full implementation of the comprehensive plan of action (CPA) for Indochinese refugees.

Of particular importance in the agreement reached was the confirmation by the Vietnamese Government that no illegal immigrant who returns to Vietnam will face persecution and that the government will continue to facilitate the monitoring of those who return by the United Nations High Commissioner for Refugees and others, to ensure that these guarantees are fully respected.

The Community and its Member States make use of every relevant opportunity to remind the Vietnamese authorities about the importance they attach to the strict fulfilment of this agreement and reaffirm their commitment to the international assistance programme designed to facilitate the social and economic reintegration of returning asylum seekers.

¹ *EPC Bulletin*, Doc. 91/335.

92/135. Question No H-206/92 by Ms Ewing on human rights violations in East Timor

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Will the Foreign Ministers meeting in Political Cooperation put the case of East Timor in the forefront of its actions against human rights abuses? Will they also send an immediate message to the Indonesian authorities condemning their continued illegal occupation of that country?

Answer:

As the honourable Member will be aware from the reply to the Oral Questions H-186/92 and H-214/92¹ the Community and its Member States are following with deep concern the human rights situation in East Timor.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as this concern has been the object of a great number of common statements and *démarches* to the Indonesian authorities.

Most recently the Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. In their statement on 3 December 1991² they have further called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

The Community and its Member States have on 13 February 1992³ issued a new statement expressing their position on this problem, namely that those developments be followed by concrete and effective steps to improve significantly the human rights situation in East Timor. The Community and its Member States welcomed the involvement of the UN in this process and are now looking forward to a report from the visit to Indonesia and East Timor of the personal representative of the UN Secretary-General.

Moreover, they reiterated their support of the efforts of the Secretary-General of the United Nations to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese. In this context, they stated also that they favour the start of a dialogue without preconditions between Portugal and Indonesia under the Secretary-General's auspices, as contained in the constructive proposal recently put forward by Portugal.

1 *EPC Bulletin*, Doc. 91/335.

2 *EPC Bulletin*, Doc. 91/429.

3 *EPC Bulletin*, Doc. 92/062.

92/136. Question No H-273/92 by Ms Banotti on Raoul Wallenberg

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Will the Foreign Ministers follow up the case of Raoul Wallenberg with the Russian authorities in any forthcoming meetings they will have with Boris Yeltsin or members of the Russian Government?

Answer:

Contacts will continue to be used to remind the Russian authorities of the importance the Community and its Member States attach to the case of Raoul Wallenberg.

The Russian Minister of Foreign Affairs, Mr Kozyrev, during a recent meeting with the Vice-President of the Commission, Mr Andriessen, offered the assistance of the Russian Government in clarifying this case. The honourable Member may be interested to know that in contacts of the Community with Swedish officials on developments in the Wallenberg case, they indicated that the archives of the Ministry of Foreign Affairs in Moscow, the police, the Ministry of the Interior and the KGB had been made available for research. A Swedish-Russian joint commission, includ-

ing from the Russian side, representatives from Foreign Affairs, the police and KGB, had met twice. The Community and its Member States will, of course, continue to follow developments closely.

92/137. Questions No H-290/92 by Mr Papoutsis and H-321/92 by Mr Vertemati on Pentagon proposals to prevent a pan-European defence system and on the Pentagon plan 'for a world guided by the White House'

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-290/92:

Official Pentagon papers which were leaked and published in the New York Times and a number of 'quality' European papers set out US proposals to prevent the emergence of a pan-European defence system and curb the growing economic power of the European Community. How do the Foreign Ministers meeting in EPC intend to react to this situation?

Question No H-321/92:

Recent newspaper reports have spoken of a 'Pentagon plan for a world guided by the White House'. However, the EEC cannot be relegated to the fringes of the new world political order, especially since the new Treaties make explicit provision for a common foreign and security policy. Moreover, the CSCE, which seeks to bring about lasting peace and security through cooperation, has been in existence for some time.

Can the European political cooperation say whether the Pentagon is in fact proposing a plan along the above lines? Does it not believe that it should reject any such world view in which Europe would be destined to play a minor role?

Answer:

The document the honourable Members refer to has not been discussed within EPC.

92/138. Question No H-307/92 by Mr Langer on action to prevent deterioration of the former concentration camps at Auschwitz

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to media reports, the conservation and upkeep of the former death camp at Auschwitz in Poland are now under serious threat, as Poland is not providing the resources necessary to preserve this unique place of human degradation and the relics kept there from deterioration.

Do the Ministers propose to use EPC to persuade the Community or the Member States to take action on this issue in collaboration with Poland?

Answer:

The specific question raised by the honourable Member has not been discussed within EPC.

The Presidency shares the honourable Member's concern that locations such as concentration camps should be preserved for future generations, to stand witness for crimes committed against humanity. It appears, however, that several of those camps are under the permanent protection of the competent national and/or local authorities. As far as the former death camp at Auschwitz is concerned, the Presidency has knowledge of the fact that UNESCO has included this concentration camp in the list of the world patrimony.

The Community and its Member States are therefore of the view that the issue should be taken up between the competent services of UNESCO and the Polish authorities. Should UNESCO take further initiatives in this specific field, the Community and its Member States would study the possibility of re-examining in detail relevant proposals.

The Presidency avails itself of this opportunity to point out that there are talks under way with a view to finding adequate solutions to this issue.

92/139. Question No H-312/92 by Mr Robles Piquer on risks of military use of nuclear power in North Korea

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Although North and South Korea last December signed a non-aggression agreement which included a nuclear weapons ban, the Government of North Korea refuses to allow inspection of its nuclear installations and, according to American sources, is secretly continuing its own programme of developing nuclear power for military use.

Does EPC itself have any information on this matter, and what do the Ministers think the Member States and Council should do to help ensure that this government chooses the path of peace rather than preparing for nuclear war?

Answer:

Mr Martins, President-in-Office of European political cooperation: The Community and its Member States share the honourable Member's concern regarding the intentions of the Government of North Korea in the field of nuclear power. In their statement of 31 January 1992,¹ the Community and its Member States welcomed the signing of the nuclear safeguards agreement within the framework of the Non-Proliferation Treaty by the People's Democratic Republic of North Korea on 30 January 1992.

The Community and its Member State[ment]s are following with interest the ratification and full implementation of the agreement which authorizes the International Atomic Energy Agency to carry out inspections in accordance with current procedures. The Community and its Member States have expressed their satisfaction at the progress made in the dialogue between the two Koreas shown in the signing of the agreement on reconciliation, non-aggression, exchange and co-operation and the joint declaration on the freedom of the Korean peninsula from nuclear arms. The agreement and the declaration dated last December were followed by the setting up of a joint nuclear control commission.

As agreed by both parties, the commission will, within the space of about two months, carry out mutual inspections of nuclear installations and materials. The Community and its Member States express the hope that, in line with the agreement, these measures will be completed quickly and that they will serve to strengthen the dialogue between the Koreas and promote peace and sta-

bility in the region. The will follow closely the developments in the field of nuclear power in The People's Republic of North Korea.

Mr Robles Piquer (PPE): Mr President-in-Office, I am considerably reassured by your reply. But not completely, because the statements to which I referred were made after the signature of those diplomatic documents and they therefore create concern, given that they naturally take account of the signing. The Assistant Secretary of State for Defence said at the end of February that the Korean peninsula had become the most dangerous area in the world today. And a European authority on these matters, the Director of the London International Institute of Strategic Studies, has shown that if the Republic of North Korea does not stop its military nuclear programme, the international community – and I quote – ‘would be obliged to attempt to destroy, or partially destroy, some large nuclear installations’. If this circumstance were to arise, would the Community really be in a position, through European political cooperation, to pursue a more effective policy aimed at helping prevent this kind of thing happening?

Mr Martins: We shall, of course, take careful note of the honourable Member's comments. However, I should like to point out that, according to the information available to the Council, the instruments of ratification referred to by the honourable Member, will be delivered to the International Atomic Energy Agency at the end of May, after ratification by Korea.

The way will then be open for inspection missions designed to evaluate the condition and risk relating to the use of nuclear energy in that area. I would also state to the House that the information we have is encouraging. In any event, European political cooperation undertakes to monitor the situation closely.

¹ *EPC Bulletin*, Doc. 92/027.

92/140. Question No H-313/92 by Mr Ramírez Heredia on the CSCE meeting in Moscow on the human dimension

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In the opinion of the Parliament delegation which attended the CSCE meeting on ‘the human dimension’ held in Moscow from 22 to 25 September 1991, the delegations from the EEC Member States presented very varied views and proposals. These differences between the Twelve did not seem to represent a strategically orchestrated Community position, but rather to result from fundamental differences of approach.

What information does the European political cooperation have on this matter?

Can the European political cooperation give an assurance that the unanimity reached in Copenhagen on the need to set up a human rights monitoring system and the means of implementing it is still in force?

Answer:

In the framework of the European political cooperation the Community and its Member States maintain a close coordination with the aim of seeking common positions and promoting common initiatives. This applies in particular to the preparations taking place prior to CSCE meetings, such

as the Moscow meeting of the Conference on the Human Dimension (CHD), and continues during these meetings. Nevertheless, in the Moscow meeting both joint and individual proposals were put forward.

The important agreement reached during the Copenhagen meeting of the Conference on the Human Dimension in June 1990, and as reflected in the Copenhagen document, remains in force.

The Copenhagen meeting resulted in a strengthening of the CHD mechanism adopted in the Vienna concluding document. The CHD mechanism was further developed during the Moscow meeting with the provision on independent monitor missions to visit participating states in cases of alleged human rights violations. The Office for Human Rights and Democratic Institutions in Warsaw has been mandated to prepare the necessary follow-up for the implementation of this decision.

92/141. Question No H-316/92 by Mr Crampton on EC involvement in Yugoslavia

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Given the degree of involvement of the European Community in the Yugoslav crisis, what arrangements is EPC making to guarantee the independence and autonomy of the Albanians in Kosovo?

Answer:

The question of the rights of national or ethnic groups is an integral part of the Conference on Yugoslavia. In his capacity as chairman of the Conference, Lord Carrington meets regularly with representatives of these groups to discuss matters of particular interest to them. Chapter II of the draft Treaty Provisions for the Convention, deals specifically with human rights and the rights of national or ethnic groups, including the special status of autonomy of area[s] in which persons belonging to a national or ethnic group form a majority.

92/142. Questions No H-322/92/rev. by Ms Valent, H-323/92 by Ms Tazdait, and H-359/92 by Mr Ephremidis on Libya and on unacceptable proposals by France and the UK to impose sanctions on Libya

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-322/92/rev.:

Peace and security in the Mediterranean are being threatened by the failure to find a peaceful solution to the dispute between the US administration and two EC Member States, the UK and France, and the Libyan authorities concerning two persons suspected of blowing up two civilian aircraft (one belonging to Pan Am, one to UTA).

What will the EPC do to prevent any exacerbation in the crisis from seriously endangering peace in the Mediterranean?

Question No H-323/92:

The absence of a peaceful solution to the dispute in which the United States Government has been joined by those of two Member States of the EEC, the United Kingdom and France, in a protest against Libya relating to persons suspected of causing the destruction of two civilian aircraft, one belonging to Pan Am, the other to UTA, represents a threat to peace and security in the Mediterranean.

Since the four countries concerned are all signatories to the 1971 Montreal Convention on the prevention and combating of air terrorism, what measures has the EPC taken, or does it intend to take, to ensure that the governments of the Member States comply with that convention?

Does not the EPC think it would be appropriate for this dispute to be referred to the International Court of Justice?

Question No H-359/92:

The USA, France and the UK have submitted a proposal to the UN Security Council to impose an economic embargo on Libya, claiming that Libya is not cooperating in the investigations into bomb attacks on two aircraft.

Do these proposals by two EC Member States reflect the views of EPC and does EPC not believe that selective initiatives of this nature by Member States undermine the Community's credibility and that decisions to impose an economic embargo – which other countries such as Iraq and Cuba are already suffering – are unacceptable and have tragic consequences for the people of the countries affected?

Answer:

Mr Martins, President-in-Office of European political cooperation: I shall answer the two questions together. As the House is aware, on 2 December 1991,¹ at ministerial level and on 9 and 10 December in the European Council,² the Community and its Member States, in accordance with their repeated condemnations of terrorism, fully supported the demands made to the Libyan authorities by France, the United Kingdom and the United States in connection with the blowing up of aircraft belonging to Pan Am and UTA.

On 7 February 1992 the Community and its Member States welcomed the unanimous adoption by the Security Council on 21 January 1992 of Resolution 731, stressing the extreme importance it attaches to compliance by Libya with the resolution and calling on Libya to accede without delay to the requests contained therein.

The Community and its Member States note that two months after the adoption of Resolution 731, Libya has still not complied with the provisions of the resolution. The Twelve fully support the line of action followed jointly by France, the United Kingdom and the United States. The Community and its Member States reaffirm their conviction that terrorism constitutes one of the most serious threats to peace and security throughout the world.

Mr Ephremidis (CG): The fuss being made to condemn terrorism is being exploited in a very abusive way, and one which treats all of us who hear these declarations from time to time as if we were mentally retarded. Quite clearly, there is nobody who does not condemn terrorism. The question is: what is Political Cooperation going to do, to avoid disturbing the peace in the Mediterranean basin? Because after this decision which you say you support 100%, you are supporting the high-handed will of the United States to bring someone to trial instead of being tried in his own country, whereas you yourself say that he is presumed to be guilty. There must be proofs of guilt

and those people ought to be tried in their own country. Why should they go to the United States? To be tried as they conduct trials over there? Or should they go to England and, 30 years later, when someone has been condemned, it is revealed that he was innocent?

The question then, Mr President-in-Office, is: what is Political Cooperation going to do? Because after the economic sanctions it is by no means out of the question – it has happened before – that armed aggression against Libya may take place, with all its implications for peace in the Mediterranean and in Europe. On that point I would like an answer, Mr President-in-Office of Political Cooperation.

Mr Martins: The Council respects all opinion, including those of Mr Ephremidis. However, I put forward the Council's opinion in my first statement and I stand by it completely.

Ms Valent (GUE): Mr President, quite apart from considerations relating to the political and military independence of Europe which should be discounted, such as the *Diktat* of the United States – and it is not improbable that the Council of Foreign Ministers meeting in Political Cooperation would give me the same answer – I want to know if it is admissible to find individuals guilty on the basis of evidence that has not yet been produced in any court. On this point my understanding was that Libya had clearly stated its willingness to release these persons to a neutral state for trial and I would also say that, as a signatory of the Montreal Convention on political asylum, Libya itself could perhaps try them.

I do not think we should engage in any more trials of strength in the Mediterranean, an area already at boiling point. One has only to think of the events in Algeria in response to the rise of the Islamic fundamentalists, and of what could happen in Morocco, and indeed throughout the entire Arab world, if we persevere with this authoritarian policy towards the Arab countries. We apply international standards to them which are completely disregarded when countries friendly to the West, like Israel, are involved, or when the United States, for instance, is condemned by the International Court of the Hague for financing terrorists gangs against the Sandinista Government of Nicaragua.

In particular I want to hear from the Council whether it is prepared to grant the United States the use of the NATO bases in Europe as a bridgehead to the Middle East or to attack Libya, and I also want to know if the Council of Foreign Ministers meeting in Political Cooperation is prepared to tolerate this flagrant violation of international law by the United States and by those member countries of the Community involved in these events.

Mr Martins: I am tempted to ask the honourable Member what greater violation of international law there could be than acts of terrorism against innocent people such as occurred in the case we are considering.

However, I should like to point out that, as the honourable Member is well aware, the Council is endeavouring to pursue a policy of support in the Mediterranean. What we are primarily aiming to support is not only a renewed Mediterranean policy which the Council has already approved, but also the development of new actions to support states which respect human rights and international law. We cannot, however, support Mediterranean regions involved in acts of international terrorism.

Ms Tazdait (V): I was pleased to hear the President of the Council reminding us that we live next to the Mediterranean and saying we are fully prepared to act positively for peace in this area.

The reason we put down this question is that we do not want Europe to lag behind again. It has been stated that neither the Council nor Europe in Political Cooperation has a public position on the issue. Parliament is debating the Maastricht question, Europe's political dimension and the eventual future Community powers, but two member countries are engaged in a quarrel with

Libya: Great Britain and France. They must not each go their own way on this issue again. My question calls for a global political reaction from the Community. Is that possible today or not?

My second question is the following: have you had a reply from the International Court of Justice and if so are we going to follow the response of the Court on the law? If we do not, I think it will do a disservice to international law. If we fail to consider this matter in the context of the law, I think we risk getting into a vicious circle, just as occurred at the time of the Gulf war.

Mr Robles Piquer (PPE): Without needing to use the 2 minutes 47 seconds of one of the preceding speakers, I would like to ask the Council a question that is radically different from the previous supplementary questions. Does the President-in-Office believe the sanctions accepted and agreed unanimously by the Security Council will be sufficient to put an end to the terrorist acts which have been systematically carried out from Libya by its government since Colonel Gadaffi assumed dictatorial power? And is it a fact that Colonel Gadaffi was on the point of handing over these two citizens to the Arab League but refrained from doing so because they presumably knew too much and could involve him personally, and that is the real reason he went back on his earlier decision? Finally does the Council think the decisions by the Security Council will be sufficient if they do not include the suppression of trade links essentially affecting the purchase of oil and gas in the case of Libya? I ask all these questions on behalf of the hundreds of innocent victims of the assassinations carried out on French and United States aircraft, and, in this last case, over the territory of the United Kingdom where there were also innocent victims.

Mr Martins: I should like first of all to say to Ms Tazdait that the Twelve have acted in unison and have endeavoured to adopt a policy of firm and unanimous action. This is evident from the statement on the issue made last Monday in the General Affairs Council which I do not feel it is necessary to read out here.

In answer to Mr Robles Piquer's question I should like to point out that we are confident that the means adopted by the United Nations will persuade the Libyan authorities to change course. Clearly, we shall have to continue to act with great firmness and in unison to obtain an immediate response if the Libyan authorities persist in the attitude they have adapted up until now.

Ms Valent (GUE): Mr President, I simply want to clarify whether I have properly understood the reply from the honourable representative of the Community Foreign Ministers, who has already expressed a verdict of guilty in this case. It seems to me that we are signatories of very important conventions in many of which it is laid down that a person is innocent until proved guilty. Neither of these people have yet been tried, although that is not at issue. What is at issue is international law and the Montreal convention.

Mr Kostopoulos (S): You know that the label of terrorism, to retain its credibility and allow us to say that we are using both measures and both standards, ought to be justified in every case and we should not ignore terrorism by the state, as for example that practised against the Kurds in Turkey, where real genocide is under way, or that against the Armenians, which for political and strategic reasons, because we want to normalize our relations with Turkey, we ignore completely.

However, let us leave all that aside and come to the specific question I want to ask you, Mr President-in-Office. For me, the problem is a very simple one: after the Gulf war, the United States are striving for military and political domination in the world. Backed by the Pentagon they want to play the leading part to the cost of Europe. Today the Americans have discovered Libya, tomorrow it will be Cuba, and so on. I would therefore like to know: is there political will on the part of Political Cooperation, for an independent, self-sufficient European policy in the defence sector too, and not one that depends on the United States?

Mr Martins: Before directly answering the honourable Member's question, I should like to recall that the Council and the Twelve have adopted a perfectly consistent attitude to terrorism in all

parts of the world. They have never adopted an attitude which could be interpreted as using more than one set of criteria in this area.

Moreover, as everyone is aware, for the Twelve, the Treaty on European Union is intended to give the Community the political power to speak with one voice in the international arena. Political Cooperation has been very successful and has produced positive results, but it has always reflected the ambitions of the Member States and of the Community itself to make their presence felt in international affairs.

We believe that the entry into force of the Treaty will strengthen the Community's ability to intervene at international level.

Mr Langer (V): I would like to ask the President-in-Office whether he is aware of the recent call from the Vatican not to humiliate Libya and to seek a peaceful settlement.

I would like to know what the Council thinks of the position taken by the Vatican and whether it intends in any way to move in that direction or, indeed, in the direction of welcoming this authoritative appeal?

Mr Martins: The Twelve have no knowledge of this statement by the Vatican.

Ms Tazdaït (V): Mr President, just to put my question on the Court of Justice again. Has the Court of Justice handed down a judgment? In the affirmative, are we going to follow this judgment and support it, perhaps?

President: Ms Tazdaït, I think the President of the Council understood your question perfectly and gave an appropriate answer; he is indicating that he has nothing further to add.

¹ *EPC Bulletin*, Doc. 91/426.

² *EPC Bulletin*, Doc. 91/431.

92/143. Question No H-326/92/rev. by Mr Kostopoulos on guaranteeing free elections in Albania and, specifically, the representation of the Greek minority in the Albanian Parliament

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The new political party of the Greek minority in Albania, the Union for Human Rights, is facing serious problems both in its pre-election campaign and because its candidates have been rejected by the 'election committees'. Observers claim that this is a blatant attempt by the Albanian Government to exclude the Greek minority party from the second round of the elections on 22 March 1992, restricting it to three or four seats. Ten nominations by the Union for Human Rights have already been rejected: four in Tirana, three in Koritsa, two in Tepelenë and one in Fier.

Have the Foreign Ministers meeting in EPC taken, or do they intend to take, steps to ensure that the Greek minority will be properly represented by its delegates in the Union for Human Rights in the elections of 22 March 1992 and, if not, can they explain why?

Answer:

In my answer to Oral Question H-231/92 by Mr Pesmazoglou, during last month's Question Time,¹ I reminded the House of the declaration by Ministers of Foreign Affairs on 17 February

1992,² which underlines the Albanian Government's commitment to abide strictly by CSCE provisions, particularly those pertaining to the respect of human rights and the rights of minorities, including those with regard to participation in national elections.

Expressing concern about reports of uneven treatment by the authorities of parties representing the interests of minority groups, the Community and its Member States reiterated this point in a meeting with the Albanian authorities before the elections.

The elections in Albania took place in what seems to have been generally peaceful and fair circumstances; reports of foreign observers seem to bear this out. Several parliamentary delegations from Member States were present on election day.

¹ EPC Bulletin, Doc. 92/104.

² EPC Bulletin, Doc. 92/064.

92/144. Questions No H-338/92 by Mr Alavanos and H-230/92 by Mr Pשמazoglou on meetings organized by the Portuguese Presidency in Skopje and on the expansionist threat dating from 1944 from a former Yugoslav federal republic

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral questions in the European Parliament

Question No H-338/92:

On 1 March 1992 Ambassador José Condileiro [Cutileiro], a representative of the Portuguese Presidency, met Mr Gligorof and Mr Maleski, the Prime Minister and Foreign Minister of this Republic respectively, in Skopje. What specific proposals did the Presidency put forward and what was the outcome of these contacts with the Skopje authorities?

Question No H-230/92:

The preamble of the constitution of the former Yugoslav federal republic called 'Macedonia' states that this new policy is based on a declaration issued by the anti-fascist popular assembly in 1944 establishing an autonomous Macedonian state including the Macedonian provinces of Greece, Bulgaria and Albania ... Is EPC aware that this preamble has not been deleted from the constitution of the former Yugoslav federal republic which is now seeking to be recognized as 'Macedonia'? Is it also aware that the contents of this preamble have been used for decades – right up to the present – as an expansionist propaganda weapon? Finally, is it aware that these serious irregularities are undermining cooperation and stability in the region and, if they are accepted and become established, they will seriously jeopardize the new state of peaceful coexistence and the rule of law which must be consolidated in Europe including the Balkans of course?

Answer:

If I may be permitted to answer jointly the questions of Mr Pשמazoglou and Mr Alavanos, both of which concern the Yugoslav Republic of Macedonia.

In response to Mr Pשמazoglou, I can assure him that the Community and its Member States are aware of the points raised by him.

Honourable Members may furthermore be interested to know that Ambassador Cutileiro's visit to Skopje took place in the framework of a mandate given to the Presidency to identify the possi-

bilities for progress on the question of recognition of that republic by the Community and its Member States. As such, the visit of the representative of the Presidency is part of an ongoing process.

92/145. Question No H-340/92 by Ms McIntosh on arms sales by the Commonwealth of Independent States

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In view of the removal of Soviet hegemony, will EPC consider the consequences of arms sales by the former Soviet states to potential aggressors?

Does EPC agree that humanitarian aid and technical assistance should only be granted to those former Soviet states which are not selling arms to potential aggressors?

Answer:

Last month, in response to questions by Mr Nianias (H-94/92) and Mr Kostopoulos (H-135/92), I outlined to the House the firm position of the Community and its Member States with regard to the proliferation of nuclear arms, in particular following the break-up of the USSR.

The same conditional approach applies, *mutatis mutandis*, to proliferation of conventional arms. In their declaration issued on 16 December 1991,¹ on the 'Guide-lines on the recognition of new states in Eastern Europe and in the Soviet Union', the Community and its Member States required a.o. acceptance of all relevant commitments with regard to disarmament (and nuclear non-proliferation) as well as to security and regional stability.

In their statement on 31 December 1991,² on the recognition of the republics of the Commonwealth of Independent States, the Community and its Member States welcomed the fact that the republics concerned had indicated their acceptance of the commitments outlined in the CFE Treaty and the other arms control agreements.

The Community and its Member States will continue to give close attention to this very important matter.

¹ EPC Bulletin, Doc. 91/464.

² EPC Bulletin, Doc. 91/472.

92/146. Question No H-353/92 by Mr Cushnahan on the situation in Somalia

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Does EPC have any proposals aimed at resolving the continuing conflict in Somalia which has resulted in more than 40.000 deaths in recent months?

Answer:

The tragic facts the honourable Member refers to have been frequently evoked in the framework of the EPC. As the honourable Member is aware, the Community and its Member States have repeatedly stated their concern at the deterioration of the situation in Somalia and urged all parties to pursue a course of reconciliation and dialogue on the future of the country as soon as possible, so that a solution by peaceful means can be found to the current tragic situation.

The Community and its Member States actively supported the efforts that the UN, the Arab League and the OAU and the Organization of Islamic Countries have been making to mediate and bring about an end to the civil war in Somalia, which have led to a cease-fire agreement signed on 3 March in Mogadishu and the adoption of Security Council Resolutions 733 (calling for a cease-fire and imposing an arms embargo) and 746 (calling for the constitution of a technical unit with the purpose of preparing a monitor mechanism of the cease-fire and to attempt to find an agreement on the delivery of humanitarian aid). Following the adoption of the UN Resolutions, a technical unit of 15 people is already in Somalia.

The Community and its Member States will be following the implementation of the cease-fire and the UN resolutions very closely.

92/147. Question No H-363/92 by Ms Dury on fatal incidents at the Kurdish New Year festival

Date of issue: 8 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The Kurdish New Year festival saw a number of fatal clashes between the forces of order and demonstrators at several places in south-east Turkey. These events are the product of a political situation which is likely to generate further explosive clashes, in a region not far from Community territory. Has European political cooperation considered the problem, and has it any initiatives to propose?

Answer:

The Community and its Member States fully share the honourable Member's concern over recent events in south-east Turkey in which both civilians and members of the Turkish security forces have died. The Community and its Member States strongly condemn terrorism and acknowledge the difficult situation in south-east Turkey. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and strict respect for human rights in general and the rights of minorities, in particular. The Community and its Member States therefore welcome the assurances by Prime Minister Demirel that his Government's policy of democratization, respect for human rights and acknowledgement of a Kurdish identity will be rigorously pursued.

92/148. Statement on Moldova

Date of issue: 10 April 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the comprehensive cease-fire, brokered through the good offices of the Foreign Ministers of Moldova, Ukraine, Russia and Romania at their meet-

ing on 6 April. They also welcome their declaration proposing steps towards a peaceful settlement to the problem, such as the creation of a mixed commission to monitor the cease-fire and process of disarmament.

The Community and its Member States attach great importance to the commitment of Moldova, Ukraine, Russia and Romania to make a coordinated effort to find a peaceful solution, and welcome the statement that parties will begin a dialogue to that end.

The Community and its Member States urge all parties to adhere to the cease-fire and negotiate constructively, and call upon them to resolve the dispute without further bloodshed and in accordance with international law and the CSCE principles.

92/149. Questions No 2304/91 by Mr Robles Piquer (PPE) and 3185/91 by Mr Newmann (S) on agreements concerning Walvis Bay and on Walvis Bay, Namibia, occupied by South Africa

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written questions in the European Parliament (from 21 October 1991, 24 January 1992)

Question No 2304/91:

What is the nature of the agreements apparently being concluded between the Governments of Namibia and South Africa for joint administration of the port of Walvis Bay and its hinterland, particularly with a view to constructing roads and railways linking it with various parts of southern Africa?

Question No 3185/91:

What have the Foreign Ministers done, and what are they prepared to do in the future to pressure South Africa to withdraw from Walvis Bay in compliance with United Nations Security Council Resolution 432?

Answer:

As the honourable parliamentarian is aware negotiations are presently taking place between the Governments of Namibia and South Africa on the future of Walvis Bay and the Orange River boundary.

On 14 March 1991 a joint statement was issued. The South African authorities acknowledged Namibia's vital interest in a secure deep-sea port and stated their readiness to recommend to the South African Parliament that:

- the middle of the Orange River be the border between the two countries instead of the north bank of the river
- a joint port authority be established to administer the port and to give Namibia a stake in the running of the port.

Concerning the issue of sovereignty over Walvis Bay and the offshore islands, South Africa indicated its preference to have the matter addressed only after the start of the negotiations for a new South African Constitution.

It was agreed that the desirability to establish a joint water authority in respect of the utilization of the waters of the Orange River as well as of the Kuiseb River should be investigated.

Negotiations and consultations on the subject of the future of Walvis Bay were continued on a regular basis since the above-mentioned joint statement was issued. Following a meeting on 20 September 1991 a further joint statement was issued in which the two Governments indicated their acceptance in principle of the setting up of a joint administration body to administer the territory of Walvis Bay and the offshore islands as an interim arrangement, pending an eventual settlement of the issue. To this end the two Governments decided to establish a joint technical committee to advise them on the functions and structures which could lead to joint administration. In addition, as regards the Orange River boundary, it has been decided to appoint a joint technical committee to investigate and report on the demarcation of the boundary in the middle of the river.

The two Joint Technical Committees above were officially constituted on 5 December 1991 and are expected to commence their work soon.

The Community and its Member States note with satisfaction the determination of the two governments to reach a solution to this issue through peaceful means and hope there will be further, early progress in the bilateral negotiations.

92/150. Question No 2597/91 by Mr Langer and Ms Aglietta (V) on the role of the European Community in the crisis in Yugoslavia

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 14 November 1991)

1. Can the Ministers meeting in European political cooperation give an assessment of the action taken by the European Community in the search for a peaceful solution to the crisis in Yugoslavia, and in particular of the outcome of the Brioni agreements?
2. In the Ministers' opinion, what prospects can the European Community offer the people of Yugoslavia with regard to closer and more speedy integration into the Community, should they so wish?
3. In the Ministers' view, how does action by the EC relate to action by the CSCE on the Yugoslav crisis?

Answer:

The 1991 report to the European Parliament on progress towards European Union gives a comprehensive picture of the involvement of the Community and its Member States in the conflict in Yugoslavia during that year. On several occasions, the European Parliament and the then Political Affairs Committee were also extensively briefed by the President of the Council of Ministers on progress in the search for a peaceful solution of this conflict. The report in the European Parliament, on 12 December 1991, by the President of the European Council on the situation in Yugoslavia and the role played by the European Community and its Member States, is furthermore a clear reflection of the most recent history of the conflict as well as the state of play at that moment.

On the 16 December 1991,¹ the Ministers of Foreign Affairs adopted a common position with regard to the recognition of Yugoslav Republics. In this connection they agreed to recognize the independence of all Yugoslav Republics fulfilling all the conditions set out in the declaration they adopted that day. In conformity with the above-mentioned declaration, and in the light of the advice of the Arbitration Commission, the Community and its Member States were in a position on 15 January 1992² to indicate their readiness to proceed with the recognition of Slovenia and Croatia. With regard to the other two republics which had expressed the wish to become independent, there are still important matters to be addressed before a similar step will be taken.

In the economic field, the restrictive measures adopted by the Community and its Member States on 8 November 1991 in the light of the seriousness of the situation in Yugoslavia were counterbalanced by positive compensatory measures introduced on 2 December 1991 in favour of parties which did cooperate in a peaceful way towards a comprehensive political solution on the basis of the EC proposals. At their meeting on 10 January 1992, this decision was extended to include Montenegro. Following the more cooperative stand of Serbia, Ministers decided to re-examine the question of sanctions against this republic in the light of its attitude with regard to the actual deployment of the UN Peace-keeping Force. The development of future relations of the Community and its Member States with the various republics will depend largely on the way the republics themselves decide to work towards a comprehensive settlement of their differences, a.o. within the framework of the conference on Yugoslavia.

The CSCE has also been actively involved ever since the beginning of the conflict in Yugoslavia, both in a spiritual sense and as active participant. It could be maintained that in that respect the CSCE and the Community and its Member States have been largely complementary in their approaches. E.g. the Brioni Agreement very clearly stipulates that negotiations between parties should be based upon CSCE principles, while the European Community Monitor Mission, originally organized to help stabilize the cease-fire in Slovenia, is in fact the consequence of an initiative of the CSCE. Furthermore, through regular progress reports, the Presidency keeps the CSCE abreast of the situation in the field.

¹ EPC Bulletin, Doc. 91/465.

² EPC Bulletin, Doc. 92/009.

92/151. Question No 2599/91 by Ms Cassanmagnago Cerretti (PPE) and Mr Avgerinos (S) on the Community's role in the Yugoslav crisis

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 14 November 1991)

1. Can European political cooperation give an assessment of Community action in the quest for a peaceful solution to the Yugoslav crisis and, more particularly, express its opinion of the role played so far by Community observers in guaranteeing compliance with the Brioni agreements?
2. Does European political cooperation intend in future to involve the European Parliament more closely in decision-making and in the negotiations which are now under way with the aim of finding a peaceful settlement to the situation in that country?

Answer:

The 1991 report to the European Parliament on progress towards European union gives a comprehensive picture of the involvement of the Community and its Member States in the conflict in Yugoslavia during that year. On several occasions, the European Parliament and the then Political Affairs Committee were also extensively briefed by the President of the Council of Ministers on progress in the search for a peaceful solution of this conflict. The report in the European Parliament, on 12 December 1991, by the President of the European Council on the situation in Yugoslavia and the role played by the European Community and its Member States, is furthermore a clear reflection of the most recent history of the conflict as well as the state of play at that moment.

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The European Community and its Member States will continue to ensure that the European Parliament remains closely associated with its endeavours to find a peaceful solution to the present crisis in Yugoslavia.

¹ EPC Bulletin, Doc. 91/465.

² EPC Bulletin, Doc. 92/009.

92/152. Question No 2917/91 by Mr Robles Piquer (PPE) on Community contributions to nuclear disarmament in war zones

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 9 December 1991)

According to recent reports, the nuclear disarmament policy advocated by the American President, George Bush, may be seriously jeopardized in certain countries in the Far East. In particular, prospects are uncertain in the Korean peninsula, following talks between the Prime Ministers of North and South Korea held at the end of October, since the Government of Pyongyang intends to become a nuclear power (*International Herald Tribune*, 28 October 1991). Similarly, the situation in China is worrying in the light of its unexplained delay in ratifying the Non-Proliferation Treaty at a time when Washington was accusing it of collaboration with Iran in this area (*Le Monde*, 1 October 1991)?

1. Given the world-wide importance of nuclear disarmament, how will EPC help to achieve threatened objectives in this area?
2. In particular, does the Community have any means of preventing Soviet nuclear scientists from offering the benefit of their experience to countries which are attempting to acquire nuclear weapons for their armed forces?

Answer:

The Community and its Member States fully share the concerns expressed by the honourable parliamentarian.

Regarding his introductory remarks, the Community and its Member States welcome the signature by North Korea of its safeguard agreement and look forward to its early ratification and implementation. They also welcome China's decision to accede to the NPT.

In the declaration on non-proliferation and arms exports adopted by the European Council in Luxembourg in June 1991,¹ the Community and its Member States expressed their support for a strengthening of the regime of nuclear non-proliferation and called on all states to become parties to the treaty on the non-proliferation of nuclear weapons. In the context of the 46th UNGA, they reiterated this position and called in particular for a strengthening and improvement of the IAEA's safeguards system.

They proposed to the IAEA Board of Governors, as well as to the IAEA General Conference (Vienna, 16 to 20 September 1991) the adoption of a first set of measures which will be relatively straightforward to implement but which will nevertheless make an immediate contribution to the effectiveness of safeguards, namely:

- an obligation for states to declare any new facilities to the Agency at least 180 days before construction work begins; in the case of any facilities already under construction or complete, but not yet in use, immediate declaration;
- an obligation to declare all civil nuclear materials, including uranium ore concentrate (yellow cake) produced in the territory of a state;
- effective use by the Agency of special inspections, including the use of such inspections in relation to undeclared nuclear facilities;
- setting up by the IAEA of a universal register of exports and imports of equipment covered by Infcirc 254 and at the discretion of the IAEA, verification that:
 - I. equipment covered by Infcirc 254 is actually located in a monitored facility, and that
 - II. all nuclear materials processed in that facility are effectively monitored;
- an obligation to notify the Board of Governors of any application for exemption under the terms of Articles 36 and 37 of Infcirc/153, before accepting such an application.

Although noting that the proposals put forward by the Director-General of the Agency in the meantime largely address these immediate concerns, the Community and its Member States believe that consideration should be given to improving the long-term effectiveness, efficiency and credibility of the international safeguards regime.

The last point raised by the honourable parliamentarian is a major source of concern for the Community and its Member States. At their recent EPC ministerial meeting in Lisbon, on 17 February 1992, they agreed to convey to the authorities of the republics of the former Soviet Union their readiness to give any technical support they may need to eliminate nuclear weapons and establish an effective non-proliferation system.

On that same occasion, they also subscribed to the proposal put forward by Germany, together with Russia and the United States to create an International Science and Technology Centre in Russia that would support projects aimed at giving weapons scientists and engineers of the former Soviet Union opportunities to re-direct their talents to non-military endeavours and in particular to minimize any incentives to engage in activities that would result in proliferation of nuclear, biological, and chemical weapons, and missile delivery systems. Through these projects, scientists and engineers would also contribute to ongoing efforts to reduce and eliminate weapons of mass destruction, including development of technologies that could assist in these efforts. The Commission will examine ways of giving financial support to this initiative in the framework of the 1992 Programmes for Technical Assistance.

I can assure the honourable parliamentarian that the Community and its Member States will spare no efforts aimed at achieving an effective non-proliferation system.

¹ EPC Bulletin, Doc. 91/196.

92/153. Questions No 3136/91, 3137/91 and 3199/91 by Mr McMillan-Scott (ED) on surveillance of Romanian steps towards pluralism

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written questions in the European Parliament (from 24 January 1992)

Question No 3136/91:

Will the Foreign Ministers verify a report that dossiers on *Securitate* Officials will not be opened for 60 years and that none of these officials will be arrested for pre-revolutionary activities?

Question No 3137/91:

Does the proposal in the draft Romanian Constitution to establish a National Defence Council, separate from the civil government, conform to the Foreign Ministers idea of a state based on the rule of law with organs of state subject to the same law?

Question No 3199/91:

As proof of *Glasnost* in Romania, will the Foreign Ministers request the Romanian authorities to bring to justice the perpetrators of the murder of the Roman Catholic priest, Father Geza Palfy, who protested at the suppression of 25 December as a holiday by the Ceaucescu regime? Father Palfy disappeared in 1984.

Answer:

The specific points raised by the honourable Member have as such not been discussed in the framework of European political cooperation. However, as the intensive debate with the honourable Member over the last year will bear out, he is most certainly aware that the Community and its Member States are keeping developments in Romania under constant review particularly so all aspects pertaining to the human rights situation in that country.

92/154. Question No 91/92 by Mr Roumeliotis (S) on nuclear weapons in the former Soviet Union

Date of issue: 10 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 6 February 1992)

According to many articles in the European and international press and recent statements by former Soviet officers there is a great danger that the former Soviet republics have uncontrolled access to weapons and nuclear materials. What steps will European political cooperation take to avert this danger?

Answer:

The Community and its Member States attach great importance to the non-proliferation of nuclear weapons. They have made this a particular issue in their dealings with the republics of the former Soviet Union by linking the questions of recognition and non-proliferation.

In their declaration on the 'Guide-lines on the recognition of new states in Eastern Europe and in the Soviet Union', dated 16 December 1991,¹ Ministers listed as precondition for recognition of a new state 'acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability'.

In their statement on the 'Future Status of Russia and other former Soviet Republics', dated 23 December 1991,² the Community and its Member States expressed their expectation to receive assurances from the Commonwealth of Independent States that they 'will ensure single control over nuclear weapons and their non-proliferation'.

In their statements on the 'Recognition of former Soviet Republics' dated 31 December 1991 and 15 January 1992,³ the Community and its Member States expressed their readiness to proceed with recognition on the basis of assurances received and on the understanding that all republics 'on whose territory nuclear weapons are stationed, will adhere shortly to the Nuclear Non-Proliferation Treaty as non-nuclear weapon states'.

The Community and its Member States will continue to give priority to non-proliferation issues, including the question of a possible 'nuclear brain-drain', in their future contacts with the republics of the Commonwealth of Independent States, namely within the framework of the science and technology international centre.

¹ *EPC Bulletin*, Doc. 91/464.

² *EPC Bulletin*, Doc. 91/469.

³ *EPC Bulletin*, Docs 91/472 and 92/008.

92/155. Statement on Bosnia-Herzegovina

Date of issue: 11 April 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States wish to express their deepest concern about the security situation in Bosnia-Herzegovina and appeal to all parties for an immediate cease-fire. They reiterate the absolute need for all parties to abide by the statement of principles agreed in Sarajevo on 18 March 1992, and call upon them to reach a peaceful and negotiated solution within the framework of the talks on constitutional arrangements for Bosnia-Herzegovina held under the auspices of the EC Peace Conference.

The Community and its Member States reaffirm that they strongly uphold the principle of the territorial integrity of the Republic of Bosnia-Herzegovina as the unquestionable foundation of any constitutional order. They wish to make clear that violations of this principle will not be tolerated and will certainly affect the future relations of those responsible with the Community.

The Community and its Member States urge all military and paramilitary forces operating in Bosnia-Herzegovina to refrain from any actions which violate the sovereignty of the Republic or undermine the ongoing peace process. In this respect, they specifically call upon Serbian and Croatian Governments to exercise all their undoubted influence to end the interference in the af-

fairs of an independent Republic and to condemn publicly and unreservedly the use of force in Bosnia-Herzegovina.

92/156. Question No 3232/91 by Mr Arbeloa Muru (S) on combating illegal immigration

Date of issue: 13 April 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 28 January 1992)

The working party set up following the meeting of 28 European Justice and Interior Ministers on 30 and 31 October 1991 in Berlin to take joint action against illegal immigration consists of representatives of Austria, Hungary and Italy. Does Italy represent the Community as a whole?

*Answer:*¹

The Berlin Conference, to which the honourable Member is referring, was held outside the context of the European Communities and the Council is not, therefore, in a position to answer the question.

¹ This reply has been given by the Council of the European Communities, within whose province the question came.

92/157. Statement on Albania

Date of issue: 14 April 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the election of Mr Sali Berisha as President of the Republic as a further positive step by Albania in the process of democratization.

They express the hope that this step will be followed by other necessary political and economic reforms, and call upon all political parties in Albania to work towards the establishment of a just and democratic society, based on the rule of law and due respect for human and minority rights, meeting the aspirations of all the Albanian people.

The Community and its Member States are ready to consider assisting the Albanian Government in their efforts towards achieving this goal.

92/158. Statement on Burma

Date of issue: 15 April 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States recall their statement of 20 March 1992¹ expressing great concern at the actions taken by the Burmese authorities against minorities, stressing the plight of Muslim Rohingyas that fled into Bangladesh currently estimated to number about 200,000.

They also regard with great apprehension the military offensive against Karens which has led to the influx of Karen refugees into Thailand.

In this context the Community and its Member States recall their decision taken on 29 July 1991² to refuse the sale of any military equipment to Burma and call again on all other countries to take similar action.

The Community and its Member States welcome the visit of [the] UN Secretary-General's Representative, Mr Jan Eliasson, to Bangladesh and Burma as part of the ongoing effort to find solutions to a situation which is seriously threatening regional stability and worrying the international community.

The Community and its Member States urge the Burmese Government on strictly humanitarian grounds to refrain from further military and any other repressive action against minorities in Burma. They also urge Burma to cooperate with neighbouring countries, UNHCR and NGO's to resolve existing refugee problems on the Bangladesh and Thai borders by facilitating the return of refugees through appropriate assurances that their civil and human rights will be respected.

¹ *EPC Bulletin*, Doc. 92/110.

² *EPC Bulletin*, Doc. 91/238.

92/159. Statement on Equatorial Guinea

Date of issue: 15 April 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States are concerned at the continuing violations of human rights in Equatorial Guinea, which risk to endanger the democratization process initiated with the recent review of the Constitution.

They express their strong disquiet at recent developments and in particular regarding arrests and arbitrary detention during which those concerned would have been subject to brutality.

The Community and its Member States wish to reaffirm the great importance they attach to the respect of human rights in accordance with article 5 of the Fourth ACP/EEC Lomé Convention and with the Resolution of the Council of Ministers of 28 November 1991 on human rights, democracy and development.

They consider that the development of Equatorial Guinea cannot be guaranteed without the largest participation of all segments of the population. To this effect, they invite the government to establish a constructive dialogue with all political and social forces of the country, with a view to promoting the regime's democratization. In order to allow for an effective participation of all nationals of Equatorial Guinea in this process, all exiled people who so wish should be allowed to return to the country.

In this context, the Community and its Member States will continue to follow with particular care developments with regard to the situation of human rights in Equatorial Guinea as well as the evolution of the democratization process.

92/160. Statement on Afghanistan

Date of issue: 16 April 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the UN Secretary-General's statement of 10 April and fully support the UN plan which provides the basis for a peaceful solution of the Afghan issue through a transitional mechanism leading to the creation of an interim government and the accomplishment of free and fair elections.

The Community and its Member States attach considerable importance to an early transfer of power so as to safeguard the unity and territorial integrity of Afghanistan which has received the support of all governments concerned. They particularly commend the efforts of the UN Secretary-General's Special Representative Mr Benon Sevan towards a political settlement in Afghanistan.

The Community and its Member States fully support the implementation of the UN peace plan and urge all parties concerned to refrain from any action which might jeopardize the positive efforts now underway. They hope there will be an end to the hostilities and the declaration of a general amnesty will come into force after President Najibullah hands over power.

The Community and its Member States wish to point out that in addition to the recent food aid to Afghan refugees in Pakistan, a further positive response to Mr Boutros Ghali's urgent appeal for food aid is at present being considered.

92/161. Statement on Bosnia and Herzegovina

Date of issue: 16 April 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, recalling their Statement of 11 April, strongly condemn the violence that is now spreading in Bosnia and Herzegovina at the hands of various armed elements with the support of regular forces, and in particular of the JNA. They call upon all parties concerned to strictly abide by the cease-fire agreed upon. All sides should refrain from any move such as the sending of military reinforcements into Bosnia and Herzegovina that can only exacerbate the situation. In particular they urge the Belgrade authorities to do all in their power to prevent violent activities by Serbian irregulars.

The Community and its Member States, while recalling that they will never accept a *de facto* situation created by violence, condemn the use of force, intimidation and provocations perpetrated by nationalist extremists as well as any attempts from outside to destabilize Bosnia and Herzegovina. Parties responsible for such actions will be internationally held accountable for their acts.

They support the Bosnian Government in its efforts to bring about a peaceful solution respecting the rights of all ethnic and national groups in that republic and expect all parties to pursue without delay the negotiations on the future constitutional arrangements under the auspices of the peace conference.

The Community and its Member States call on all parties concerned and on all republics – in particular on Serbia and Croatia – to fully support the mission of the personal envoy of the UN Secretary-General, Mr Cyrus Vance, in the area. They demand the reopening of the airport of Sarajevo for humanitarian relief. They expect all sides to allow for a safe and unrestricted access of the ECMM in the dispatch of its duty.

The Community and its Member States, while reaffirming their wish for the Security Council of the United Nations to remain actively involved in this question, have brought the situation on Bosnia and Herzegovina before the CSCE in concertation with other members of that conference.

92/162. Statement on Afghanistan

Date of issue: 30 April 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States recall their Statement on Afghanistan of 16 April 1992 particularly as regards the need for the implementation of a political solution and the guarantee of the unity and territorial integrity of the country.

The Community and its Member States welcome the formation of a transitional ruling council in Kabul under the leadership of Professor Sibghatullah Mojaddedi and his proclamation of a general amnesty on 28 April 1992.

The EC and its Member States hope that the council will be able to achieve a lasting political settlement and lay down the foundations for a freely-elected government. They urge all parties involved to refrain from further military action and adhere to the transitional council's call for a cease-fire.

92/163. Statement by the Community and its Member States on the death of a member of the Monitor Mission in Bosnia-Herzegovina

Date of issue: 4 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States have learned, with dismay and indignation, of the tragic incident involving the ECMM which has cost the life of a monitor of Belgian nationality in the Republic of Bosnia-Herzegovina.

The Community and its Member States wish to express their deepest condolences to the relatives of the fallen monitor who was performing, unarmed, a peaceful and humanitarian mission. They also pay tribute to the courage and devotion of all members of the ECMM in fulfilling their meritorious task of encouraging and supporting peaceful solutions among the parties in the Yugoslav crisis.

The Community and its Member States have already addressed a vehement protest to the authorities of Belgrade concerning the action of the JNA which caused the death of the ECMM monitor and expect an urgent inquiry and the punishment of all those responsible for the said incident.

The Community and its Member States repeat their concern about the safety of EC monitors and demand that adequate measures be taken immediately for their protection.

92/164. Statement on the former Yugoslav Republic of Macedonia by an informal meeting of Ministers for Foreign Affairs in Guimarães on 1 and 2 May 1992

Date of issue: 4 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The European Community and its Member States, gathered in an informal ministerial meeting at Guimarães on 1 and 2 May 1992, had an in-depth discussion on the request of the former Yugoslav Republic of Macedonia to be recognized as an independent state.

They are willing to recognize that state as a sovereign and independent state, within its existing borders, and under a name that can be accepted by all parties concerned.

They expressed their high appreciation for the efforts of the Presidency, which included the preparation of a global package.

The Community and its Member States look forward to establishing with the authorities of Skopje a fruitful cooperative relationship aimed at the promotion of meaningful cooperation, capable of improving political stability and economic progress in the area. Simultaneously, they urge the parties directly involved to continue to do their utmost to resolve the pending questions on the basis of the Presidency's package.

92/165. Statement on recent events in Sarajevo

Date of issue: 5 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The European Community and its Member States exhort all parties in Sarajevo to act with the utmost restraint and to do all in their power to refrain from any further action that might lead to a catastrophic situation of unforeseeable consequences.

The European Community and its Member States urge the JNA to fully support the Presidency of Bosnia and Herzegovina in the exercise of its constitutional responsibilities in order to resolve all outstanding issues. They also call upon the legal authorities of the republic to do all in their power for the immediate lifting of the blockade of the military academy and other military installations.

The European Community and its Member States condemn the seizure of President Izetbegovic by the JNA on Saturday as well as the repeated shelling of Sarajevo by JNA and irregular forces which has already caused the death of many innocent civilians and brought considerable destruction in the city.

The European Community and its Member States likewise condemn the attack made on Sunday of a JNA convoy which was proceeding under the terms of an agreement with the Presidency of Bosnia and Herzegovina, brokered by UN and European Community representatives during a time which the basic rules of democracy were being violated by the JNA.

Once again the European Community and its Member States appeal to the parties concerned to enforce existing cease-fire agreements, without which no viable political solution to the problems of Bosnia and Herzegovina is possible, and to proceed with negotiations on the withdrawal of the JNA.

92/166. Annual memorandum to the European Parliament on the activities of the European Community and its Member States in the field of human rights

Date of issue: 8 May 1992

Place of issue: Brussels

Country of Presidency: Portugal

Status of document: Statement in the European Parliament

At the request of the Presidency, the EPC Secretariat transmits herewith the final version of the Memorandum on Human Rights

1. Since May 1987, the Presidency-in-Office of the European Community forwards to the European Parliament an annual memorandum on the activities of the Community and its Member States in the defence and promotion of human rights. Accordingly, the present aide-memoire is designed to keep the honourable members up to date with trends and developments in 1991 and the first months of 1992.
2. The activities of the Community and its Member States in the field of human rights are hereafter dealt with under two larger headings, namely:
 - a) the defence of human rights in specific cases and situations,
 - b) the promotion of human rights concepts as forming an essential part in the conduct of international relations.
3. In line with previous memoranda presented to the European Parliament and in conformity with the relevant provisions of the European Single Act on close association of the European Parliament with the work of European political cooperation, the Presidency, bearing in mind, in a forward-looking manner, the provisions of title V, Article J.7 of the Maastricht Treaty on European Union, has endeavoured to establish a detailed report, taking into consideration, whenever possible and appropriate, the requests of both EP's Committee on Foreign Affairs and Security and Sub-Committee on Human Rights as formulated in a letter to the President of the EC Council of Ministers dated 21 February 1992. The Presidency furthermore wishes to underline the importance the Community and its Member States attach to the constructive dialogue with the European Parliament on human rights issues.
4. In the framework of this dialogue, the resolutions adopted by the European Parliament represent a valuable input for the dynamic process of developing and implementing policies of the Community and its Member States in the field of human rights, in conformity with the fundamental principles of the ministerial declaration of 21 July 1986¹ and the declaration of the European Council of Luxembourg of 29 June 1991.² In the light of the preceding, the commitment of European Parliament to human rights issues cannot be stressed enough. The considerable number of parliamentary questions by EP addressed to EPC and dealing with both specific human rights violations and general situations and themes as well as the replies given by the successive Presidencies reflect the conviction shared by this assembly and the Community and its Member States that the defence and promotion of human rights have increasingly become a crucial element in international affairs and, hence, of international cooperation.
5. In this connection, and in addition to the aforementioned terms of reference for the defence and promotion of human rights, the declaration by the European Council of Maastricht, on 10 December 1991,³ on racism and xenophobia, unequivocally indicates the concerns of the Community and its Member States in this respect as well as their firm commitment to act against any manifestation of such sentiments.

6. The declaration adopted by the European Council on 29 June 1991, while recalling the 1986 declaration of Foreign Ministers on human rights, reaffirms, at the highest level, that respecting, promoting and safeguarding human rights is an essential part of international relations and one of the cornerstones of European cooperation as well as of relations between the Community and its Member States and other countries. In this regard, the aforementioned document, which, for the Community and its Member States, constitutes one of the most important references in the field of human rights, underlines their attachment to the principles of parliamentary democracy and the primacy of law. It stresses the principle of universality and sets as a priority the strengthening of international mechanisms of control while calling upon all states to become parties to the international instruments in force. The 29 June declaration furthermore highlights the importance of protecting minorities, notably through the effective establishment of democracy. It claims that special attention should be paid to the most vulnerable categories of people, e.g. children, women, old people, migrants and refugees and states the conviction of the Community and its Member States that a duty of solidarity of the states directly concerned and of the international community at large ought to correspond to the victims' need for humanitarian assistance. The 29 June declaration furthermore states that all lasting development should be centered on man as the bearer of human rights and beneficiary of the process of development. Violations of human rights and suppression of individual freedoms impede an individual from participating in and contributing to this process. Through their policy of cooperation and by including clauses on human rights in economic and cooperation agreements with third countries, the Community and its Member States actively promote human rights and the participation, without discrimination, of all individuals or groups in the life of society.

7. Heads of State and Government in their declaration of 29 June 1991 also paid tribute to the leading role of the Council of Europe in the field of human rights, underlining, *inter alia*, its training and education activities and highlighting the importance of the European convention on the protection of human rights and fundamental freedoms, which, given the binding character of its norms and the strictness and reliability of its provisions of control, is both an advanced, effective system of protection and a point of reference for other regions of the world.

8. The Community and its Member States stress the importance they attach to the human dimension of the CSCE, to its important contribution to democratic reforms in Europe and to its considerable influence on the development of human rights in the European space. The Community and its Member States have played an active role in the CSCE meetings focusing on various aspects of the human rights question. Within the larger framework of the CSCE, the Community and its Member States committed themselves to covering more ground with regard to the protection of national minorities (Geneva, July 1991), coordinated their positions before and during the Moscow meeting of the conference on the human dimension (September 1991) and made active contributions at the Oslo seminar on democratic institutions (November 1991). Twelve common interventions on behalf of the Community and its Member States were delivered in the course of the aforementioned meetings. In the present Helsinki follow-up meeting and subsequent summit, the Community and its Member States will continue their endeavours notably to pursue and reinforce the human dimension of the CSCE.

9. The resolution on 'human rights, democracy and development' adopted on 28 November 1991 by the Council and the Member States meeting in the framework of the Council adequately reflects discussions and decision-making in this specific field in the framework of inter-governmental dialogue among the Community and its Member States. It has provided a coherent policy framework for concertation and coordination among the Community and its Member States, to be drawn upon in concrete circumstances, as has already been demonstrated in a number of cases over the last few months. The practical applications of decisions taken within the intergovernmental mechanisms of EPC in reference to the resolution adopted by development ministers may,

whenever appropriate, be transferred to the Community level which is endowed with the relevant instruments for implementation. In their respective bilateral approaches, Member States have been over the years increasingly taking into account human rights performances and democratic achievement within recipient countries when defining their national, bilateral cooperation and development policies.

10. The resolution by development ministers of 28 November 1991 sets out a variety of possible positive and negative approaches *vis-à-vis* recipient countries in accordance with their human rights and democratic performances, placing clear emphasis, however, on positive approaches, and underlining the necessity to proceed on a case by case basis. The Community and its Member States will further develop the positive and negative approaches laid down by the resolution. As the differences for reaching a decision either at the level of EPC or in the Community framework are still valid, one of the major tasks of each successive Presidency remains, in accordance with the European Single Act, to assure cohesion between EPC and EC policy lines. Detailed information on a country by country basis on how the principles set out and choices contained in the new resolution are being applied would in the first place have to come from the Council. Applications of the philosophy underlying the 28 November 1991 resolution may for instance consist in the introduction, on a systematic basis, of human rights clauses in cooperation agreements (see also 29 June 1991 declaration, paragraph 11), although there are precedents for such an approach, either in larger contractual frameworks such as the Fourth Lomé Convention (Article 5) or bilateral agreements between the Community and individual countries.

11. The EPC human rights working group, established in 1987 by the EC Foreign Ministers, has entered its fifth year. This group, which has experts of the Community and its Member States exchange views and information on a variety of human rights questions, has established fruitful cooperation with other EPC working groups, i.e. on United Nations and CSCE issues relating to human rights. The Community and its Member States have thus been in a position to better coordinate their actions in that field, avoid duplication of work between existing institutions and organizations and ensure that the subject of human rights receive the necessary attention and support from all decision-making levels of EPC.

12. For the sake of precision, the Presidency wishes to recall the competences of the EPC human rights working group and its articulation with other EPC working groups, on the one hand, and the relations between the Presidency-in-office and EC missions in third countries.

- specific human rights situations are in principle first discussed and examined by the regional working groups, often with reference to reports by heads of mission on the spot. The results of these discussions are, whenever appropriate, for instance before UN meetings focusing on human rights issues, put to the attention of the human rights working group within its larger mandate of discussing general aspects of the implementation of human rights policies by the Community and its Member States.
- reports by heads of mission in third countries are either made at the request of the decision-making bodies of EPC or at the initiative of heads of mission themselves if the situation in a country or group of countries so warrants. Reports by heads of mission are usually drawn up in accordance with the 1988 EPC guide-lines on reporting on human rights situations. In the period covered by the present memorandum, EPC was seized with some thirty-five reports by heads of mission in third countries which are exclusively or partially dealing with human rights issues.

13. The concerns of the Community and its Member States are reflected in their contributions to deliberations on human rights issues in the framework of international organizations and institutions, notably the United Nations General Assembly (third committee), the Commission on Human Rights, the Conference on the Human Dimension of the CSCE and the Council of Europe.

14. In the last twelve months, the Community and its Member States have been seriously preoccupied with a number of issues which required a firm and unequivocal response from their part, notably:

- the aftermath of the Gulf war and its repercussions on the civilian populations in Iraq, in particular the Kurds and the Shi'ites;
- the civil war in Yugoslavia and its implications as well as the continuing violations of human rights in Kosovo;
- the serious situation in Burma, notably the detention of political leaders, and, among them, the Nobel prize winner, Ms Aung San Suu Kyi, and the fate of the people fleeing the country;
- the tragic events in East Timor and the situation stemming from them;
- the continuing deterioration of the human rights situation in the Occupied Territories and Israel's ongoing settlement policy in that region;
- the continued serious human rights situation in Iran;
- the situation in Nagorno-Karabagh;
- the situation in Sri Lanka;
- the Tibet/China question;
- civil unrest in some republics of the CIS;
- the situation in Malawi;
- the human rights violations in several countries of the Horn of Africa, notably in Sudan and Somalia;
- the insufficient human rights performances of some Central and South American countries;
- the serious violations of human rights in Haiti and the obvious disrespect for democratic values and principles in that country in the wake of the overthrow of constitutional order.

15. The Community and its Member States have been in a position to welcome positive developments with regard to the protection of human rights and/or the establishment of democracy in a number of countries, notably:

- the ongoing trend towards pluralism and democracy in most Central and Eastern European countries;
- the abolition of statutory apartheid in South Africa;
- the processes of democratization, notably in several African and some Asian countries;
- progress on the way to peace and democracy in Central America, as illustrated in particular in the peace agreements on El Salvador.

Human rights violations in specific cases and situations

16. The Community and its Member States have been closely monitoring the application and respect of internationally recognized standards in the human rights field and have actively defended them in case of violation. Their actions have been conducted on the basis of information on specific situations received by partners, through reports by heads of mission in third countries and through contributions by [the] European Parliament. Other sources were international organizations and their specialized agencies and NGOs, where it ought to be underlined that the latter play an essential and irreplaceable role both in field work and by raising public awareness of human rights violations wherever they may occur. The reactions by the Community and its Member States have differed according to the incidents reported and the seriousness of the violations and have taken various forms, ranging from widely publicized statements and declarations to confidential *démarches*.

17. In this connection, the Community and its Member States have issued a hundred and ten statements and declarations referring either to specific situations and/or countries or to more general questions relating to human rights. The Presidency and/or the troika have furthermore carried out seventy five *démarches* on behalf of the Community and its Member States. As a general rule, the

démarches carried out by the representatives of the Community and its Member States are carefully studied by the governments or opposition movements addressed. In this connection, the Presidency wishes to recall several basic considerations:

- the success of *démarches*, their efficiency and scope are extremely difficult to measure, especially when taken out of their specific context,
- active, measured and prudent diplomacy has made its proof,
- almost all *démarches* are of a confidential nature for the simple reason that the Community and its Member States first of all wish to protect those they are seeking to help,
- *démarches* draw their intrinsic value from the fact that they are discreet approaches of governments or movements. Such approaches enable the Community and its Member States, individually or collectively, to state their concern, to urge interlocutors to adjust their behaviour to international standards, to plead in favour of the victims of human rights violations who are facing prosecution, sequestration, arbitrary detention, torture, expulsion, deportation or capital punishment.

18. Specific human rights violations have been brought to the attention of the United Nations on many occasions in the course of the last twelve months. The main interventions by the Community and its Member States were made in the framework of UNGA's third committee in New York, at ECOSOC and during the 48th session of the Commission on human rights in Geneva.

a) Third Committee of UNGA 46

The Community and its Member States wish to underline that the 46th session of the Third Committee had been a productive and interesting one which took place in a generally good atmosphere. The new international climate did not create an overt intensification of north-south confrontation. However, the fear of many countries that the international community was gradually increasing its interference in what they consider to be internal affairs was strongly felt with regard to a number of issues and was not limited to monitoring activities in the field of human rights.

The Community and its Member States were satisfied with the constructive debates and subsequent votes on a number of country situations, in particular the positive results with regard to the adoption of resolutions on Burma and Haiti. They noted that relations within the western group as well as with other regional groups, though to a lesser extent with the African group, had been generally good. The dialogue initiated by the Community and its Member State with the African group in order to obtain that the resolutions on apartheid, racism and self-determination take into consideration the development of the situation in South Africa allowed to register some progress, even though it did not produce all the expected results. In this connection, the Community and its Member States felt the priority need to establish and pursue good relations with all regional groups in future meetings. As far as the central and eastern group was concerned it ought to be highlighted that the members of that group associated themselves often with western positions.

It is worth retaining that the first experience with the rationalized agenda of the Third Committee was received favourably in that it made for fewer resolutions and decisions and left more scope for thorough debate and substantive discussion.

At the 46th session of the Third Committee, the Community and its Member States again succeeded in strengthening their cohesion. They demonstrated their common position on social items and delivered a well received statement under this agenda item which dealt with complex issues such as the relationship between human rights, democracy and sustainable development, the eradication of poverty and cooperation between developed and developing countries. They also displayed cohesion on NGO questions, on the advancement of women, on drugs, on refugees. It is to be noted that a procedural resolution on a world summit for social development was adopted without a vote.

Cooperation among the Community and its Member States in the Third Committee further improved in comparison to the previous year and was consistent, effective and influential. Fewer split votes occurred and more draft resolutions were co-sponsored together.

The position of the Community and its Member States were often taken as reference points by other western delegations and by many Central and Eastern European countries. The Community and its Member States made one more statement than in the previous year, reaching a total of nine common interventions. They furthermore made a statement on the 25th anniversary of the adoption of the covenants. They also made eight explanations of vote (two less than in 1990). With the exception of three resolutions (two less than in 1990), the Community and its Member States expressed common votes throughout the work of the committee. They finally co-sponsored nine draft resolutions (four more than in 1990). All in all, this increased presence and the cohesion aimed at by the Community and its Member States were achieved through the efforts of their representatives in New York, in close liaison with their headquarters.

b) 48th Session of the UN Commission on Human Rights

The Community and its Member States welcome the fact that the momentum of the 46th session of the Third Committee was transferred to the 48th session of the UN Commission on Human Rights (CHR) in Geneva, which for the first time met in its enlarged form. As in previous years, they approached the CHR with a set of principles and objectives contained in a strategy paper prepared by experts in Geneva and defining their strategy with regard to the western group as well as to the other regional groups.

The Community and its Member States were playing an active and leading role throughout the session. It is worth noting, in this context, that this year half the Member States of the EC were members of the CHR. Concertation among the Community and its Member States before and during sessions has meanwhile become the rule. The strategy defined by them in advance of the session had been largely implemented, notably with regard to common interventions (five compared to four at the 47th CHR) and to coherence among the Community and its Member States, who had further increased their visibility at the CHR and within the western group, and whose positions were followed with great interest by the other participants, regional groups or individual countries. The commitment of the Community and its Member States to cohesion was also reflected in the number of co-sponsorships of draft resolutions (twelve compared to six at the 47th CHR). Of the sixteen resolutions adopted by a vote, there were common positions on thirteen and split votes on three only. The Community and its Member States also made three explanations of vote. In this context, the decision of the Community and its Member States to have the Presidency automatically take up main sponsorship in those cases where the Community and its Member States are the main sponsor of a resolution and where no individual Member State acts as a sponsor ought to be underlined. Such a procedure has proved effective in enabling the Community and its Member States to act decisively, particularly in sensitive resolutions.

The enlargement of the CHR and efforts to rationalize the agenda did not prevent the atmosphere at the 48th session of the CHR from being constructive and generally non-confrontational as regards relations between regional groups. A decision on the election of the vice-president of the Commission was taken by the bureau without a vote. Relations with the Latin American and African groups had been good, whereas some difficulties arose with the Arab and Asian groups. The number of draft resolutions dealing with Asian country situations probably contributed to these difficulties and the internal division within the Arab group inhibited a fuller dialogue.

The Community and its Member States are of the opinion that contacts with the Central and Eastern European countries, either as a group or individually, before the actual sessions, or in between sessions, should be further encouraged and developed in order to ensure adequate prepara-

tion for further meetings, the more so as differences of views between East and West, which had characterized so many previous sessions of the CHR and of the Third Committee, were progressively fading. This rapprochement should, however, not be done at the expense of North/South relations.

It is worth noting that the CHR took a further step in the area of standard-setting by the adoption of two drafts on thematic issues, namely the draft declaration on the protection of all persons from enforced disappearances and the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities. The CHR also decided to establish a working group to draft an optional protocol to the convention against torture and other cruel, inhuman and degrading treatment. The Community and its Member States supported the 'thematic mechanisms' and took an active part in the related ground work in this specific area. They furthermore supported an initiative to establish an emergency mechanism of the CHR. The resolution on the emergency mechanism was considered a first step on an issue which should be followed closely by the Community and its Member States.

The assessment made by the Community and its Member States of the work of the 48th session of the CHR notably led them to believe that they should in the future, within the western group and in their own capacity, develop a common strategy *vis-à-vis* the countries of the South and enhance dialogue and negotiation on human rights issues with these countries. In the larger context of the enhanced role played by the Community and its Member States during the Commission on human rights, their willingness to take the lead on sensitive issues was generally well received and their positions once again were points of reference inside and outside the western group.

Promotion of Human Rights Concepts

19. The Community and its Member States believe that the defence of human rights in individual cases must necessarily be accompanied by the promotion of the essential values on which they are founding their actions in this field. Consequently, the Community and its Member States, in their formal or informal contacts with interlocutors in countries where serious human rights violations occur, systematically recall the necessity of guaranteeing fundamental freedoms and respecting human rights.

20. The Community and its Member States are convinced that active participation, in the framework of international organizations and institutions, will contribute to strengthening the acceptance of a common endeavour to respect human rights and the recognition of the responsibilities and duties of the international community and of the individual states to ensure the observance of those rights as well as to raise public awareness of human rights issues and concerns, both at the national and international level. To this effect, they underline the essential role to be played by national and regional institutions for the promotion and protection of human rights.

21. It is precisely because the Community and its Member States are firmly convinced of the value of solidarity and cooperation in the promotion of freedom, justice and peace that they refuse, as the acting Presidency stated in its introductory speech at the CHR in Geneva, 'to qualify as an interference in internal affairs the expression of concern at violations of human rights in any country where such acts may occur'.

22. In the opinion of the Community and its Member States, several basic considerations should lead the international community to consider intervention each time the respect for human rights is at stake in a country:

- the solidarity with the individual victims of human rights violations,
- the application of the principles enshrined in the UN Charter, notably its articles 55 and 56,

- the Universal Declaration on Human Rights,
- in Europe, the human dimension of the CSCE, the Paris Charter and the European Convention on Human Rights of the Council of Europe.

23. In fact, the rapid movement of world events in the past twelve months shows the increasing need for vigilance with regard to the respect and promotion of human rights and calls upon all governments to abide by the international commitments and obligations they have entered into by their own free will or to respect human rights standards as such when they have not assumed legal obligations in this field. In this connection, and notably recalling the 'guide-lines for the recognition of newly independent states in Central and Eastern Europe and in the Soviet Union' adopted by EC Foreign Ministers on 16 December 1991,⁴ the Community and its Member States wish to underline that the aforementioned considerations are to be taken into consideration by succeeding states.

24. These considerations are reinforced by the conviction that respect for human rights remains an essential element for peace in the world. Systematic violations of human rights may engender tensions and foster conflicts which are likely to go beyond the national or regional context which bred them. Accordingly, the human rights issue has become a crucial and all pervading element in international cooperation. It has led the Community, as underlined in the first part of this memorandum, to the adoption of a resolution on human rights, democracy and development which stresses the role played by human rights and democracy in the achievement of sustainable development. Promotion of human rights, respect for the rule of law and belief in effective democratic institutions are conducive to the creation of an adequate environment fostering the well-being of the individual, who will be able to actively and freely participate in the development process.

25. The indivisible character of all human rights, be they of a civil, political, economic, social or cultural nature makes for their equal importance in the realization of human dignity and the expression of the legitimate aspirations to the individual. The protection and promotion of one category of rights can never exempt states from the protection and promotion of other categories of rights. Neither lack of social and economic development, nor persuasions and ideologies may serve as a justification for the denial of fundamental human rights. Conversely, the increased awareness of the international community of its responsibilities to provide a climate of sustainable development world-wide is an encouragement for the universal respect of human rights and fundamental freedoms.

26. In this connection, the Community and its Member States firmly believe that the convening, in 1993, of a world conference on human rights should constitute a major event, which ought to be perceived, also at the public level, as the signal of a renewed commitment to achieve fundamental goals. The international environment in which the conference will take place could hardly be more appropriate.

In the wake of a world-wide trend towards democratization, international relations have become increasingly characterized by the search for common values and shared responsibilities. In the light of the priority the Community and its Member States attach to human rights issues, they supported without hesitation, and from the outset, the initiative of convening a world conference. They have committed themselves to actively contribute in the conference, as well as in all stages of its preparation, giving impulse to concrete proposals. The Community and its Member States have adopted a common strategy, and will continue to refine it, in order to promote constructive action and to be perceived as cooperative partners. The two Prepcoms of the world conference which have taken place so far have allowed them to confirm their commitment and willingness to overcome the obstacles encountered so far during the negotiating phase, especially during the second Prepcom.

27. The continuing numerous violations of human rights world-wide require the constant and critical attention of the Community and its Member States in this field. In the course of the past year, they have given further proof of their determination to monitor specific cases and situations closely and of their commitment to pursue their course of action in the direction they have chosen. There is increased general recognition of the leading role of the Community and its Member States in the protection of human rights. Respect, promotion and protection of human rights and fundamental freedoms have always formed one of the cornerstones of European political cooperation. They will doubtless be carried further in the framework of European Union, under a common foreign and security policy.

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- 1 *EPC Bulletin*, Doc. 86/230.
 - 2 *EPC Bulletin*, Doc. 91/194.
 - 3 *EPC Bulletin*, Doc. 91/434.
 - 4 *EPC Bulletin*, Doc. 91/464.

92/167. Statement on Bosnia and Herzegovina

Date of issue: 11 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States, following with great concern the situation in Bosnia and Herzegovina, restate that a political solution can only be based on the principles established in the constitutional talks between Serbs, Croats and Muslims sponsored by the Peace Conference.

The consistent deterioration of the security situation, however, renders progress in those talks increasingly uncertain and casts doubts on the viability of any agreement to be reached in them.

Although all parties have contributed, in their own way, to the present state of affairs, by far the greatest share of the blame falls on the JNA and the authorities in Belgrade which are in control of the army, both directly and indirectly by supporting Serbian irregulars. The killings and expulsion of populations in Bijeljina, Zvornik, Foca and other towns and villages, the siege and systematic shelling of Sarajevo, the holding of Sarajevo airport preventing even the safe passage of humanitarian relief from the ICRC are actions deserving universal condemnation.

The Community and its Member States demand:

- the complete withdrawal of the JNA and its armaments from Bosnia and Herzegovina or the disbandment of its forces and the placing of its armaments under effective international monitoring.
- the reopening of Sarajevo airport under conditions of safety, allowing for the urgently needed humanitarian aid to be distributed.

The Community and its Member States also request from the authorities in Belgrade to commit themselves to:

- respect for the integrity of all borders of all republics;
- respect for the rights of minorities and national or ethnic groups, including Kosovo and Vojvodina, in accordance with the Carrington Draft Convention;

- promote the conclusion of an agreement on a special status for Krajina ensuring respect of the territorial integrity of Croatia;
- fully cooperate with all parties at the Conference for settling the question of state succession. The Community and its Member States furthermore decided to:
 - recall their Ambassadors in Belgrade for consultations;
 - demand the suspension of the delegation of Yugoslavia at the CSCE from taking part in the proceedings for the present; the situation will be reviewed on 29 June;
 - further pursue, should the situation remain unchanged, the increasing isolation of the Yugoslav delegation in international fora, bearing in mind, in particular, the impending OECD ministerial meeting;
 - ask the Commission to study the modalities of possible economic sanctions.

The Community and its Member States call upon the Government of Bosnia and Herzegovina to cooperate fully in the orderly withdrawal of the JNA. Together with that withdrawal a phased demobilization of territorial defence forces must take place. They urge the Government of Croatia to do all in their power to prevent an incursion into Bosnia and Herzegovina of military and paramilitary forces as well as the smuggling of weapons.

The Community and its Member States will keep the situation under review, in particular as far as the demands to the authorities in Belgrade are concerned. Failure to comply with the above will be taken into account when considering the question of recognition of the new federal entity on which Lord Carrington and the Arbitration Commission have been asked for advice.

92/168. Statement on the Eleventh Synthesis Report on the Code of Conduct for Community Companies with Subsidiaries in South Africa

Date of issue: 11 May 1992
 Place of issue: Brussels, Lisbon
 Country of Presidency: Portugal
 Status of document: Press statement

The Community and its Member States approved the Eleventh Synthesis Report on the Application of the Code of Conduct for Companies from the EC with Subsidiaries, Branches or Representation in South Africa. They decided to forward the report to the European Parliament and to the Economic and Social Committee of the European Community.

The report covers the period from 1 July 1989 to 30 June 1990 and analyses reports on the activities of 241 companies with about 80.000 black employees. It also takes into account the annual report by Heads of Mission in Pretoria on the implementation of the Code.

The Community and its Member States have noted with satisfaction that:

- I. A very large majority of European companies have resolutely adopted a policy of allowing their workforces to choose freely their representatives;
- II. Objective non-racial criteria are employed by all companies in determining wages and filling vacancies;
- III. The majority of companies have achieved total desegregation;
- IV. In line with the objective of encouraging black businesses, an increasing number of companies are members of, or support, local organizations established to promote black entrepreneurs.

The Community and its Member States are convinced that the measures taken by the European companies to abolish segregation at the working place have contributed substantially to furthering their policy aimed at achieving the elimination of apartheid by peaceful means.

92/169. Statement on the Situation in Bosnia-Herzegovina

Date of issue: 12 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Statement in the European Parliament

Mr Deus Pinheiro, President-in-Office of the Council: Madam President, ladies and gentlemen, Mr Commissioner, I should like to start by apologizing for being a bit late due to the reception which was offered to Queen Elizabeth II.

I think that the statement on Bosnia-Herzegovina which the Council is being asked to make must begin by identifying two fundamental principles which the Council has considered to be essential ever since it started to tackle the so-called Yugoslav question. I am referring specifically to the principle – which is already recorded in the Paris Charter for a new Europe – of the inviolability of frontiers, even ones which some people have referred to as administrative frontiers, and also the development of a new concept of respect for minorities.

These two principles are recorded in the first two sections of the so-called draft agreement which was approved at the Conference on Yugoslavia, presided over by Lord Carrington. Apart from these two aspects, it was also agreed that the question of the so-called state secession, which was identified immediately, following indications in Mr Badinter's report that Yugoslavia was in the process of breaking up, would also be discussed within the framework of this Conference.

It was from this perspective and on the basis of these principles that at the start of the Bosnia question – when the problem of the independence of Bosnia-Herzegovina was identified – a sub-conference was set up, chaired by the Ambassador José Cutileiro, with the aim of agreeing on a future constitutional settlement for Bosnia-Herzegovina. At this conference, which essentially involved the three main parties representing the three main ethnic groups in Bosnia-Herzegovina, an agreement was reached on the principles, whilst the last phase of the conference was to include a discussion of the so-called mapping, in other words, identify those areas which would form the districts of the State of Bosnia-Herzegovina.

Also in an effort to ensure that the situation in Bosnia would eventually be kept under control, observers from the Community's mission were sent to Bosnia-Herzegovina, since, as you know, the headquarters of the United Nations military observers and peace-keeping forces were also at that time in Sarajevo.

The aim of these two bodies was not only to try to ensure that the relatively stable military situation was maintained, but also to facilitate talks between the different ethnic groups. The story of how the fighting broke out in Bosnia-Herzegovina is already known: as Commissioner Abel Matutes said, quite rightly, all the parties are to blame, but in our opinion, not all the parties are equally to blame. And at a serious stage in the fighting – when it was found to be impossible to obtain the desired results through Lord Carrington's peace conference and through José Cutileiro's peace conference – it was agreed to organize a high level mission to Sarajevo, Belgrade and Zagreb. This mission had two stages: the first was led by Cyrus Vance on behalf of the United Nations and, the second, three days later, consisted of myself, on behalf of the Council of the Communities, and Lord Carrington, also to the same three capitals. And there, Madam President, we were completely clear about the principles which we considered it was essential for all the parties involved in the Yugoslav question to respect, and also about the inevitable consequences which would result if these principles were not respected.

At the time, these talks were relatively successful, in so far as there was a visible reduction in the fighting, the three parties involved in the fighting in Bosnia reaffirmed their willingness to

continue negotiations and the three leaders even went to Lisbon for the re-opening of the Constitutional Conference.

However, the relative calm did not last long and the fighting began again with unprecedented violence, no longer aimed only at military targets, but cruelly and deliberately hitting certain civilian populations. In the meantime, the creation of a new Yugoslav federation was announced. And from then on a new situation existed in international law. From that moment, the federal army which was in Bosnia-Herzegovina clearly became an army of occupation. This was emphasized even more forcefully by the fact that, at a stroke, the authorities in Belgrade got rid of the military commands and purged about forty generals in a clear indication that control of the federal army is exercised purely by Belgrade.

The reports which were being received in the meantime, both from the United Nations mission, and from the Community's mission of observers, were increasingly clear: it was totally impossible to observe a cease-fire or peace talks which did not exist; their safety was at risk, even when they did not leave the respective head offices and they were convinced that, unless the international community adopted a sufficiently strong position, it would be impossible to resolve the question. But they added that the behaviour of the Belgrade authorities would certainly be decisive in this matter.

It was in this frame of mind that Mr Golding, on behalf of the United Nations, travelled to Sarajevo – and everyone knows what happened – in order to evaluate the situation and see whether the United Nations could make some contribution towards resolving the situation. Although the report has not been made known, I can say right now that it is obviously not an optimistic report. And it was also in this frame of mind that the twelve Community ministers agreed yesterday that the time had come to take an unequivocal stand on this question, by indicating specifically and publicly the measures which we think it is essential to adopt as a matter of urgency in order to restrict or bring to an end the fighting and bloodshed. And if you will allow me, Madam President, I will read this statement.

The Community and its Member States, following with great concern the situation in Bosnia-Herzegovina, restate that the political solution can only be based on the principles established in the constitutional talks between Serbs, Croats and Muslims, sponsored by the peace conference. The consistent deterioration of the security situation, however, renders progress in those talks increasingly uncertain and casts doubts on the viability of any agreement to be reached in them.

Although all parties have contributed in their own way to the present state of affairs, by far the greatest share of the blame falls on the JNA – that is the federal army – and the authorities in Belgrade which are in control of the army, both directly and indirectly, by supporting Serbian irregulars. The killings and expulsion of populations in various towns and villages, the siege and systematic shelling of Sarajevo, and the holding of Sarajevo airport, preventing even the safe passage of humanitarian relief from the International Red Cross, are actions deserving universal condemnation.

The Community and its Member States demand: the complete withdrawal of the federal army and its armaments from Bosnia-Herzegovina or the disbandment of its forces and the placing of its armaments under effective international monitoring; the reopening of Sarajevo airport under conditions of safety allowing for the urgently needed humanitarian aid to be distributed.

The Community and its Member States also request the authorities in Belgrade to commit themselves to: respect for the integrity of all borders of all republics; respect for the rights of minorities and national or ethnic groups including Kosovo and Vojvodina in accordance with the Carrington draft convention; promote the conclusion of an agreement on a special status for Krajina, ensuring respect of territorial integrity of Croatia; fully cooperate with all parties at the peace conference for settling the question of state secession.

The Community and its Member States furthermore decided to: recall their ambassadors in Belgrade for consultations; demand the suspension of the delegation of Yugoslavia at the CSCE from taking part in the proceedings for the present – the situation will be reviewed on 29 June; further pursue, should the situation remain unchanged, the increasing isolation of the Yugoslav delegation in international fora bearing in mind in particular the impending OECD ministerial meeting in Paris; ask the Commission to study the modalities of possible economic sanctions.

The Community and its Member States call upon the Government of Bosnia-Herzegovina to cooperate fully in the orderly withdrawal of the JNA. Together with that withdrawal, a phased demobilization of territorial forces must take place. They urge the Government of Croatia to do all in its power to prevent an incursion into Bosnia-Herzegovina of military and paramilitary forces as well as the smuggling of weapons.

The Community and its Member States will keep the situation under review, particularly as far as the demands to the authorities in Belgrade are concerned. Failure to comply with the above will be taken into account when considering the question of recognition of the new federal entity on which Lord Carrington and the Arbitration Commission have been asked for advice.

[After the following debate, Mr Deus Pinheiro stated:] If you will allow me, Mr President, I will start by this last question, which I think is very relevant.

First of all, let it be clear that the Community does not have the power to recognize or stop recognizing States. Secondly, the Community is not obliged to have a common policy now or even after 1 January 1993, consequently I would have hoped that some Members might have emphasized the fact that, in spite of everything, the Twelve have managed to maintain a common position on this question, which has not been easy, but shows the commitment of the different governments in adopting this course even before Maastricht.

The Community does not in fact have the necessary instruments and I am the first to admit it. After the Gulf War we found that we did not have the basic elements of security or defence. I think that, with Yugoslavia, we are recognizing that we do not even have the basic political elements. If after 1 January 1993 these two facts do not guide the Community's action in terms of making the most of the Treaty of Maastricht, then we will have made a historical mistake.

Now to deal with some of the questions which have been raised: Mr Woltjer asked what was happening to the observers. I would like to inform the European Parliament that the leader of the mission of observers, after consulting with me and with the leader of the United Nations mission, decided to withdraw the Community observers from Bosnia-Herzegovina. The reason for this was that they were unable to oversee a cease-fire which did not exist and promote a dialogue which the parties did not want and that it was not right to subject the observers to the kind of uncivilized action which was experienced by one Belgian observer.

Mr Oostlander referred to the danger of Serbia and Croatia dividing up Bosnia. Once again, I would like to solemnly reaffirm here what the Council and the Member States have said repeatedly: under no circumstances will we accept any change in the existing external or internal frontiers of the former Yugoslavia. And this has been said clearly and unequivocally, so that any possible desire for an enlarged Serbia or an enlarged Croatia or an enlarged anything else would be immediately and categorically rejected by the European Community and, I think, by the international community.

Mr Willy de Clercq asked whether the Commission and the Community had arrived too late, as usual. We will always arrive late as long as there is no common policy and as long as there is no possibility of acting or even reacting. However, I might add, better late than never. Have you asked yourselves what would have become of Europe if there had been no Community? If there had been no agreement between the Twelve on the problems of Yugoslavia? Where would we

have been today? Yugoslavia, ladies and gentlemen, is a question which causes deep divisions, even now, between the European countries. At each discussion, the Twelve nearly always start out from different positions. But I think it needs to be emphasized that in the end they have managed to adopt the same positions. And I do not accept your claim that Croatia and Slovenia were recognized because my colleague, Mr Genscher, demanded it: they were recognized because we believed that the arguments he put forward were the most valid.

I do not think that the Community can be accused of apathy or inaction. We sent observers, we set up the Peace Conference, we gave financial and emergency aid, we encouraged various diplomatic initiatives. The only thing we did not do was intervene militarily. And let us say it here and now: 'we are not prepared to do so'. I would like to ask whether any of the members would defend their sons getting involved in a war to decide issues which have nothing to do with the principles we are fighting for or which jeopardize our Community?

So, when people ask for active involvement, they have to say exactly what they mean. And this is what the Council of Ministers did yesterday, without ambiguity and without excluding other forms of action which are not mentioned in the communication or in the statement but which were nevertheless discussed in the Bureau.

I think, ladies and gentlemen, that we took the right course. We explored the diplomatic channels, we agreed our action with the United Nations, the major countries of the world and the other European countries, we tried to follow the course of dialogue which we had defended in the Paris Charter. However, just as you need two to tango, so in order to have peace the weapons of all parties must remain silent.

It would also be appropriate if we had some idea of the difference between peace-keeping and peace-making. The Community has advocated peace-keeping, it has made itself available for peace-keeping. But it has not made itself available for peace-making. Nevertheless, there are international bodies which have the authority and the power to decide on the question of peace-making, and they are not the Community or the CSCE, but the United Nations Security Council. Let's not try to give the Community a responsibility which is not its concern because such a responsibility cannot be accepted either by the Council, the Commission or the European Parliament. Let's give the United Nations Security Council the responsibility which is its concern alone.

Various questions were raised about Macedonia, which is not actually the issue being discussed here, but I will answer nevertheless. We have not been keeping quiet about Macedonia – there has just been no change in the position since the one which was made known at the informal Council of Guimarães on 1 and 2 May.¹ Up to now, the Community has been in total agreement on this question. As regards the matter of the name, we know your position and the difficulties which exist. As regards the position of the Presidency, this is to continue to make every effort to try to get the main parties to reach an understanding directly, even if there is little chance of success. On behalf of the Council I cannot say any more on this question at the moment.

Mr Otto Habsburg raised various issues which, as always, are highly appropriate. And I think that one of the issues he emphasized is particularly relevant – the fact that there is a lot of misinformation about the situation in the former Yugoslavia. And one of the latest examples which you will certainly have already heard, is that men originating from Bosnia make up 80% of the Bosnian federal army. Who can prove it? Where are the facts to support such a claim which *a priori* would seem somehow to justify this army's presence in Bosnia? It was a figure which was put out by Belgrade and no one dared to dispute it. I dispute it.

Finally, ladies and gentlemen, I must say that, after listening to you, I have come to the conclusion that the decision which was taken conscientiously yesterday by the Council, after a heated debate, to continue its course vigorously is largely reinforced by the speeches you have made in this debate. And this, Mr President, shows yet again how these debates and exchanges of views be-

tween the Council, the Commission and the Parliament can only help to find the best way forward for our Community.

¹ *EPC Bulletin*, Doc. 92/164.

92/170. Eleventh Synthesis Report on the application of the Code of Conduct by Community Companies with Subsidiaries, Branches or Representation in South Africa

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Place of issue: Brussels, Lisbon
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Status of document: Report to the European Parliament

1. The Eleventh Synthesis Report on the application of the Code of Conduct by European companies with subsidiaries, branches or representation in South Africa covers the period from 1 July 1989 to 30 June 1990. It embraces the national reports presented by Member States as well as the fourth annual report on the implementation of the Code prepared by Heads of Mission of the Twelve in South Africa.

2. As stressed by the ambassadors this period was characterized by major political changes in the country. For the first time since the adoption of the Code the abolition of apartheid was also being considered by the SA Government as an aim of its own. Since the Autumn of 1989 and in particular since 2 February 1990, the SA Government has initiated a policy of reforms through negotiations with a view to putting an end to the policy of apartheid. Following a scheduled policy set out by the State President, toward the end of the period covered by this report the SA Parliament in Cape Town abolished the first so called pillar on racial segregation: the Separate Amenities Act. The State of Emergency has also been lifted without any noticeable increase in the level of violence prevailing in certain regions of the country.

3. The ambassadors note that due to those major political changes in South Africa internal policy, one could qualify the period covered by this report as a period of expectation and hopes which had an effective impact in the country's social and labour environment. The major labour organizations were probably more concentrated on the changing of strategy due to the legalization of political forces affiliated to them. In this context the landmark agreement reached in May 1990 among NACTU, COSATU and SACCOLA (SA employees Consultative Committee on Labour Affairs) paved the way for a new approach on labour relations and thus contributed to the creation of the climate that led to negotiations. The ambassadors also pointed out that although the number of days lost in strikes still remained high, if compared with figures in previous years the situation of special unrest has nevertheless been eased. According to figures by the Central Statistical Services the number of strikes or stayaways reported was 476 during the second semester 1989 and 458 during the first semester 1990. Still within these two periods the number of working days lost amounts to 850 thousand and 1 390 thousand, respectively.

4. The ambassadors pointed out that aggregate real gross domestic product of the SA economy declined in the first two quarters of 1990 confirming the recessionary character of the economic conditions. Decreases in real production during the period concerned were recorded in all principal sectors and sub-sectors of the economy with the exception of agriculture and general government. A relatively modest rise in total registered unemployment among white, coloured and Asian population groups was recorded. The business cycle indicator moved essentially sideways through 1989 and moved more unambiguously downwards only in February/March 1990. Aggregate real economic activity in the 1989-90 downturn was supported by the sustained remarkable strength of

the South African merchandise export performance in the first half of 1989 and in particular in the first quarter of 1990. Business and consumer sentiment in [the] mid90s tended toward uncertainty, cautiousness and a 'wait-and-see' attitude rather than toward despondency or fear. The Ambassadors also note that inflation in the economy as of [the] mid90s cannot be regarded as a consequence of cyclically excessive effective demand. Instead, an important element in the South African inflation rate arose from the largely self-perpetuating interaction of inflation expectations, upward nominal wage and price adjustments and the rising of real effective costs of labour.

5. In this context, the ambassadors of the Twelve stressed the remarkable progress achieved by the Code of Conduct which continued to be a useful tool in promoting fundamental change in SA. Through the implementation of the Code, European Companies were able to spread among the black working community strong arguments as to what extent beneficial labour relations could contribute to the dissemination of goals pursued by the EEC on democracy and in particular on market economy which is still a major issue under discussion within the process of negotiations.

6. The table below sets out the number of national companies which reported to each Member State for the period in question. Figures in brackets refer to the previous reporting period of 1988-1989.

Country	Number of reporting companies		Number of black employees	
Belgium	5	(3)	248	(59)
Denmark	4	(-)	210	(-)
Germany	120	(-)	21 325	(-)
Greece	2	(2)	51	(46)
Spain	1	(-)	325	(-)
France	13	(23)		(4 100)
Ireland	None			
Italy	1	(1)	117	(138)
Luxembourg	None			
Netherlands	5	(6)	2 962	(2 856)
Portugal	3	(-)	86	(79)
United Kingdom	87	(93)	53 900	(63 300)
Total		(105) ¹		(66 478) ¹

7. As in previous reporting period, a number of European companies have disposed of their South African interests or reduced their black African workforces. This is in line with the increasing levels of unemployment in South Africa during the period under review. This is not reflected in the total black workforce, as indicated above, because there has been an equivalent increase in the number of companies now reporting for the first time.

Analysis of company reports

Section 1: Relations within the undertaking

1. Section 1 of the Code seeks to remove any restriction or obstacle to the formation of black trade unions and to promote the freedom of workers to decide themselves upon the nature of their representation. In this respect, reports indicated that the level of companies' involvement with

trade unions representing black workers continue to increase. All companies confirmed that all employees, irrespective of race, were free to choose the type of organization to represent them. Most companies had taken steps to inform their employees of their social and trade union rights, and many had promoted the Code of Conduct. Many companies reported on various forms of practical cooperation, such as: trade unions access to plants, recruitment of members, dissemination of information, non hindered meetings during working hours, granting pay to elected trade union representatives, material assistance and in few cases with training. To the completion of such ends the EC program on positive measures has also made a positive contribution since trade unions are also granted with EC financial assistance.

2. As [in] the past, the majority of companies reported formal involvement with trade unions representing their black employees. There was a proportional increase in the number of companies who had reached direct recognition agreements and direct collective bargaining agreements at company-union level. Industrial Council agreements (where wages and working conditions are set in industry-wide bargaining between employer organizations and unions) were also prevalent. Many of the companies who were party to this kind of agreement had also reached agreements at direct company-union level, while the majority of all companies who had not reached such direct agreements confirmed their willingness to do so. Some form of consultative committee, such as works or liaison committee, existed at most companies. It is to be noted that recognition agreements appear no longer to be a priority for unions. As long as bargaining proceedings are in place, they are content with a *de facto* recognition coupled with targeted agreements for each particular situation.

3. These developments reflect the continuing growth in union membership and activity in South Africa. By far the most important event in industrial relations during the year was the landmark accord reached in May 1990 between the two main trade union federations and the employer's body SACCOLA. This is the first wide ranging agreement on labour legislation between the state and organized labour. The establishment of such an agreed basis for labour legislation should ensure that in future industrial relations in South Africa follow the pattern already established in western countries.

Section II: Migrant labour

1. The trend towards a decrease both in the number of migrant labourers employed and in the number of companies employing them has continued. It was stressed that in certain industries migrant workers were employed where sufficient local staff is often unavailable due to the geographical location.

2. In accordance with Section 2 of the Code, employers are expected to contribute to the freedom of movement of black African workers and to seek to mitigate the particular problems encountered by migrant labour. Most of [the] companies had taken steps to alleviate the particular hardships experienced by their migrant workers. In particular, companies reported policies designed to help migrant workers lead a family life, and to ensure the regular renewal of migrant workers' contracts.

Section 3: Pay and wage structures

1. Section 3 of the Code of Conduct sets a standard for the remuneration of black African employees. Companies are expected to pay their workers above the 'Supplemented Living Level for a family of five' (SLL5) which in turn is 30% higher than the 'Minimum Living Level' (MLL) as calculated each six months for the district concerned by the University of South Africa.

2. As a general remark it is to be noted that wage levels paid to black Africans by EC companies is largely well above the SLL5. The proportion of black Africans who were paid below the Code's

recommended minimum level increased during the current review period from under 2% to almost 3%. This increase was mainly due to the acquiring by one company of new subsidiaries where wage levels were below SLL5. The company involved intend[s] to increase these wage levels to over SLL5. If this company is discounted, the proportion of workers paid below the SLL5 would again fall against 1989 to even more insignificant percentage. Companies falling below this level cite among their reasons that the employees concerned are undergoing training and probation, were paid according to the SLL for their personal circumstances, not for a family of five or SLL5 was too far in excess of going rate for the industry or area to be economically viable. A number of these companies recommended minimum outlined plans to pay all employees above SLL5. A number of companies also stated that they reviewed wage rates more than once a year, and/or indicated that particular efforts were made in respect of raising minimum rates.

3. With only one exception, all the reporting European companies confirmed that they applied the principles of 'equal pay for equal work' and 'all jobs open to any worker with suitable qualifications'. There were no reported cases of jobs classification under racial considerations. Pay policies were based only on qualitative job evaluation. Several companies remarked that realization of the principle of equal opportunity was hampered by the different educational standards caused by the racially segregated South African education system.

Section 4: Training and promotion of black employees

1. According to received national reports, an effort to improve specially black employees qualifications have been noted, enhancing therefore their opportunities for promotion. Approximately 90% of the companies indicated specific policies of employing and promoting black Africans in and to supervisory and management jobs. The remainder of companies who stated a policy confirmed that employment and promotion were based on merit, with no discrimination according to race. A large number of companies indicated that their policy is to appoint black employees to more responsible and/or skilled jobs and, where possible, to managerial positions. In this context, various companies reported on black employees promotion to higher-grade jobs which were previously held by whites.

2. Almost all companies provided some form of training, with the great majority either running internal training schemes and/or utilizing external training facilities, sometimes in Europe. A large number of companies reported on support for additional off-the-job training. For example, the cost of vocational training seminars was met, grants were provided for supra-plant training and scholarships given for university study.

3. The number of companies who recruited white employees from overseas has marginally decreased from the last review exercise. Those companies who did recruit from abroad usually did so only when suitable candidates could not be found in South Africa. Some companies reported that exchanges of staff, irrespective of race, regularly take place between the parent company and its South African subsidiary.

4. In many cases special courses and training facilities inside or outside plants were offered, promoted and financed by the companies. There are already thousands of reported workers benefiting from such programs. Numerous companies stated that they had set up their own training workshops or centres. In some cases grants for training and scholarships given for university study were even provided.

Section 5: Fringe benefits

1. Under Section 5 of the Code [...] companies are expected to concern themselves with the living conditions of employees and their families and with the local community where the communities are situated.

2. Almost all European companies operating in South Africa (over 95%) provide pension schemes and offer health and medical insurance. Most gave financial or other assistance for house purchase. Other benefits include education schemes not included in section 5, subsidized meals, clothing provision, transport, long service and retirement awards, bonus or bonuses of different types, life and accident insurance policies, maternity leave and funeral insurance. Large companies also provide on-site medical facilities for their staff. Very often canteens and libraries are set up where financially justified by the size of the workforce.

3. As well as providing the fringe benefits listed above, most companies also supported projects benefiting the wider communities from which their workforce was drawn. This includes contributions to urban foundations, university grants, support to universities and schools, help for local community facilities. Some companies additionally assist their employees in dealing with public authorities and make donations to charitable organizations. In several cases, sports facilities were built and sports clubs assisted.

Section 6: Desegregation of places of work

1. It is encouraging to note that there was an increase in the present review period in the proportion of companies who had achieved total desegregation, as required under section 6 of the Code. The derisive number of companies who had not yet achieved total desegregation stated that it was company policy to remove remaining segregation at the earliest possible opportunity. Measures introduced by the South African Government in 1990 to remove elements of apartheid legislation are reflected in the sharp decline in the instances mentioned by companies on the constraints of law and government.

2. Most companies outlined measures which had been taken to promote inter-staff contact between different racial groups. For the most part these measures involved works celebrations, joint outings and sporting events without racial discrimination. As in previous years, among the relatively few companies who reported that such measures had not been taken, a number indicated that natural inter-racial mixing made them unnecessary.

Section 7: Encouragement of black businesses

1. Under section 7 of the Code, companies are expected to encourage black-owned businesses. It is to be emphasised that the encouraging trend of the previous years appears to have been maintained in 1990. Almost all European companies who stated their policy have undertaken initiatives in this particular field.

2. Their assistance can be divided in two broad categories. The first involves sub-contracting to black-owned businesses and giving such businesses priority treatment in customer-supplier relations. While the type of business conducted by a number of European companies precludes the possibility of sub-contracting, approximately one third of them provided this kind of 'contractual assistance' and a number of others were willing to the same, but had yet to identify suitable candidates. The other broad category of assistance included the provision of advisory services for black businessmen, and support for other relevant bodies, such as the National African Federated Chamber of Commerce, the Small Business Development Corporation, the Black Management Forum, and local Chambers of Commerce.

Conclusions

The ambassadors noted that by the time that this report has been presented to EC Ministers, SA will have embarked on the final steps towards a peaceful transition: the voting on the referendum on the future of negotiations has already taken place and the process of statutory changes leading to the future constitution is on track; the SA government is also on the threshold of a more repre-

sentative administration. Although there is still much to be done in the field of improving the working and living conditions of black employees and on the encouraging of black business, the ambassadors took the view that consideration should be given to the most appropriate way to carry forward that policy, namely whether or not the Code of Conduct is the most appropriate instrument to fulfil that goal in the future.

¹ Figures as reported in original. These figures are not identical to those in last years synthesis report. See *EPC Bulletin*, Doc. 91/129.

92/171. Statement on changes in East-West relations and the North-South relationship

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Mr Durão Barroso, President-in-Office of the Council: Madam President, [honourable] Members, allow me to begin by expressing my pleasure, as president of the Council, in attending your debate today.

The Council is gratified at the European Parliament's idea of devoting a day of this session to matters concerning our relations with developing countries. I feel that this initiative is very timely, particularly when some claim that the Community is excessively preoccupied with Central and Eastern Europe and is consequently being distracted from the pressing and frequently dramatic problems suffered by the poorest countries. I will therefore be following your debates closely, so as to be able to transmit to my colleagues the Parliament's concerns and preoccupations on the different subjects to be discussed today.

I was extremely impressed by the list of topics to be discussed which appear to me to cover a large number of points which are undoubtedly of major importance for the future of our relations with the countries of the South. Since there are so many, several have not been analyzed in depth by the Council, for which reason today's debate will, I am sure, constitute a major contribution to extending the scope of our deliberations.

Allow me to take this opportunity to share with you some of the concerns at the centre of the Council's work which will be considered in some of the reports to be presented during today's debate. Prominent among these is the very serious food situation in a number of developing countries, particularly in southern Africa and in the Horn of Africa, which led the Council on May 4 to approve a special programme of food aid for 1992, as proposed by the Commission.

Discussions between the European Parliament and the Council within the context of the Triologue, produced a solution for finding the additional resources needed to carry out the programme. In this context, I would like to express my enormous satisfaction in the fact that our institutions were able to act with the requisite speed to tackle the needs of peoples suffering terrible adversity.

Another central subject is that of human rights, democracy and development. with reference to which the Council, last November, adopted a resolution which will very likely become a seminal text on such matters. Many have described the document, justly I think, as being of an historic nature. We know that the Parliament attributes particular importance to this matter, as has been amply demonstrated by the numerous and important texts adopted by this House over recent years. In yet another demonstration of its continuing commitment to this issue, the Council recently debated the implementation of the text (less than a year after it was adopted), with due reference to the Commission's information on the measures, positive and negative, adopted in this context.

The Council was gratified at, the generally favourable reception of the resolution, not only outside the Council itself, but also outside the Community. It may be said that the reception given to the Community and Council resolution on the subject of human rights, democracy and development was in the main positive. There is no doubt that this resolution places the European Community in the vanguard as regards the promotion of human rights and democracy in developing countries. It may further be stated that it is now clear that a direct and automatic link has been established between development, democracy and respect for human rights.

In that debate, the Council made particular reference to the need to guarantee coordinated and coherent implementation of the resolution as a whole, which is moreover a central condition for the credibility of Community action in this sphere. Credibility was the word used by the Council in this regard and which I repeat today. The Council is well aware of the importance of this subject and therefore decided to discuss it once more at its next meeting, on the basis of a progress report to be submitted by the Commission. Thus, it can reliably be stated that the Council has the clear intention of ensuring that the resolution on democracy, human rights and development is not allowed simply to gather dust but will, on the contrary [...] closely monitor its effective implementation.

The importance that the Presidency attributes to democratization processes in developing countries was borne out by the fact-finding mission last February by the troika of Development Ministers to Angola, demonstrating the Community's support for the democratization process currently under way in that country. Following this mission, a Community platform of support for the social and economic reconstruction of Angola was established and its implementation assessed by the Council, which restated its support for the initiative. We feel, Madam President, that this indeed broke new ground in linking the Community's cooperation policy with a process of transition and consolidation of democracy in a particular country, in this instance, Angola.

I would now like to consider matters concerning our relations with ACP countries in general terms. May I say a few words on the results for the year of Community aid programming in the context of Lomé IV, a matter on which we have likewise focused recently. In this context, the Council emphasized the very positive nature of the programming year, in both qualitative and quantitative terms, and noted with satisfaction that the indicative programme signed by the Commission with the ACP states falls into place as a continuation of prior agreements and, at the same time, reflects the priorities of the Lomé IV Convention. On this same subject, I would like to point out that the Community's support for the structural adjustment process in ACP states is one of the major innovations introduced by the Lomé IV Convention in relations between the Community and these countries.

The Council recently defined the parameters of the policy the Community intends to follow in this regard over the coming years, thus complementing the resolutions it had previously adopted on strengthening coordination in the area of structural adjustment by ACP states and on the attendant funds. This is basically a matter of protecting and enhancing the pragmatic, differentiated and human view of adjustment as defined by Lomé IV. Since there can only be one programme of economic reform in a given country and since the resources to be used far exceed the individual possibilities of the various financing entities, close coordination is required between recipients and donors, particularly with the Bretton Woods institutions which play a prominent role in this area, with a view to guaranteeing the coherence of all actions. However, this essential coordination with Bretton Woods institutions does not, and of course should not imply in any way that the Community is subordinate to other institutions. Finally, the purpose of the Community's dialogue with the IMF and the World Bank, is to help the ACP states to make the demands of adjustment compatible with the progress of their countries towards democracy. May we repeat, at this point, that adjustment is a prior condition for re-initiating long-term development.

The matter of environment and development is another of the great global questions that I cannot omit to mention today. This is of particular importance at this stage of preparation of the Rio

Conference where we hope that the Community will assume a role of effective leadership, thereby manifesting its increasing importance at the international level, and likewise voicing the importance that the Community has always attributed to questions of environment and development. The Presidency advocated an extraordinary Council of Ministers of Development and Environment, 5 May last, with a view to preparing a joint Community position. On that occasion, all Member States confirmed their determination to contribute to the success of the Conference, during the course of which the particular interests and concerns of developing countries should be borne in mind.

Madam President, Members of the House, as 1993 approaches, the Community and its Member States should be aware that the Single Market cannot be allowed to estrange the Community from the developing countries. In fact, the prospect of a large, Single Market has fostered unfounded concern that a fortress Europe is being constructed, an erroneous notion which must be dispelled. To this end, the Community has been providing developing countries with all the relevant information on the measures adopted with regard to completion of the Single Market, offering the technical and financial assistance that will allow them to create competitive economic structures and to better integrate their products in the world economy. It is particularly important that, within this global strategy, developing countries create more favourable conditions for increased foreign investment. The Community and its Member States have shown their commitment to politically promoting the programme approved by the European Council of Maastricht as regards asylum and immigration, to which matters the Portuguese Presidency has devoted particular attention.

In conclusion, Madam President, I think it must be recognized that the major changes occurring on the international front in recent years, and the increasing differences between developing countries, will make it necessary for the Community to adopt a new approach in its cooperation policy. Allow me, therefore, to congratulate the European Parliament, and most particularly its Committee on Cooperation and Development, for the initiative of promoting this very timely debate and for the depth in which the subjects included have been discussed by the various rapporteurs. The ideas to be expressed in this House today will, I am sure, make a valuable contribution to the debate on cooperation policy to be carried out by the Council and, in more general terms, by the European Community.

92/172. Statement on the new global partnership

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Statement in the European Parliament

Mr Durão Barroso, President-in-Office of the Council: Mr President, Members of the House, I would like to take this opportunity, following the report presented by Mr Saby, to speak on this subject because I think it is a basic point which raises fundamental questions for the future of the Community policy and support for development. As I said at the outset of our discussions, the Council is awaiting a report by the Commission in order to undertake a far-reaching examination of development policy within this new framework, of which the search for a new world order is a salient feature.

At the last Council we were promised that this document would soon be forthcoming: in all events, I think that the initiative taken by the Chairman of the European Parliament's Committee on Development is important and this debate will certainly contribute to the global reflection in which the Community is engaged on its policy of support for development.

Given the importance of the subjects being debated here, I would like to make several observations. It may be said that some of these observations reflect most people's understanding of discussions held within the Council. I venture to make others from a personal angle.

North-South relations and, more particularly, the solution of the problem of the struggle against poverty and protection of the environment, as highlighted by the Saby and Bindi reports, call for increased cooperation and assumption of responsibility between the various countries of the world, under this global approach and within the framework of the new partnership based on continuing dialogue between participants. It seems that today conditions permit genuine and frank dialogue directed towards resolving problems and not just a dialogue based on some sort of diplomatic symptomatology, as has occurred even in the recent past.

In addition to outside financial resources, public aid for development and flow of private investment, the effectiveness of the new sustainable development policy depends both on its objectives and on the way in which we and the receiver countries implement these objectives. It is of fundamental importance that certain principles of transparency be observed in a policy of development at the service of man and of the human being. And I wish to say this here in the Parliament because I think that the parliamentary institution should, by its very nature, be the guarantor of transparency of a policy of cooperation and of aid for development.

The dialogue that is currently under way with developing countries and specifically with the ACP countries, both as regards human rights and, for instance, matters relating to structural adjustment, demonstrates that Community action based on an enhanced dialogue can contribute to improving political, economic and social conditions in a number of countries. The complexity of problems and management of processes under way in ACP countries and other developing countries demonstrate the extent of the *savoir faire* deficit in many of these countries and the larger role that can be played by the technical assistance of the Community and of its Member States in the context of this same dialogue.

To return now to the question of debt, the European Community and Member States support the strategy based on adoption of adjustment measures, making it possible for heavily indebted countries to grow in the long-term and facilitating financial support by the international community, whether the public or private sector, in creating a favourable economic and commercial climate. Measures adopted should take account of the conditions and needs of each country, recognizing that poor, heavily indebted countries obviously require special conditions.

Without seeking to undermine measures aimed at restructuring and diversifying the export sector of the developing countries' economies, we warmly welcome the current initiatives directed toward renegotiation of agreements on cocoa and coffee, which are central products for the economies of certain developing countries and have been subject to progressive price drops over the last decade. A long-term development strategy requires that the economic and financial aspects of the economies of these countries be set to rights, and alternatives created for access to and stabilization of markets.

On the subject now of the Rio Conference and, more particularly, of certain observations made here by Ms Ruiz-Giménez, I would like to say that the joint Council on Environment and Development of 5 May adopted new conclusions concerning the position of the Community and its Member States on the majority of the most important dossiers, thus confirming the importance of the Community's position in this process. Progress was made. Perhaps not as much as might have been hoped, but it is true – and I say this without any hesitation – that the European Community has played a leading role in global negotiations for the Rio Conference. The Presidency was recently invited to attend Kuala Lumpur as observer in the debate of the Group of 77 on environment and development and the developing countries themselves have recognized that the European Community has played a leading role in preparing the Rio Conference.

However, there is here a problem that cannot be disguised. We are talking about negotiation at the world level. It is not just the Community that is involved. It is the European Community, it is the developing countries, as well as so-called developed countries. And the negotiating process is still in progress. I think that between now and Rio – perhaps even in Rio – we will see further steps towards bringing about what we all desire; namely, a commitment towards global and sustainable development which promotes an effective fight against poverty and for respect of the environment and ecological balance.

I would here like to express my support for your resolutions on the situation of women and children in developing countries and also for your resolution concerning NGOs. The advanced spirit and compatibility with the overall objectives of the Community in its policy of support for development allow us to support these resolutions.

92/173. Question No H-209/92 by Ms Ewing on human rights violations in Vietnam

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What are the Foreign Ministers meeting in Political Cooperation doing at present to ensure that Vietnamese refugees who have escaped to Hong Kong are not being sent back against their will to a country where human rights abuses are still widespread?

Answer:

As the honourable parliamentarian will be aware, the Community and its Member States welcomed in a statement dated 4 November 1991¹ the agreement of 29 October 1991 reached by the Governments of the United Kingdom, Hong Kong and Vietnam on the return to Vietnam under procedures agreed with the UN High Commissioner for refugees of Vietnamese migrants in Hong Kong determined not to be refugees. This agreement was considered a major step forward in the full implementation of the comprehensive plan of action (CPA) for Indochinese refugees.

Of particular importance in the agreement reached was the confirmation by the Vietnamese Government that no illegal immigrant who returns to Vietnam will face persecution and that the government will continue to facilitate the monitoring of those who return by the United Nations High Commissioner for Refugees and others, to ensure that these guarantees are fully respected. Since 1988 more than twenty thousand Vietnamese migrants have returned home from the region without a single substantiated case of persecution.

The Community and its Member States make use of every relevant opportunity to remind the Vietnamese authorities about the importance they attach to the strict fulfilment of this agreement and reaffirm their commitment to the international assistance programme designed to facilitate the social and economic reintegration of returning asylum seekers.

The Vietnamese authorities are well aware of the importance that the Community and its Member States attach to the scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991,² and the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991.

¹ EPC Bulletin, Doc. 91/335.

² EPC Bulletin, Doc. 91/194.

92/174. Question No H-315/92 by Mr Robles Piquer on the regional agreement in Asia to ban nuclear weapons

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

In January and February 1992 a number of statements by US and Pakistani spokesmen mentioned the possibility that a regional agreement might be negotiated between China, India and Pakistan to abolish nuclear weapons and prohibit their manufacture. The Pakistani Minister for Foreign Affairs, in his statement, acknowledged that Pakistan was already capable of producing an atomic bomb.

What data do Ministers have on this subject and what do they believe the Community and its Member States can do to help ensure that nuclear weapons are destroyed or not manufactured on the Asian continent?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: Mr Robles Piquer, it is a matter of public knowledge that Pakistan has called for a conference to establish a nuclear-free zone in the area. India, China, Russia and the United States are to be invited to attend. Washington has stated that it is in favour of talks between the five powers on condition that the framework is widened to include wider options such as a regional test ban, an agreement not to attack urban centres and the accession of India or Pakistan to the non-proliferation treaty. The United States proposal has been supported by the United Kingdom, France, Germany and Japan.

India has stated that it cannot accept the Pakistan proposal for the creation of a denuclearized zone as long as China has nuclear weapons. It has also accused Pakistan of adopting an aggressive posture on the issue. It has recently stated that it prefers a bilateral approach to the problem of nuclear arms.

In the declaration on the non-proliferation and export of arms adopted by the Luxembourg European Council in June 1991,¹ the Community and its Member States expressed their support for the strengthening of non-proliferation arrangements and called on all states to sign the non-proliferation treaty on nuclear arms. At the 48th United Nations General Assembly, the Community and its Member States reiterated this position and called especially for the strengthening and improvement of the International Atomic Agency's system of safeguards. In all its contacts with the Pakistani, Chinese and Indian authorities, the Community has continually referred to the importance which it attaches to this matter and has welcomed China's decision to sign the nuclear arms non-proliferation treaty.

We are continuing to make known our intention to support all efforts to obtain regional arrangements in the area of non-proliferation.

Mr Robles Piquer (PPE): I must thank the President-in-Office for his answer, which is certainly a comprehensive one, and I do not wish to take up much more of his time. I wish simply to ask him whether, in the context of the diplomatic representations made, either the Council or the ambassadors of the Member States in those countries, who contribute to the information which goes to make up European political cooperation, have identified in recent weeks any real desire to hold this conference and have considered a location for this, the drawing-up of a timetable of meetings, a preliminary date and an agenda. If not, we shall remain in the area of good intentions with which, as we know, the road to hell is paved. All this should have been put into effect in diplomatic practice, and I should like a little more detail if the President-in-Office could provide this, on the points I have raised in this supplementary question.

Mr Deus Pinheiro: To some of them, perhaps; particularly with regard to the Indian position, as it was one of the topics which the Community troika discussed with the Chinese authorities about one-and-a-half months ago. It was stated very clearly at that time that India was prepared to participate fully in all the treaties provided Pakistan and China also participated and provided there was total disarmament in the region. However, it has not been possible so far to comply with India's wishes. I believe that India's position, like that of Pakistan to which I referred, is particularly important since, as you are aware, the problems in Cashmere and the Punjab will certainly not facilitate relations between the two countries, despite the fact that they are prepared to participate in the effort once China agrees to take part.

Mr Ephremidis (CG): The answers given by the President-in-Office are interesting and plausible, but I would like to put a question relating to what he said, namely that these negotiations are to be conducted by the troika. From June onwards the troika will be headed by the British Presidency and it will conduct such negotiations, I believe with the sincere aim of bringing them to a positive conclusion. But my question is: how credible is that effort by the troika with the British Presidency at its head likely to be, when Great Britain maintains one of the strongest nuclear arsenals and when another prominent Member of the Community, specifically France, also maintains a strong arsenal? Is it possible for plausible discussions and negotiations to take place with India, China, Pakistan, and I know not whom else?

Mr Deus Pinheiro: I would inform the honourable Member that the United Kingdom participated in the last troika. It comprised Portugal, the United Kingdom and the Netherlands. However, for the moment it is not a matter of calling for total nuclear disarmament in the region but of ensuring accession to the non-proliferation treaty which as you know provides certain safeguards and guarantees in this area.

Clearly, [I] would like, ultimately, to be able to discuss total nuclear disarmament particularly in that region since according to the estimates at our disposal, India and Pakistan together could have some 200 nuclear devices in that part of the world. However, we regard the question of non-proliferation as a very important first step. I believe that any troika, particularly one led by a country with experience in these areas might possibly be more successful in persuading other countries to sign the treaty.

¹ *EPC Bulletin*, Doc. 91/196.

92/175. Question No H-346/92 by Mr Arbeloa Muru on Bhutanese refugees

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Representatives of various NGOs recently visited Nepal and met representatives of the 6.000 Bhutanese refugees living in camps in Maidhar and Timai, in the Nepalese district of Jhapa. Many, if not most, of the refugees are members or supporters of the Bhutanese People's Party recently set up to support a constitutional monarchy in Bhutan which ensures respect for fundamental and human rights. The representatives of the refugees spoke of degrading punishment, ill-treat-

ment and women being raped by Bhutanese soldiers. What are the views of the Foreign Ministers meeting in EPC in respect of this situation?

Answer:

The Community and its Member States have been following with concern the recent reports on human rights violations in Bhutan. This concern was conveyed to the Bhutanese delegation at the Aid Donors Meeting in Geneva on 5 March 1992.

The Bhutanese authorities are aware of the importance the Community and its Member States attach to the scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991.

The Community and its Member States will continue to monitor developments in Bhutan.

¹ *EPC Bulletin*, Doc. 91/194.

92/176. Question No H-351/92 by Mr Kostopoulos on relations between the Community and the regime in Skopje

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Will EPC say what position it intends to adopt in respect of the regime in Skopje which is continuing to violate the rights of minorities, and notably of the Greek population in the regions of Strumica, Krusovo and Monastir?

Answer:

Last month, in response to a related question by Mr Crompton (H-316/92)¹, I told the House that the question of the rights of national or ethnic groups is an integral part of the Conference on Yugoslavia which is sponsored by the Community and its Member States. In his capacity as chairman of the Conference, Lord Carrington meets regularly with representatives of these groups to discuss matters of particular interest to them. Chapter II of the draft Treaty Provisions for the Convention, the basic document under discussions at the Conference, deals specifically with human rights and the rights of national or ethnic groups.

Acceptance of the provisions laid down in the draft Convention – especially those in Chapter II on human rights of national or ethnic groups – is, furthermore, one of the conditions set out by the Community and its Member States for recognition of the Yugoslav Republics as independent states.

¹ *EPC Bulletin*, Doc. 92/141.

92/177. Question No H-389/92 by Mr Hadjigeorgiou on the Kurdish problem

Date of issue: 13 May 1992
 Place of issue: Strasbourg
 Country of Presidency: Portugal
 Status of document: Answer to oral question in the European Parliament

The recent Kurdish uprising in south-eastern Turkey has now assumed an international dimension following the embargo imposed by the United States and Germany in response to the violent repression of the Kurds by Turkish forces. Does European political cooperation not believe it should adopt a stance both on recent events and on the fate of a nation numbering some 30 million and spread over three countries?

Answer:

The Community and its Member States fully share the honourable Member's concern over recent events in South-East Turkey in which both civilians and members of the Turkish security forces died. The Community and its Member States strongly condemn terrorism and acknowledge the difficult situation in South-East Turkey. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for human rights in general and to the rights of minorities in particular. The Community and its Member States therefore welcome the assurances by Prime Minister Demirel that his Government's policy of democratization, respect for human rights and acknowledgement of a Kurdish identity will be rigorously pursued.

92/178. Question No H-399/92 by Mr van der Waal on discrimination and violence against Christians and other non-Moslems in Sudan

Date of issue: 13 May 1992
 Place of issue: Strasbourg
 Country of Presidency: Portugal
 Status of document: Answer to oral question in the European Parliament

Since the 30 June 1989 military *coup* by Moslem fundamentalists in Sudan, the non-Moslem population has been subjected to increasing repression.

Education, the courts and politics have all been islamized by the regime in power.

This has resulted in the introduction of brutal forms of corporal punishment and the use of intimidation and deportation against missionaries, with church property being confiscated and sometimes destroyed.

Since December 1991 there have been reports of mass deportations primarily of non-Moslem refugees from the south into regions that lack any adequate water or food supply.

Medical and food aid have also in many cases been made conditional on conversion to Islam.

Can the Foreign Affairs Ministers meeting in European political cooperation state what action they have taken in this connection since their declaration of 10 November 1989,¹ and what steps they will now take to counteract these grave violations of human rights?

Answer:

In line with their statements on Sudan, I would like to emphasize that the Community and its Member States fully share the preoccupation expressed by the honourable parliamentarian at the

present situation in Sudan, and in particular at persistent reports of violations of human rights. The Community and its Member States supported the decision at the UN Commission on Human Rights in February this year to more scrutiny of Sudan human rights record from confidential to open analysis through the appointment of a special rapporteur.

I would like to stress that, already suffering the extremely painful consequences of an internal conflict, the Sudanese people have been denied an important part of the humanitarian aid conveyed by the international community in general and the Community and its Member States in particular, due to a large extent, to the behaviour of the Sudanese authorities.

Furthermore, the serious situation of the displaced people led to a decision for the troika of Heads of Mission in Khartoum to make a *démarche* to the Sudanese authorities stressing the extreme concern of the Community and its Member States and urging them to give all possible support to UN and NGO's efforts.

The Community and its Member States are following very closely developments in Sudan as well as the attitude of the Sudanese authorities regarding international aid. The Community and its Member States will continue to monitor the situation in Sudan closely and to convey its views clearly to the Sudanese authorities. In this context, I would like to recall that, apart from humanitarian aid, all programmes regarding Sudan in the framework of the IVth Lomé Convention have already been suspended.

¹ EPC Bulletin, Doc. 94/264.

92/179. Question No H-401/92 by Mr Hughes on relations between the Community and the Isle of Man

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Has EPC considered the possibility of trade, commercial or other action between the Community and the Isle of Man in view of the continuing flagrant disregard for the human rights of gays and lesbians there?

Answer:

The specific issue raised by the honourable Member falls outside the scope of EPC.

92/180. Questions No H-409/92 by Mr Bandrés Molet and H-437/92 by Mr Gutiérrez Díaz on the arrest of Nubir Amani in Morocco and on the arrest of the Secretary-General of the Moroccan Labour Confederation

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral questions in the European Parliament

Question No H-409/92:

On 24 March 1992, the Secretary-General of the 'Democratic Labour Confederation' (DLC) trades union organization was arrested in Morocco on charges of slander uttered during an interview with a journalist from the newspaper *El País*.

This arrest took place only days after Hassan II had officially announced that the process of bringing democracy to Morocco had been restarted.

What action has been taken by European political cooperation to allow Moroccan opposition leaders to exercise their democratic rights?

Does European political cooperation believe that this arrest may affect the democratic process in Morocco?

Question No H-437/92:

The Secretary-General of the Moroccan Labour Confederation was arrested twice in Casablanca during the week of 30 March to 4 April 1992 for statements made to the Spanish newspaper *El País*.

What position do the Ministers meeting in European political cooperation intend to take in the face of this abuse of human rights and with respect to the financial protocols with Morocco, which the European Parliament decided not to ratify, along with those with Syria and Algeria, precisely because of the lack of guarantees for human rights in those countries?

Answer:

The honourable Members will allow me to give a common answer to their questions.

The Moroccan authorities are in no doubt about the importance that the Community and its Member States attach to the respect of human rights.

Mr Amaui has been condemned to two years imprisonment for slander and defamation against the government by a Court of Rabat. Mr Amaui's lawyers have appealed against the sentence to the Supreme Court.

The Community and its Member States note with appreciation the announcement made by King Hassan II on the democratization process in Morocco and hope that the facts the honourable Members have mentioned will not hamper it. The Community and its Member States will continue to follow developments in Morocco closely, mainly the human rights situation in this country.

92/181. Question No H-422/92 by Mr Lomas on child and bonded labour

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The human rights of individuals are being violated in Pakistan and several other countries in the third world, through the child and bonded labour system, which deprives children of their childhood and a decent education. We are encouraged that the Pakistan National Assembly passed legislation on 17 February 1992 abolishing bonded labour.

Will EPC urge the Pakistani Government to see that the law is implemented, and that those who continue to exploit children are brought to court and dealt with in accordance with the new legislation?

Answer:

The Community and its Member States are concerned about the reports of bonded child labour in Pakistan.

The problem is well recognized within Pakistan. Beyond the legislation mentioned by the honourable parliamentarian, the Pakistan Parliament passed in 1991 the 'Employment of Children Act' prohibiting child employment in certain occupations and regulating the work conditions of children. Pakistan is also a party to a number of relevant United Nations conventions: on the Rights of the Child (1990), on the Abolition of Slavery (1956) and on Forced Labour (ILO Conventions 29 and 105 in 1957 and 1960 respectively).

Legislation by itself will not be enough to stamp out the use of child labour however. It will be important to improve public awareness of existing legislation to protect children's rights and to impress on parents that child labour is a basic denial of human rights.

The Community and its Member States' commitment to raise human rights violations regardless of where they occur is reflected in the declaration on human rights adopted by the European Council in Luxembourg in June 1991¹ and in the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991. It is also reflected in their frequent *démarches* in individual cases, and in their efforts and interventions in appropriate international fora.

In its dealings with the Government of Pakistan, the Community and its Member States will continue to keep under review the question of the use of child labour in Pakistan.

¹ EPC Bulletin, Doc. 92/194.

92/182. Question No H-447/92 by Mr Ramírez Heredia on the meeting of experts on national minorities to be held in Helsinki in May

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

The CSCE meeting of experts to discuss the topic of national and ethnic minorities will be held in Helsinki in May.

Are the Foreign Ministers planning to instruct their representatives to adopt a common position along the lines of that advocated by the Council and Parliament?

Answer:

In the framework of the European political cooperation the Community and its Member States maintain a close coordination with the aim of seeking common positions and promoting common initiatives. This applies in particular to the preparations taking place prior to and during CSCE meetings, such as the ongoing follow-up meeting in Helsinki.

The work of the Helsinki follow-up meeting is organized in four working groups. One of these relates to the human dimension, which includes the issue of national and ethnic minorities.

The representatives of the Community and its Member States will also in this forum aim at the adoption of a common position to enable them to play an active role in the important field of national and ethnic minorities.

92/183. Question No H-450/92 by Mr Alavanos on the Presidency's talk with the 'Republic of Skopje'

Date of issue: 13 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

At its meeting of 16 December 1991, the Council laid down three conditions for recognition of the 'Republic of Skopje'.¹ Within this prescribed framework the Community Presidency entered into exploratory talks with the leadership of the 'Republic', in order to sound out their intentions.

Can the Foreign Ministers meeting in European political cooperation inform us of the outcome of these negotiations? Do they think the Council's three conditions have been met?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: It gives me great pleasure to answer Mr Alavanos' question, particularly in view of the total silence I had to observe during the period when the Portuguese Presidency was endeavouring to mediate in finding a solution acceptable to all sides.

The work of the Portuguese Presidency was aimed at satisfying certain of the concerns expressed by one Member State in particular. Together they formed a draft treaty which enshrined total respect for the integrity and inviolability of frontiers and which consisted of an exchange of letters in which the signatories waived or reaffirmed the omission of any reference to any non-national minority in another state and which included a provision whereby the Government of the former Yugoslav Republic of Macedonia undertook to amend certain articles of the constitution, a declaration by the Twelve on dialogue and political and active economic cooperation in different areas and, finally, the acceptance by all parties of a mutually acceptable name. The negotiation of this package was relatively successful in the sense that being a package, nothing was agreed unless everything was agreed. It was, I say, relatively successful and was well received by all sides, although it was not possible to arrive at an agreement on the last question I referred to. The Portuguese Presidency, as mediator, therefore confined itself simply to indicating possible solutions and at no time did it take it upon itself to put forward concrete proposals. From that time on the views of the Community, particularly during the Guimarães meeting, were made public and are therefore known. One Member State claims that there are a certain number of conditions which it interprets in a certain way and which until now at least merited the support of the other Member States so that there is one and only one Community position. I regret, Mr Alavanos, that is all I can say on the matter.

Mr Alavanos (CG): I thank the President-in-Office who I believe has embarked upon constructive efforts.

The supplementary questions I would like to ask are as follows: first, after the latest Council of Foreign Ministers last Monday, when it was ascertained that the situation is static, will the Portuguese Presidency undertake any new initiatives during what remains of its tenure, and if so, which? Secondly, he told us about a Member State, which was certainly Greece. Are there no other Member States within the Council of the Twelve that have adopted this request by Greece and that agree with it? Or do we have one against eleven, who are merely biding their time in relation to the request? Thirdly and lastly, does the statement by the informal Council of Guimarães continue to remain valid today?

Mr Deus Pinheiro: Mr Alavanos, I shall begin with your second question. As everyone knows, the Community's positions only become the position of the Twelve and are expressed as such when

there is unanimity. It is therefore natural, as I already pointed out, that on certain issues no Community position should exist, while on others, where it has been possible to reach a consensus, there should be a Community position. A consensus is usually only reached after much debate and discussion. It only rarely happens that the Twelve are in agreement at the outset. What is important is that they seek to reach a common position at the end of the debates. Therefore, in formal and objective terms, the position of the Twelve and of the Community is what is set out in the declaration of the Guimarães informal meeting. Other statements made in the press or remarks made by A, B or C in public statements do not invalidate this principle. Nor is it important whether there were eleven Member States on one side and one on the other, or whether it was ten or twelve since in formal terms it was the Twelve who decided. This has always been the case in the Community. This and nothing else is the position of the Community. Therefore any claim or suggestion that there were eleven Member States in favour and one against a particular position is completely misleading. There were twelve Member States in favour of the position adopted at Guimarães.

Secondly, for better or for worse, the only initiative the Presidency can take is to seek to use its imagination to the full to try to find formulae which can be regarded as meeting the minimum demands of the parties involved. We have tried to do this discretely and we shall continue to do so, despite the fact that there is very little hope of success. Our view is that we shall continue to do so as long as the parties wish it. We shall clearly remain silent about these or any new initiatives until they are completed.

I want to stress that, although this is a difficult question it should not divide the Community. It cannot be a question which divides us. Opinions even when they differ at the outset, are not what counts. What counts is the final position which is what is binding.

I want here and now to repeat what the Council has already stated: although we stress political dialogue and the flexibility of our positions, we succeed in moving on to practical action. Therefore, in my view, and [I] say this with conviction, the stability of the Balkans essentially depends on Greece and on good relations between Greece and the former Yugoslav republic of Macedonia.

Mr Habsburg (PPE): Mr President-in-Office, I have listened with great interest to your response. I should like to put two further questions in this connection. First: in conversations with Greek colleagues, I received the impression at the time that what they considered the issue, as far as the conditions of this Macedonian constitution were concerned, was that all regions belong to Macedonia. The issue of what it was to be called, to which Greece protested most strongly, is clearly only of secondary importance compared with the principle of the constitution. Is there any indication that the government in Skopje would be prepared to delete at least that element of its constitution?

Second: the papers have reported that a new mission under the former French Minister, Mr Badinter, who did very good work in Bosnia, is being set up for the other republics. Could you tell us something about that? Has a Badinter mission of that kind been considered?

Mr Deus Pinheiro: Mr Habsburg, on the question of the constitution of the former Yugoslav Republic of Macedonia, in its efforts at mediation, the Presidency made or included in the package proposals for changes in the constitution. However, as I stated earlier, nothing can be considered as accepted until the whole package is accepted.

On the Badinter Commission, what the Council requested was that either Lord Carrington's Peace Conference or the Badinter Commission should give us its advice and opinion on two points: one, the recognition of the Yugoslav Federal Republic composed, as you are aware, of the Republics of Serbia and Montenegro and secondly, on the question of the secession by states and certain of the implications of this at international level. These were the tasks entrusted to the Badinter Commission.

Mr Ephremidis (CG): I understand from the answer given by the President-in-Office that the countries are not divided eleven to one, namely Greece. There is agreement I have grasped that. However, there is something else I do not understand: Greece's position is well known. Do the other eleven agree with it, or not? Because if they disagree, then the answer denying an eleven-to-one situation does not make sense. Either all Twelve hold the same position, including the Greek position with its well-known three conditions, among them the name, or the other eleven hold a different position – or at least one of them – and then you cannot answer us that there is no eleven-to-one situation from the standpoint of position.

Please, therefore, clarify this point because that would speed up these unfruitful discussions.

Mr Deus Pinheiro: Mr Ephremidis, I shall have to repeat again what I said a moment ago, namely that only authentic positions of the Twelve and of the Community are those published in the declarations or resolutions which in European political cooperation require, by definition, unanimous agreement. Therefore, to ask whether a resolution or a position contained in a statement by Political Cooperation was adopted by ten against two or seven against six, or whatever, is meaningless. It is a statement by the Twelve. I believe that what the honourable Member is asking is whether all the Member States interpret in the same way some terms which are perhaps somewhat ambiguous. However, this question will have to be put to each of the Member States.

¹ *EPC Bulletin*, Doc. 91/465.

92/184. Question No H-462/92 by Mr Geraghty on the execution of Robert Alton Harris

Date of issue: 13 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Bearing in mind recent pronouncements on the subject of executions, does EPC have any comment to make on the execution of Mr Harris?

Answer:

The honourable Member may be assured that the European Community and its Member States are concerned to ensure that in countries where the death penalty exists, the rights of those facing the death penalty should be safeguarded in line with legal guarantees laid down in the International Covenant on Civil and Political Rights and other international instruments.

During the 44th UN General Assembly in 1989, the Community and its Member States supported the adoption of a Second Optional Protocol to the International Covenant on Civil and Political Rights providing an international mechanism for the abolition of the death penalty. The optional nature of that Second Protocol means that its impact depends upon the political will of States parties to the Covenant to decide upon ratification or accession. The aforementioned protocol was designed to provide those countries which have decided to proceed with abolition with an opportunity to commit themselves publicly and solemnly in an international framework.

92/185. Question No H-469/92 by Ms Banotti on the expulsion of Father John Roche from Malawi

Date of issue: 13 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Could the Foreign Ministers inform the House if they will discuss the expulsion of Father John Roche, an Irish priest, from Malawi at their next meeting and whether they would prepare the EC response to the dreadful human rights situation in Malawi in the context of EC/Lomé relations?

Answer:

The Community and its Member States have been carrying several *démarches* to the Malawi Government on the human rights situation in the country.

More recently, they have stressed the need for the Government of Malawi to show some tangible and irreversible progress on the implementation of some concrete measures, before the meeting of the Consultative Group of donors. They have also reiterated their concern regarding some individual cases, in particular the arrest of Mr Chakufwa Chiana, the situation of the Malawian bishops and the recent expulsion of Monsignor Roche.

The Community and its Member States will take into account the reaction of the Malawi authorities to their concerns, in the context of their aid programmes and in the forthcoming meeting of the Consultative Group on Malawi, mid-May.

92/186. Question No H-478/92 by Mr McGowan on the moratorium on nuclear testing in the Pacific

Date of issue: 13 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

After 25 years of nuclear testing in the Pacific, the Government of France has taken the decision to suspend testing for one year. Two out of the five declared nuclear powers have now adopted a moratorium. This decision may be seen as an important step to bring nuclear proliferation and the arms race under control.

Will the EPC express support for the French moratorium?

Will the EPC support the French moratorium by using its influence to convince the United Kingdom to follow the French example?

In the light of the ongoing discussions regarding European defence policies, which initiatives is the EPC taking to analyse the possibilities of a non-nuclear European security policy and non-proliferation?

Answer:

Mr Deus Pinheiro, President-in-Office of European political cooperation: As the French representative in Working Group II of the United Nations Conference on Disarmament stated, the decision

to suspend nuclear testing reflects French policy in this area which follows a series of initiatives taken in recent months to prevent the spread of arms of mass destruction, and should be seen within the wider context of current efforts in the field of disarmament.

As they recently stated at the United Nations Conference on Disarmament, the Twelve regard nuclear disarmament and non-proliferation of nuclear weapons as one of the most serious challenges facing the international community, particularly after the break-up of the Soviet Union. The Twelve also expressed satisfaction at the progress made in this field in the last year, particularly the START Treaty and the subsequent initiatives by President Bush and President Yeltsin. They also welcomed the recent progress made by the United States and Russia in further reducing their nuclear arsenals and encouraged their efforts in this area. They stressed the significant contribution to this process made by the two nuclear powers which are members of the European Community in unilaterally reducing their nuclear arms programmes. They also welcomed in particular the unilateral decisions taken by the United States and former Soviet Union to eliminate all land-based nuclear weapons in the short term and expressed the hope that these measures will be implemented under the best possible conditions where safety and transparency are concerned. The Twelve hope that this initiative will lead to other significant measures aimed at increasing safety and stability with the minimum level of force.

As regards nuclear testing and in the light of the recent initiatives in this area, particularly the one referred to by the honourable Member, The Twelve believe that the matter should continue to be dealt with.

In answer to the last part of the honourable Member's question, I should like to point out that, in their declaration on non-proliferation of nuclear arms and arms export made in Luxembourg in June 1991,¹ the Community and its Member States expressed their firm support for the strengthening of the non-proliferation treaty and for the system of safeguards of the International Atomic Energy Agency. In September 1991, they proposed to the Board of Governors of the International Atomic Energy Agency the adoption of an initial series of measures. They note with satisfaction that some progress was made at the recent meeting of the Board of Governors and they express the hope that all states will support the efforts of the Secretary-General in this regard. At the 1992 Session of the United Nations Conference on Disarmament, they repeatedly called on all states which had not signed the non-proliferation [treaty] to do so.

With regard to chemical weapons, the Community and its Member States recently reiterated the major importance they attach to the conclusion this year of [...] an overall and wide-ranging convention on chemical weapons, including a satisfactory system of verification, and that it should be in place by the middle of 1992. The Twelve called moreover for the successful conclusion of the multilateral negotiations, taking place within the framework of the Geneva Conference on Disarmament, for a convention on chemical weapons. They also reiterated their intention to be among the first to sign the convention and invited other states to follow suit.

Within the framework of the Third Conference on the Revision of the Convention on Biological and Toxic Weapons, the Community and its Member States stressed the need to strengthen the authority and the effectiveness of the convention and to focus its efforts on three major areas where the convention has so far been defective: universality, creation of confidence and verification. To this end, they proposed practical confidence-building measures which should be improved and widened, as in the area of verification. For this purpose an *ad hoc* group of experts was set up to identify and analyse concrete methods of verification in the light of science and technology. I can state that the initial results of the meeting have been encouraging.

Mr McGowan (S): I would like to thank the President-in-Office for his answer and for the very positive work he has been involved in during the Portuguese Presidency. I should like to put it to him that in view of the importance, the urgency and the special opportunity that the French initiative has made possible, besides progress that he seems fairly optimistic about, is there any com-

mitment that he could outline, rather as my colleague, Mr Robles Piquer asked, of any dates, times, places and agendas of opportunity during the remaining weeks of the Portuguese Presidency? It is a great shame not to build on this historic initiative by the French Government.

Mr Deus Pinheiro: I should like to reaffirm my total confidence in subsequent Presidencies where this and other dossiers are concerned. I am convinced that one of the areas for joint action by the Community after 1993 will undoubtedly be disarmament and arms control. It could, we hope, form part of the joint action to be decided, in principle, at Council level and which would commit all the Member States to a common political position. On the basis of my experience in the Council, I can guarantee that the policies to which I have just referred as being the policies of the Twelve, will, from 1 January be much more binding and be those of the Twelve and of the Community.

¹ *EPC Bulletin*, Doc. 91/196.

92/187. Question No H-486/92 by Ms Dury on the Community in the IMF

Date of issue: 13 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

The Twelve have considerable voting powers within the International Monetary Fund (IMF). Within the framework of EPC do they adopt common positions in their dealings with IMF decision-making bodies?

Answer:

The matters the honourable parliamentarian refers to do not fall within EPC competence.

92/188. Question No H-495/92 by Mr Ephremidis on continuing attacks against the Kurdish population in south-eastern Turkey

Date of issue: 13 May 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

The attacks by the Turkish security forces against the Kurdish population in south-eastern Turkey are continuing unabated and scores of people have lost their lives over the last few days alone.

Do the Foreign Ministers meeting in European political cooperation not consider that these measures carried out on the pretext of combating terrorism constitute a flagrant violation of human rights, undermine the credibility of the Turkish Government and create problems which adversely affect relations between Turkey and the Community?

Answer:

The honourable Member will allow me to recall the answer given to Oral Question No 363/92,¹ by Ms Dury.

In fact the Community and its Member States fully share the honourable Member's concern over recent events in South-East Turkey in [...] which both civilians and members of the Turkish security forces have died. The Community and its Member States strongly condemn terrorism and acknowledge the difficult situation in South-East Turkey. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and strict respect for human rights in general and the rights of minorities in particular. The Community and its Member States therefore welcome the assurances by Prime Minister Demirel that his Government's policy of democratization, respect for human rights and acknowledgement of a Kurdish identity will be rigorously pursued.

¹ EPC Bulletin, Doc. 91/194.

92/189. Joint communiqué of the ministerial meeting and 3rd EC/GCC Joint Council in Kuwait, held on 16 May 1992

Date of issue: 16 May 1992

Place of issue: Kuwait

Country of Presidency: Portugal

Status of document: Joint declaration, press statement

1. The third session of the Joint Council established in accordance with the Cooperation Agreement between the EC on the one hand, and the countries parties to the Charter of the Cooperation Council for Arab States of the Gulf (UAE, Bahrain, Saudi Arabia, Oman, Qatar and Kuwait) on the other hand, was held in Kuwait on 16 May 1992.
2. Both sides discussed a number of regional and international questions of common interest in an open and constructive way, with a view to fostering cooperation between their two regions.
3. The European Community and its Member States and the GCC and its member States are greatly satisfied at the restoration of peace and stability in the Gulf in accordance with international legality. Both sides have monitored with interest the efforts made over the past year by the region's States in the framework of the GCC, with a view to consolidating that restoration, unity, independence and territorial integrity of all states in the region.
4. The Ministers were honoured to be received in audience by His Highness Sheikh Jaber Al Ahmed Al-Sabah. They expressed their happiness that their meeting was being held in liberated Kuwait and congratulated the people and government of Kuwait on the restoration of freedom, sovereignty and independence under their legitimate government. They reiterated their governments' commitment to a prompt and full implementation of all Security Council resolutions relevant to the Iraqi aggression against the State of Kuwait and called upon Iraq to implement these resolutions fully without any further delay. The Ministers underlined the importance they attach to the immediate release of all Kuwaitis and other POWs and detainees still held by Iraq as well as the importance of ensuring that the Iraqi Government is committed to paying full compensation on the losses and damage caused by its aggression against the State of Kuwait. They also expressed satisfaction over the sustained UN Security Council efforts to ensure full implementation of these international resolutions. In particular, the Ministers welcomed the report of the UN Iraq/Kuwait Boundary Demarcation Commission on the demarcation of the Kuwait/Iraq international borders concerning the land borders between the two countries. The Ministers, however, expressed concern over the continued sufferings of the entire population of Iraq, which is caused by the refusal of the Iraqi Government to abide by relevant Security Council resolutions, namely 688, 706 and 712 which deal, *inter alia*, with the means to alleviate the suffering of the Iraqi people.

5. The Joint Council reviewed developments in commercial and economic cooperation between the two sides. EC Ministers congratulated the GCC countries for their impressive economic performance which has enabled them to face the economic implications of the Gulf crisis and to restore healthy and normal economies.

The substantial increase in two-way trade in 1991 confirms the continued importance of the economic relationship between the two regions.

The Joint Council noted with satisfaction that the Joint Cooperation Committee, established in accordance with Article 15 of the Cooperation Agreement, has been activated with a view to fulfilling the tasks assigned to it in order to meet the agreement's objectives. The Joint Council received a report from the Joint Cooperation Committee and approved the recommendations incorporated therein, which are aimed at the reinforcing cooperation between the two regions. The Joint Council reiterated the importance of cooperation in the field of energy and stressed the usefulness of continued discussions on the world energy market and other issues of mutual interest. The two sides agreed on the importance of continuing their cooperation in the field of environment and extending cooperation to include strengthening national and local environmental standards. They stressed the importance of the realization of the cooperation potential in the field of industrial cooperation, investment, joint-ventures, science and technology, standards, and human resource development. The Joint Council welcomed the decision to hold the second EC/GCC Industrial Cooperation Conference in Doha on 25 to 27 October 1992, and underline the important contribution of this conference to the development of trade, economic and investment relations between the two regions.

6. The Joint Council had a detailed discussion of the problems related to climate change including CO₂ emissions.

The GCC side expressed its concern about the intention of the Community to envisage an energy/carbon tax and the consequences of such a tax on the world economy and the economies of the developing countries. The GCC side questioned the effectiveness of the proposed tax in controlling emissions and pointed out that oil is already overtaxed in the Community. Further taxation would adversely affect the GCC economies and their upstream and downstream expansion programme which might affect mutual EC/GCC trade relations.

The Commission explained that any tax would be part of a global strategy to stabilize emissions of CO₂ and it was important that economic development should be sustainable environmentally. The Commission stressed that its strategy would promote an appropriate and equitable solution at the international level and that a combined carbon/energy tax would not have a discriminatory impact on the competitive position of oil.

Reiterating their mutual commitment to promote a global and timely response to the problems associated with the environment the two sides agreed to continue their dialogue on these issues, taking also into account international efforts to find appropriate and effective global solutions.

7. The Joint Council took note of the progress of the ongoing trade negotiations between the two regions. Both sides reiterated their commitment to exert maximum efforts to conclude these negotiations successfully as soon as possible.

8. The Ministers of the Community and the GCC had a full exchange of views on developments in their two regions. The Ministers of the GCC apprised the Community Ministers of the economic developments within the process of cooperation and integration of the GCC and the GCC's relations with the neighbouring countries, the economic programme of the declaration of Damascus, and the development of GCC relations with other regional groupings. The Ministers of the Com-

munity described the successful conclusion of the Maastricht negotiations on economic and monetary union, and political union including a common foreign and security policy. This achievement together with the completion of the European Single Market, would mark the beginning of a new era in European integration. The Ministers of the Community also referred to the perspectives of future enlargement of the Community, the signature of the Agreement on a European Economic Area and on the development of relations with the countries of East and Central Europe and former Soviet Union. The importance of the Community's relations with the neighbouring countries of the Southern Mediterranean region and its contribution to their development as well as its involvement in the Middle East peace process were also emphasized.

9. The Ministers discussed the prospects for international cooperation in support of sustainable development of the Arab world. They reiterated their commitment to continue their cooperation with these countries in a spirit of solidarity. They exchanged information on the major efforts required in the region, their respective endeavours to meet them, and the prospects for joint cooperation.

10. The Ministers are deeply convinced that the achievement of a comprehensive, just and lasting settlement of the Palestinian question and the Arab/Israeli conflict is vital to the stability and security of both Europe and the Middle East. In this spirit they reviewed developments in the Middle East. They reiterated their governments' commitment to support and enhance the Middle East peace process, based on Security Council Resolutions 242 and 338, and to the right of the Palestinian people to self-determination.

11. Both sides are following closely the developments in the Middle East peace process, as regards both its bilateral and its multilateral aspects. The European Community and its Member States and the GCC and its member States will spare no efforts to play a constructive and active role in the multilateral negotiations which have the potential to reinforce the bilateral talks. The multilateral phase of the Middle East peace process is in itself a concrete confidence building measure, enabling peace to become a reality and genuine regional cooperation to develop. However, the multilaterals complement the bilaterals and are not a substitute for them. Progress in the central issues of the bilaterals will greatly contribute to the success of the multilaterals.

12. Both sides call on all parties to commit themselves to the peace process and to refrain from any action likely to endanger the negotiations, or to threaten the creation of a climate of confidence. The continued settlement policy of Israel in the Occupied Territories is an obstacle to peace. Both sides consider the need for significant confidence building measures. In the EC's view, a freeze by Israel of its settlement policy in the Occupied Territories, which is in any case illegal under international law, is one such measure. The suspension of the Arab trade boycott of Israel is another. The Ministers condemn all acts of violence, irrespective of their origin.

13. The Ministers also remain seriously concerned at the deteriorating situation in the Occupied Territories, in particular as regards the human rights situation there. They reiterated that Israel, as the occupying power, should abide by the provisions of the Fourth Geneva Convention. Both sides also stressed the urgent need for help to be given by the international community to alleviate the situation in the Occupied Territories.

14. Regarding the situation in Lebanon, both sides reaffirmed their support for the implementation of the TAIF agreements in all aspects and potentialities and stressed the need for all parties to work towards the total restoration of the sovereignty, independence, unity and territorial integrity of Lebanon. They also recalled their support for the implementation of Security Council Resolution 425. The Ministers reiterated their commitment to participate in Lebanon's reconstruction and stressed the willingness of the EC and the GCC to participate in a donors conference in order to create a Lebanese aid fund.

15. The Ministers commended the continued good offices of the Committee of Seven established by the Arab League with a view to securing Libya's cooperation and compliance with Security Council Resolution 731. The Ministers confirmed their governments' commitment to implement all relevant resolutions adopted by the Security Council as an expression of their countries' respect for international law and support for measures designed to repress terrorism.

16. The European Community and its Member States and the GCC and its member States express their interest in stability and sustainable development in the Maghreb region, confident that this will be an element in fostering closer cooperation.

17. The European Community and its Member States and the GCC and its member States welcomed the resumption of the Euro/Arab dialogue, which had been interrupted for some time. They have followed with interest the recent Lisbon meeting, and express their commitment to a deepening of relations between the Arab States and the Community.

18. The European Community and its Member States and the GCC and its member States expressed their concern at the complex situation prevailing in the CIS, and stressed the uncertainties this situation represents for the stability of the region. The Ministers exchanged information on their countries' contribution in the field of humanitarian and developmental aid and technical assistance, and noted the willingness of the European Community to support dialogue between the republics of the CIS and the international community, enabling the commitments given by the ex-USSR in the fields of disarmament and nuclear non-proliferation to be respected.

19. The Ministers reviewed the situation prevailing in the former Yugoslav republics. The GCC Ministers expressed their appreciation for the efforts undertaken by the United Nations and the Community with a view to finding an end to the Yugoslav crisis. Both sides expressed their grave concern at the serious situation in certain parts of the former Yugoslav republics, and in particular at the rapid and violent deterioration of the situation in Bosnia-Herzegovina. The Ministers of both sides called for an immediate end to all forms of interference from outside Bosnia-Herzegovina, including by units of the Yugoslav People's Army (JNA) as well as elements of the Croatia Army. The Ministers of both sides called upon the parties to the conflicts to respond positively and seriously to the mediation undertaken by the Community, and to respect strictly the cease-fire with a view to reaching a peaceful solution to their conflicts.

20. The Ministers expressed thanks and appreciation to the people and government of Kuwait for the hospitality, warm welcome and excellent organization of their meeting.

21. Both sides agreed that the fourth meeting of the Joint Council would be held in the European Community in the first half of 1993.

92/190. Statement on Sudan

Date of issue: 18 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the forthcoming Peace Conference on Sudan due to be held in Abuja on the 24th of May.

Commending the efforts of President Babangida of Nigeria and current Chairman of the Organization of African Unity, in the convening of this meeting, the Community and its Member States

welcome the decision of all parties to the conflict, namely the Sudanese Government and the Sudanese People Liberation Movement/Army, to participate in the peace talks.

The Community and its Member States reaffirm their support for this initiative which they consider a major contribution to a peaceful solution to the Sudanese crisis.

92/191. Question No 226/91 by Mr Arbeloa Muru (S) on political prisoners in Laos

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 18 February 1991)

Members of the UPILD (Political Union for Independence, Freedom and Democracy in Laos), recently set up in Paris have written to me expressing their concern at the fate of Thongsouk Saysanthi, the former Minister of Technology, who was arrested in September 1990, and Colonel Khambou Phimmasen, head of the Lao People's Resistance, both of whom are being held in Samkhé prison in Vientiane. Can the Foreign Ministers meeting in European political cooperation take note of this deplorable situation?

Answer:

The position of the Council and its Member States on human rights is well known to the Laotian authorities. However, the Council and its Member States will not neglect to remind them of it where they consider it desirable. With this in mind the Presidency takes due note of the cases referred to by the honourable Member.

92/192. Question No 267/91 by Ms Crawley (S) on imprisonment of Esher Yagmurdereli

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 March 1991)

Are the Foreign Ministers meeting in Political Cooperation aware of the case of Esher Yagmurdereli, a lawyer who has been in prison in Turkey since 1978. Mr Yagmurdereli was imprisoned on 5 March 1978, and in March 1985, he was sentenced to death for leadership of an organization 'trying to change the Constitution by force'. This sentence was later commuted to life imprisonment. He was later offered a pardon on the grounds of ill health – a pardon which he refused, asking instead for a fair trial. Would the Foreign Ministers bring pressure to bear on the Turkish authorities for Mr Esher Yagmurdereli's sentence to be quashed and for him to have a fair retrial with adequate time to prepare a defence and proper access to lawyers?

Answer:

The Community and its Member States are pleased to note that Mr Yagmurdereli was one of several hundred prisoners released at the time of the April 1991 reform of the Turkish Anti-Terrorism Act.

92/193. Question No 285/91 by Mr Ford (S) on the death penalty in Japan

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 March 1991)

Have the Foreign Ministers in Political Cooperation had discussion recently of the reported police violence, brutal detention procedures and implementation of the death sentence in general in Japan, in the light of the findings of the latest Amnesty International publication, 'Japan, the death penalty and the need for more safeguards against ill-treatment of detainees'? Will the Ministers be endorsing Amnesty International's call for the Japanese Government's ratification of the United Nations convention against Torture without delay?

Answer:

The questions raised by the honourable Member have not been examined in the context of European political cooperation. The Council and its Member States support the ratification of international legal instruments in the field of human rights, such as the United Nations convention against Torture.

92/194. Question No 310/91 by Ms Aulas and Mr Telkämper (V) on Cambodia

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 March 1991)

Having regard to the annual resolution adopted by the UN General Assembly on 10 October 1990 calling on the international community to assist the Cambodian people, particularly through UN agencies, does the Council of Ministers not consider that this is a *de facto* appeal and to end the embargo and that, without awaiting the conclusion of the peace negotiations, it is high time to take the political decisions needed to implement this resolution, in particular:

- by taking measures within the UN agencies 'to provide financial and material resources for the speedy repatriation and rehabilitation of Cambodian displaced persons as well as for the economic and social reconstruction of Cambodia',
- by adopting a Community programme of emergency aid for the Cambodian people,
- by resuming economic relations,
- by taking resolute steps to end all arms supplies to the warring parties?

Answer:

The European Community and its Member States welcomed the agreement on a comprehensive settlement of the Cambodia conflict and the agreement concerning the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia signed in Paris on 23 October 1991 and strongly support the important role assigned to the UN with regard to its implementation.

The European Community and its Member States continue to stress the need for self-determination for the Cambodian people through free, fair and internationally supervised elections and full respect for human rights. These are fundamental principles for lasting peace. The modalities

for Community assistance in Cambodia, both for the repatriation and rehabilitation programmes and later for the reconstruction of the country, is presently being examined. The other points raised by the honourable parliamentarians are being addressed within the framework of the UN plan for Cambodia.

92/195. Question No 841/91 by Mr Arbeloa Muru (S) on aid to Lebanon

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 3 May 1991)

What 'necessary aid' has EPC contributed to Lebanon since its statement of 14 December 1990? At what level will the EC be participating in the conference of donors for the creation of an aid fund for Lebanon?

Answer:

The question raised by the honourable parliamentarian falls within Community not EPC competence.

92/196. Question No 842/91 by Mr Robles Piquer (S) on nuclear arms in Pakistan and India

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 3 May 1991)

Following President Bush's reported decision last October not to give the United States Congress formal assurances that Pakistan has no explosive nuclear devices, what information do the Ministers have on the nuclear arms race between Pakistan and India, or India's intention of carrying out a thermonuclear test in the near future and on the possibility of reaching regional settlements like the one agreed in this field between Argentina and Brazil?

Answer:

In the declaration on non-proliferation and arms exports adopted by the European Council in Luxembourg in June 1991,¹ the Community and its Member States expressed their support for a strengthening of the regime of nuclear non-proliferation and called on all States to become parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It should be noted that accession to the NPT is only possible as a non-nuclear weapon State. In the context of the 46th UNGA, the Community and its Member States reiterated this position and called in particular for a strengthening and improvement of the IAEA's Safeguard System.²

The Community and its Member States have continuously in their contacts with the Pakistani and the Indian authorities recalled the importance they attach to this issue. This was most recently the case during the visit of the ministerial troika to New Delhi on 4 and 5 March 1992.

The Community and its Member States are ready to support all appropriate efforts aiming at reaching regional arrangements in the field of nuclear non-proliferation and at submitting all nu-

clear activities of all states in the region under safeguards of the International Atomic Energy Agency.

¹ EPC Bulletin, Doc. 91/196.

² EPC Bulletin, Doc. 91/317.

92/197. Question No 866/91 by Mr von Wechmar (LDR) on imprisonment of Greek conscientious objectors

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 8 May 1991)

On 8 November I sent the Foreign Ministers of the EC Member States a written question regarding the imprisonment of Greek conscientious objectors. So far all that has happened is that the question has been given the number 2774/90; I have not yet received an answer.

Four months have passed. Questions sent in earlier by other Members have already been answered. When can I expect to receive an answer to my question?

Answer:

The question raised by the honourable parliamentarian does not fall within the competence of the European political cooperation.

92/198. Question No 1119/91 by Mr Arbeloa Muru (S) on torture and mistreatment in Egypt

Date of issue: 18 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 22 May 1991)

Have the Foreign Affairs Ministers meeting in European political cooperation taken note of the report published on 20 November 1990 by the Egyptian Organization for Human Rights (EOHR) and, above all, have they taken account of its recommendations?

Answer:

The Community and its Member States have taken note of reports of human rights violations in Egypt, although the November 1990 report of the Egyptian Organization for Human Rights has not specifically been discussed in the framework of EPC. The Egyptian authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Egypt has subscribed by her adherence to international conventions on human rights.

The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community and its Member States take account of the actions of third countries in

respecting human rights and democracy when they formulate their policies towards the country concerned.

¹ *EPC Bulletin*, Doc. 91/164.

92/199. Statement on Georgia

Date of issue: 19 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States welcome the fact that parliamentary elections in Georgia have been set for October 1992. The announcement of the State Council and the holding of elections are yet another step on Georgia's way leading to democracy, rule of law and legitimacy.

These elections will further support the integration of Georgia into Europe and into the international community of states. The Community and its Member States call upon all political forces in Georgia to carry on the democratic process of dialogue and of national reconciliation.

92/200. Statement on Thailand

Date of issue: 20 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States regard with great concern the recent tragic events in Thailand and condemn the use of force by the military forces against unarmed civilians. They urge the Thai military authorities to refrain from further violence and appeal for maximum restraint by all parties involved in the events.

The Community and its Member States wish to see an end to the bloodshed and an early return to a normal situation. They call for a peaceful and democratic solution to the problems in Thailand as well as the full respect for human rights.

The Community and its Member States consider that only a democratic Thailand respecting fully human rights norms can play a constructive role and contribute to the peace and stability of the Asia/Pacific region.

92/201. Statement on Nagorno-Karabagh

Date of issue: 22 May 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their deepest concern at the latest escalation of the fighting in the Nagorno-Karabagh region and strongly condemn the use of force by whatever side.

The Community and its Member States deplore the renewed sufferings inflicted on populations and the loss of human life resulting from the continuing fighting.

All inhabitants of both Armenia and Azerbaijan including the Armenian and Azeri populations of Nagorno-Karabagh are entitled to the same levels of protection afforded by their government's acceptance of CSCE principles and commitments. Therefore, the Community and its Member States condemn in particular as contrary to these principles and commitments any actions against territorial integrity or designed to achieve political goals by force, including the driving out of civilian populations. Fundamental rights of Armenian and Azeri populations should be fully restored, in the context of existing borders.

The Community and its Member States appeal to Armenia and Azerbaijan to show maximum restraint and to contribute constructively to the CSCE process. In this context they also urge all parties to work towards the early convening of the CSCE Peace Conference on Nagorno-Karabagh and to find a solution regarding the modalities of a representation of the communities of Nagorno-Karabagh, without which no lasting peace can be established.

92/202. Question No 434/91 by Mr Robles Piquer (PPE) on study of the repercussions of the Gulf conflict for future political cooperation

Date of issue: 26 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 11 March 1991)

There will be a variety of lessons to be learnt from the war in the Persian Gulf, including one of some significance for the European Community in that the conflict will have served to test the extent of political cohesion and prospects for a common external and defence policy for the Member States in the near future.

It would therefore be appropriate for EPC to promote a specific study – by impartial, eminent political figures – with a view to assessing how all the factors militating in favour of a common approach on external and defence policy for the Member States have operated in the light of the conflict.

Does EPC believe that such a move would be useful and that steps should be taken to put it in hand providing a framework for all those involved in the European cause to discuss the approach to be taken after these testing times are over?

Answer:

The Community and its Member States took careful note of the lessons to be learnt from their involvement in the Gulf Crisis when elaborating proposals for a common foreign and security policy in the context of the Treaty on European Union, signed at Maastricht on 7 February 1992 and due to come into effect on 1 January 1993. The Union sets as one of its objectives 'to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy which shall include the eventual framing of a common defence policy which might in time lead to a common defence policy'. Member States have undertaken to support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and to refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. In addition, Member States have under-

taken to inform and consult one another within the Council on any matter of foreign and security policy of general interest, in order to ensure that their combined influence is exerted as effectively as possible by means of concerted and convergent action.

92/203. Question No 877/91 by Mr Torres Couto (S) on the internal situation in Iraq

Date of issue: 26 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 8 May 1991)

In view of the massacres perpetrated by Saddam Hussein's army against Shi'ite and Kurdish resistance movements in southern and northern Iraq, have the Foreign Ministers meeting in European political cooperation taken any measures to prevail upon the UN and international community to oblige the Iraqi dictator to cease his barbaric actions and at last respect the human rights of the long-suffering Iraqi people which is politically opposed to him? If so, what measures have they taken?

Answer:

The Community and its Member States remain very deeply concerned about the plight of the Shi'ites and the Kurds in Iraq. The situation of the Kurds in particular has been aggravated by continued military action and economic blockades conducted by the Iraqi authorities, combined with harsh winter conditions. The Community and its Member States have repeatedly called upon Iraq to cease such operations and other repressive measures.

The Community and its Member States fully support the United Nations Inter-Agency Programme for the region, and significant cash and in-kind contributions have been made, both at Community and national levels. The UN Agencies involved have a clear understanding of the humanitarian situation in the field, and the UN guard force of 500 men has played an important role in ensuring the safety of the population and of UN personnel. The Community and its Member States consider that the most effective way to help the Kurds and the Shi'ites is by acting in close cooperation with the UN effort.

The Community and its Member States have also repeatedly called on the Iraqi authorities to comply fully with the provisions of Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations. The Community and its Member States have also underlined the importance they attach to the full respect of human rights of all Iraqi citizens.

The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. In this respect, the Community and its Member States continue to stress the need for an early and effective implementation of Security Council Resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population in all of the country. The Community and its Member States hope the resumption of talks in Vienna between the UN and Iraq reflects a greater willingness on the part of this country to cooperate in the implementation of Resolutions 706 and 712.

The Community and its Member States, through the EPC framework, have kept these issues under constant review and remain open to further actions in this area.

92/204. Question No 1044/91 by Mr Morris (S) and 1593/91 by Ms Ewing (ARC) on human rights in Myanmar and on human rights abuses in Burma

Date of issue: 26 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written questions in the European Parliament (from 22 May 1991, 24 July 1991)

Question No 1044/91:

The 'State Law and Order Restoration Council' (SLORC), which now governs the country of Myanmar (formerly known as Burma), has been responsible for administering a 'Reign of Terror' in that country. It uses harassment, mass jailings, torture and murder in its attempts to prevent democratic opposition from the people of Myanmar [Burma].

What action are the Foreign Ministers meeting in EPC taking to seek to secure the release of 'prisoners of conscience' like Daw Aung, San Suu Kyi, U Aung Lwin, Bawk Law, U Chit Thaug, Ba Thaw, Tin U, Ma Theingi, U Nu, San Lin, Kye Maung and Oo Tha Tun in Myanmar [Burma]?

What action are the Ministers taking to require the SLORC to accept the decision of the people of Myanmar [Burma] in the May 1990 elections, where 80% of the electorate voted for the National League for Democracy?

Question No 1593/91:

What actions are the Foreign Ministers meeting in Political Cooperation taking to condemn the continuing abuse of human rights in Burma and the failure by that country to transfer power to members of Parliament who were democratically elected in 1990?

Answer:

The Community and its Member States welcomed the outcome of the elections in Burma on 27 May 1990 which clearly demonstrated the wish of the Burmese people for a democratic, multi-party system. At that time they called on the military rulers to respect the result, to transfer power without delay to a government designated by the newly elected parliament and to release political leaders in detention immediately.

Since then, the Community and its Member States have repeatedly made clear in *démarches* and statements their profound concern at the failure of the Burmese authorities to respond positively and to initiate a democratic process. The Community and its Member States have also condemned the numerous shortcomings in respect of internationally accepted rules of conduct and of human rights, the continuing harassment, detention and house arrest of opposition leaders, and the refusal to free political prisoners.

The Commission and its Member States are likewise appalled that the Burmese authorities continue to spend large amounts of their country's meagre resources on arms. Consequently on 29 July 1991 Foreign Ministers of the EC announced an arms embargo from Community countries to Burma. They also called on the rest of the international community to show similar restraint and to desist from all arms sales.

In their declaration on human rights adopted at the Luxembourg European Council in June 1991¹ the Community and its Member States expressed the view that it is the legitimate and per-

manent duty of the world community and of all states acting individually or collectively to promote and safeguard human rights and fundamental freedoms throughout the world.

They will consequently continue their efforts to urge the Burmese military Government to introduce democracy in Burma and respect the mandate given by the people on 27 May 1990.

In this context, the Community and its Member States have welcomed the award of the Nobel Peace Prize 1991 to the leader of the Burmese opposition, Ms Aung San Suu Kyi. On that occasion, they expressed the hope that the award would lead the Burmese military finally to recognize the isolation it has brought upon its country and the aversion felt by the international community for its outrageous policy of keeping the victor of the May 1990 general elections under continuous house arrest.

The Community and its Member States recall the approval, during the 48th session of the UN Commission on Human Rights, of a resolution on the situation in Burma, which expresses international concern at the seriousness of the human rights situation in the country.

On 20 March, the Community and its Member States issued a statement expressing their concern at the repression of national minorities in Burma including the persecution of Muslim Rohingyas which has caused about 170.000 to 180.000 refugees to flee into Bangladesh.²

The refugees' suffering has appalled the international community. The Community and its Member States stressed their concern at the threat to regional stability caused by the Burmese actions.

The Community and its Member States confirm their readiness to re-establish constructive relations, including a resumption of their programme of development assistance, with a Burma which is democratic and which respects human rights.

¹ *EPC Bulletin*, Doc. 91/194.

² *EPC Bulletin*, Doc. 92/110.

92/205. Question No 1166/91 by Mr Papayannakis (GUE) on Kurdish refugees

Date of issue: 26 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 5 June 1991)

It is currently proving extremely difficult to ensure that aid intended for Kurdish refugees concentrated in certain areas is reaching its intended recipients, one reason being the many intermediaries involved. In any case, this can only be a provisional solution. A more long-term solution would be to help them return to their homelands which were, however, razed between 1980 and 1982 by the Government of Iraq and subsequently mined, which would make any return extremely dangerous, as evidenced by eye-witnesses.

1. Is European political cooperation envisaging the possibility of requesting the governments concerned to provide safe passage to ensure that international aid can be channelled directly to the areas where the Kurdish refugees are concentrated without the need for intermediaries?
2. Can it request the Iraqi Government for a map indicating the location of the mines planted in the Kurdish homelands and will it consider sending specialized bomb disposal teams from the Member States to help secure the safe return of the Kurds?

Answer:

The Community and its Member States remain very deeply concerned about the plight of Kurdish refugees in Iraq. The situation of the Kurds has been aggravated by continued military action and economic blockades conducted by the Iraqi authorities, combined with harsh winter conditions. The Community and its Member States have repeatedly called upon Iraq to cease such operations and other repressive measures and to respect the human rights of all Iraqi citizens.

The Community and its Member States consider that the UN have a major role to play in the protection of the Kurdish population in Iraq. For their part, they have cooperated with the UN Secretary-General in contributing to a swift and effective response to the problem of refugees. They also launched the proposal for the establishment of security zones under UN supervision in northern Iraq, which has been successfully implemented. The UN guard force of 500 men has played an important role in ensuring the safety of the Kurdish refugees.

The Community and its Member States have also participated actively and substantially [in] the international humanitarian effort aimed at securing protection for the refugees. They have fully supported the United Nations Inter-Agency Programme for the region, and significant cash and in-kind contributions have been made, both at Community and national levels.

The Community and its Member States have also repeatedly called on the Iraqi authorities to comply fully with the provisions of Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations.

The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. In this respect, the Community and its Member States continue to stress the need for an early and effective implementation of Security Council Resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population in the whole country. The Community and its Member States hope that the resumption of talks in Vienna between the UN and Iraq reflects a greater willingness on the part of this country to cooperate in the implementation of Resolutions 706 and 712.

The Community and its Member States, through the EPC framework, have kept these issues under constant review and remain open to further actions in this area to permit the safe return of the Kurdish refugees to their homelands.

92/206. Question No 2149/91 by Mr Glinne (S) on admission of Israel to the United Nations Economic Commission for Europe

Date of issue: 26 May 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 October 1991)

At its July session in Geneva the UN's Economic and Social Council (ECOSOC) ratified the admission of Israel as a full member of the Economic Commission for Europe (ECE).

Some 20 countries supported Israel's application, which was approved on 26 July by 32 votes to 14, with five abstentions.

1. How did the delegations representing the Member States of the Community vote?
2. Did EPC deliver an opinion prior to the vote? What was the Council's position?
3. Since Israel is currently unable to take its seat in Baghdad on the UN's Economic and Social Commission for Western Asia (ESCWA), did the Member States giving their approval indicate

that, should the conference to organize peace in the region prove a success, it would be more appropriate for Israel to be part of ESCWA rather than ECE?

Answer:

Israel was admitted as a temporary member of the Economic Commission for Europe (ECE) during the session in Geneva in July 1991 and not as a full member, in recognition of the fact that she was unable to take her seat in Baghdad at the ECOSOC Commission for her own region, Economic and Social Commission for Western Asia (ESCWA).

Israel's application was co-sponsored by the Member States of the Community, among other co-sponsors.

92/207. Statement on the situation in South Lebanon

Date of issue: 27 May 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States express their grave concern at the recent worsening of the situation in South Lebanon. They strongly reiterate their condemnation of all acts of violence in the region, whatever their origin. Such acts of violence have already led to the loss of the lives of innocent civilians and those of UN personnel in the area and threaten to undermine the Middle East process, as well as the authority of the newly installed Lebanese Government. Bearing this in mind, the Community and its Member States appeal to the parties involved to refrain from any military actions and to respect the sovereignty, independence, and territorial integrity of Lebanon, in accordance with United Nations Security Council Resolution 425, which should be fully implemented.

92/208. Conclusions of the second institutionalized ministerial meeting between the European Community and the Rio Group in Santiago de Chile, held on 28 and 29 May 1992

Date of issue: 29 May 1992

Place of issue: Santiago de Chile

Country of Presidency: Portugal

Status of document: Joint declaration, press statement

1. The second institutionalized ministerial meeting between the Ministers for Foreign Affairs of the Rio Group countries and of the European Community and its Member States was held in Santiago de Chile on 28 and 29 May 1992, in accordance with the provisions of the Rome Declaration of 20 December 1990.¹

2. The following participated in the conference:

On behalf of the Rio Group:

Argentina

H.E. Mr Guido Di Tella, Minister for External Relations and Religious Affairs

Bolivia

H.E. Mr Ronald Mac Lean Abaroa, Minister for External Relations and Religious Affairs

Brazil

H.E. Mr Luis Felipe De Seixas Correa, Secretary-General of the Ministry for External Relations

Chile

H.E. Mr Enrique Silva Cimma, Minister for External Relations

Colombia

H.E. Ms Noemí Sanin De Rubio, Minister for External Relations

Ecuador

H.E. Mr Diego Cordovez, Minister for External Relations

Mexico

H.E. Ms Rosario Green, Deputy Secretary for External Relations

Paraguay

H.E. Mr Alexis Frutos Vaesken, Minister for External Relations

Uruguay

H.E. Mr Hector Gros Espiell, Minister for External Relations

Venezuela

H.E. Mr David Lopez Henriquez, Deputy Minister for External Relations

Honduras

H.E. Mr Jaimé Guell Bogran, Deputy Secretary for External Relations

Representing the Central American countries

Jamaica

H.E. Mr David Coore, Minister for External Relations

Representing the CARICOM countries

On behalf of the European Community:

Portugal

H.E. Prof. Dr João de Deus Pinheiro, Minister of Foreign Affairs

United Kingdom

H.E. The Rt. Hon. T. Garel-Jones MP, Minister of State, Foreign and Commonwealth Office

Belgium

H.E. Mr Willy Claes, Deputy Prime Minister of Foreign Affairs

Denmark

H.E. Mr H. Woehlk, State Secretary for Foreign Affairs

Germany

H.E. Ms Seiler-Albring, Minister of State for Foreign Affairs

Greece

H.E. Mr L. Evangelidis, Director General

Spain

H.E. Mr F. Fernandez Ordoñez, Minister of Foreign Affairs

France

H.E. Mr G. Kiejman, Deputy Minister for Foreign Affairs

Ireland

H.E. Mr D. Andrews T.D., Minister for Foreign Affairs

Italy

H.E. Mr I. Butini, Secretary of State, Ministry of Foreign Affairs

Luxembourg

H.E. Mr G. Wohlfart, Secretary of State for Foreign Affairs, External Trade and Cooperation

The Netherlands

H.E. Mr P. Dankert, State Secretary for Foreign Affairs

Commission

Mr A. Matutes, Member of the Commission

3.1 The Ministers exchanged views on political and economic subjects of mutual interest.

3.2 In this connection, they welcomed the success of the first institutionalized ministerial meeting between the European Community and the Rio Group countries in Luxembourg and its Final Act of 27 April 1991² which, following the Rome Declaration of 20 December 1990, opened new channels for strengthening political dialogue and cooperation between the two regions.

4.1 The Ministers stressed the historical and cultural links between Europe and Latin America.

4.2 They considered that the commemoration of the Quincentenary this year was an opportunity especially propitious to the strengthening of those links which encourage the development of inter-regional cooperation mechanisms, and therefore reiterated their determination to advance along the lines laid down in Rome and Luxembourg.

5.1 The Ministers stressed their attachment to the principles of representative democracy, the rule of law, social justice and respect for human rights.

5.2 The Ministers, conscious of threats to freedom, democracy and social harmony in various regions of the world, condemned any attempt at the violent overthrow of constitutional order based on popular will.

5.3 The Ministers stressed the link between democracy, respect for human rights and sustained development. They also emphasized that democracy and respect for human rights were key factors in strengthening international cooperation and trust between states. In this connection, the Ministers recalled the importance of the declaration of the European Council of 29 June 1991³ and the resolution of the Council and the Member States meeting in the framework of the Council of 28 November 1991 on Human Rights, Democracy and Development as well as of the Inter-American Organizations and instruments and underscored the importance of strengthening those institu-

tional mechanisms which guarantee the observance and full respect of the exercise of human rights.

5.4 The Ministers stressed the primary importance of the fight against extreme poverty in order to guarantee the full exercise and enjoyment of human rights and fundamental freedoms, thus contributing to the strengthening and consolidation of democracy.

5.5 The Ministers welcomed the Maastricht Treaty on European Union and observed with interest the progress towards the Single European Market. This decisive step in the process of political, economic and monetary union of the European Community should contribute to the consolidation and extension of democracy in the rest of the continent of Europe.

5.6 The Ministers stressed the importance of the signature, on 2 May 1992, of the Agreement on the European Economic Area (EEA) aiming at the fullest possible realization of the free movement of goods, persons, services and capital within the whole EEA which encompasses the European Community and EFTA countries. They expressed the hope that this agreement would contribute, on the basis of market economy, to world-wide trade liberalization and cooperation, in particular in accordance with the principles of GATT.

5.7 The Ministers made a generally positive assessment of the process of consolidation of democracy in Latin America. They also appreciated the progress achieved in the economic and financial development and in the various regional development processes in Latin America, which offer encouraging prospects for the 1990s.

5.8 The Ministers welcomed the dynamism and acceleration of the integration processes in Latin America: the Andean Pact, MERCOSUR, the Group of Three, the Central American Integration System, CARICOM as well as the bilateral free trade agreements and the efforts of the LAIA in this context. They agreed that the strengthening of these processes was an important factor in widening and deepening the dialogue between the two regions. The Ministers underlined the importance of the negotiations towards the conclusion of the North American Free Trade Agreement (NAFTA).

5.9 The Ministers expressed their satisfaction at the First Ibero/American Summit of heads of state and government, held in Guadalajara, Mexico, in 1991, and stressed the importance of the second such meeting to be held in Madrid next July.

6. The Ministers stressed the importance of regional integration processes for economic and social development and affirmed that they promote peace, democracy and closer ties between their peoples.

7.1 The Ministers welcomed the positive relations between the Rio Group countries and the European Community and its Member States in the political, economic and cultural fields, which reflect the close friendship between the peoples of both regions. In this connection, they recalled the inclusion in the Rio Group of representatives of the countries of Central America and CARICOM and their participation in the political dialogue between the regional groupings. They reiterated that the economic relations and cooperative relationship between the Community and its Member States, on the one hand, and the Central American or Caribbean countries, on the other, were a matter for different institutional frameworks.

7.2 They agreed that these prospects favoured innovatory initiatives as well as intensification and deepening of dialogue and cooperation between the Community and its Member States and the countries of the Rio Group.

8.1 The Ministers noted with satisfaction the agreement signed on 18 July 1991 by the Argentine Republic and the Federative Republic of Brazil on the exclusively peaceful use of nuclear energy. The Ministers welcomed the signing on 13 December 1991 by Argentina, Brazil and the Brazil/Argentina Agency for the Registration and Control of Nuclear Materials of a Safeguards Agreement with the International Atomic Energy Agency (IAEA) and looked forward to its ratification. They furthermore welcomed recent progress towards the full entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and its two additional protocols.

8.2 They also expressed their satisfaction at the agreement signed in Mendoza on 5 September 1991 between the Argentine Republic, the Federative Republic of Brazil and the Republic of Chile in which the parties undertook not to develop, produce, acquire, store or use chemical or biological weapons, to which Paraguay, Uruguay, Bolivia and Ecuador acceded.

8.3 The Ministers noted with interest the signing of the Cartagena agreement or the renunciation of weapons of mass destruction signed by the Presidents of the Andean Group on 5 December 1991, in particular their intention to be among the founding signatories to the Chemical Weapons Convention.

9. The Ministers reaffirmed their support for the United Nations and welcomed its constructive role in resolving regional and international conflicts and its efforts to eliminate the sources of those conflicts. In this respect, they welcomed the renewed scope and efficiency of the Organization's activities.

10. The Ministers agreed on the importance of promoting reforms in the United Nations system, which should make it more efficient and effective in carrying out its tasks.

11.1 The Ministers agreed that the international community should give decisive political impetus to solving the main social problems in order to help improve the living conditions of the most disadvantaged sectors of the world population, with special regard to the needs of refugees, women and children.

11.2 In this context, the Ministers noted the merits of the proposal for a World Summit on Social Development, as referred to in ECOSOC Decision 1991/230 and UNGA Resolution 46/139.

12.1 As regards Central America, the Ministers underlined that the San José dialogue between the Central American States and the European Community and its Member States has contributed to the peace process in the region and to the development of the area.

12.2 The Ministers recognized the decisive importance for the region of the signature, in Mexico City, on 16 January 1992, of the agreements of Chapultepec, which put an end to the internal conflict in El Salvador. They called upon the parties concerned to fully respect the peace agreements and give all the necessary support to the Observers' Mission (ONUSAL) and to the Commission for the Consolidation of Peace (COPAZ). In this context, the Ministers appealed to the international community to cooperate in the national reconstruction plan of El Salvador.

12.3 The Ministers expressed their appreciation about the decisive contribution of the former United Nations Secretary-General, Mr Javier Perez de Cuellar, and acknowledged the key role he played in the negotiations. They also expressed satisfaction at the commitment of the new Secretary-General, Dr Boutros-Boutros Ghali, to continue supporting the process.

12.4 They recognized the importance of the support given to the negotiation process by the countries of the Group of Friends of the Secretary-General, Colombia, Spain, Mexico and Venezuela.

12.5 The Ministers stressed the importance of dialogue between the Government of Guatemala and the URNG as a means of achieving peace in that country.

12.6 The Ministers welcomed President Serrano's statement of 5 September 1991 recognizing Belize as a sovereign and independent State, and the subsequent establishment of diplomatic relations between Guatemala and Belize. This had defused a major source of regional tension and opened the way for Belize to play a full part in the region's political and economic life. The Ministers expressed the hope that this breakthrough would be followed by a final settlement of the long-standing dispute between the two countries.

13.1 The Ministers expressed their deep concern over the continual violations of human rights in Haiti and stressed their full support for the Washington protocol of 23 February 1992, which in their view remains an important step on the path towards the re-establishment of the rule of law in Haiti.

13.2 In this connection, they repudiated the dilatory and intimidating manoeuvres of the sectors which have benefited from the disruption of democracy, aimed at preventing the ratification of the said protocol and rejected any document which disregards it.

13.3 The Ministers expressed their support for the thrust of the political measures adopted by the OAS aimed at the restoration of the democratic constitutional system in that country and reiterated their intention to resume cooperation once democratic government had been reinstated in Haiti.

14. The Ministers of the Rio Group, reaffirming what was stated in the declaration of Heads of State in Cartagena, joined the EC Ministers in expressing their deep concern about the situation in Cuba.

15. The Ministers reiterated their support and solidarity with the Government and people of Venezuela in the maintenance of the fundamental principles of democracy and condemned the use of violence, military actions against the constitutional order or any attempts to overthrow its legitimately elected government.

16.1 Bearing in mind their deep concern at the decision of President Fujimori on 5 April 1992, to break off constitutional order, the Ministers strongly urged a return to the system of representative democracy in Peru at the earliest possible opportunity.

16.2 The Ministers took note of the commitment made by the President of Peru in the *ad hoc* meeting of OAS Foreign Ministers to call immediate elections for a constitutional congress as a step towards the restoration of democracy.

16.3 The Ministers furthermore urged the Peruvian Government to ensure full respect of human rights and democratic and individual freedoms.

17.1 The Ministers expressed the hope that the new countries comprising the Commonwealth of Independent States would accomplish their historic transition to democracy and market economies and intensify their commitment to peace and understanding among nations.

17.2 They welcomed, in particular, the acceptance by the states concerned of the commitments contained in the CFE Treaty and in the other arms reduction agreements and their acceptance of other international obligations.

17.3 They called upon the authorities of these new states to ensure unified control of former Soviet weapons of mass destruction and urged Ukraine, Belarus and Khazakhstan to accede to the

Non-proliferation regime as non-nuclear weapon states. They welcomed the completion of the transfer to Russia of short-range nuclear weapons, as announced recently, prior to their dismantlement. The Ministers also welcomed the signature in Lisbon on 23 May by the United States, Russia, Belarus, Kazakhstan and Ukraine to an agreement on the implementation of START (Strategic Arms Reduction Treaty).

18.1. The Ministers expressed their support for the work of the Conference on Disarmament and underlined in particular their active support for the successful conclusion in 1992 of a Chemical Weapons Convention.

18.2 Both sides appealed to all states to refrain from exporting arms to areas where they could exacerbate conflicts and called upon them to annually provide data for the register on imports and exports of arms, in accordance with General Assembly Resolution A/46/36[L] on transparency in armaments.

18.3 They likewise stated their resolve to reduce their military budgets as far as possible and to annually participate in the standardized system of the UN for reporting military expenditure in accordance with relevant resolutions of the General Assembly. Such a procedure would increase confidence between states and thus promote agreed and balanced reduction of military budgets.

19. The Ministers reaffirmed their full support for the complementary efforts of the United Nations and of the European Community and its Member States in the Yugoslav crisis, in particular for the deployment of the United Nations protection force (UNPROFOR) and the efforts of the Conference on Yugoslavia and the EC Monitor Mission. They expressed the hope that these efforts would succeed in resolving the crisis and contribute to strengthening stability in the region.

20.1 The Ministers expressed their conviction that respect for human dignity was essential to international cooperation and that any form of discrimination was unacceptable in a state governed by law. They accordingly voiced their determination to combat all forms of segregation, whether on grounds of race, ethnicity, sex, language, culture, creed or political or other opinion.

20.2 The Ministers expressed their concern at manifestations of racism and xenophobia wherever they occur and stressed the undiminished validity of international obligations with regard to combating discrimination and racism to which all members of the international community have committed themselves within the framework of the UN.

20.3 They underlined the importance of efforts under way to protect the indigenous communities. The Ministers noted the process of setting up an Ibero/American fund, with the support of international institutions, for the development of indigenous populations, which would create favourable conditions to resolve their acute problems.

21. The Ministers expressed their support for the Middle East peace process based on UN Security Council Resolutions 242 and 338 and their hope that the negotiations now under way between Israel and its Arab neighbours would lead to an early and comprehensive settlement.

22.1 The Ministers repeated their firm condemnation of any act of terrorism or any form of terrorist threat, whatever the aim pursued and the reasons behind it.

22.2 They stressed their conviction that terrorism is an outrage against the international community and appealed to all states to do their utmost in order to combat and prevent it.

23.1 The Ministers reaffirmed their determination to protect the environment and conserve natural resources while taking fully into account the social and economic needs of developing countries.

23.2 In this context, they expressed their conviction that the United Nations Conference on the Environment and Development shortly to be held in Rio de Janeiro and the consultation mechanisms to be set up by the conference would encourage profound reflection on the need to achieve sustainable development supported by the international community, addressing simultaneously the issues of environment, economics and equity.

23.3 They likewise agreed to intensify financial, scientific and technological cooperation in this field.

23.4 They also welcomed the agreement recently reached with regard to the pilot programme for the Brazilian rain forest, prepared jointly by the Brazilian Government, the World Bank and the EC Commission.

24.1 The Ministers reaffirmed their determination to intensify cooperation in the fight against illicit production, trafficking and consumption of drugs and psychotropic substances. This will include the development of effective measures to implement the provisions of the 1988 Vienna convention in relation to combating money laundering and preventing the diversion of precursor and essential chemicals preventing the diversion of precursor and essential chemicals.

24.2 The Ministers agreed that those actions require international cooperation, including incentives for alternative development.

24.3 They also recognized the importance of cooperating and developing effective means to reduce the illicit demand for drugs and psychotropic substances, especially in the fields of prevention, dissemination of information and in the treatment of drug misusers.

25.1 Aware of the importance of information and the media, the Ministers expressed the wish to see an increased flow of information on each of the two regions in the media of the other, with full respect for freedom of the press and of information.

25.2 They accordingly decided to encourage cultural exchange and cooperation between both regions by means of programmes contributing to the consolidation of historical ties.

[...]

39. In addition to the priority topics adopted at previous ministerial meetings between the Community and the Rio Group countries, Ministers decided to give particular attention to the following areas:

- preservation and conservation of the environment and natural resources; in this connection the Ministers stressed the importance of the United Nations Conference on the Environment and Development in Rio de Janeiro;
- combating the illicit production, trafficking, trade, distribution and consumption of drugs and related financial offences, particularly on the basis of the work of existing bodies in this area; support for measures by producer countries aimed at enhancing alternative development policies;
- cooperation in the mutual interest in the field of energy, in particular as regards technical assistance and the search for greater efficiency in the use of energy and, within the means available, feasibility studies in the area of energy infrastructure;
- combating major epidemics, in particular cholera and AIDS.

40. With a view to preparing their next meeting, and anxious to further consolidate the cooperation reflecting the spirit of the Luxembourg Declaration, the Ministers decided to pursue consulta-

tions between experts from both regions on the specific topics related to the sectors dealt with in this document.

The topics for discussion and the detailed procedures for setting up these consultations, which would be held as far as possible on the occasion of international meetings, would be defined by common agreement.

41. The Ministers decided to meet in New York, at the time of the 47th United Nations General Assembly, and in Copenhagen, in a formal meeting, within the framework of the institutionalized dialogue, in the first half of 1993, in accordance with the rotation laid down in the Rome Declaration.

42. At the Conference in Santiago de Chile the Ministers expressed their sincere gratitude to the Government of Chile at whose initiative the Conference had been held, and also thanked the people of Chile both for their warm welcome and for the efficient organization which had led to the success of the second institutionalized ministerial meeting between the European Community and the Rio Group.

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- 1 *EPC Bulletin*, Doc. 90/474.
 2 *EPC Bulletin*, Doc. 91/123.
 3 *EPC Bulletin*, Doc. 91/194.

92/209. Statement on United Nations Security Council Resolution 757 of 30 May 1992

Date of issue: 1 June 1992
 Place of issue: Brussels, Lisbon
 Country of Presidency: Portugal
 Status of document: Press statement

The European Community and its Member States welcome the United Nations Security Council Resolution 757 of 30 May 1992. They will, without delay, take the legal measures needed to ensure the immediate enforcement of the measures adopted [in] that resolution.

The European Community and its Member States express the view that those measures should be considered in the light of their untiring efforts to achieve a lasting and peaceful solution for the problems of the former Socialist Federal Republic of Yugoslavia, namely through the Conference on Yugoslavia and through talks of the three communities of Bosnia and Herzegovina on constitutional arrangements. The adopted measures, therefore, should remain in force until decisive steps by those directly responsible have been taken in the direction of peace.

The European Community and its Member States urge all parties to [the] Yugoslav crisis, and in particular Serbia and Montenegro, to comply with all relevant EC declarations and Security Council resolutions and recall the special obligation which falls upon them in the search for a peaceful and negotiated solution for those outstanding problems.

The European Community and its Member States remain deeply concerned with the situation in the Republic of Bosnia and Herzegovina. While recalling their declaration of 11 May 1992, they urge again all parties involved in the conflict to engage constructively in the constitutional talks under the aegis of the EC Peace Conference as the only political framework which may enable a peaceful solution for the conflict in that republic.

The European Community and its Member States will continue to follow closely developments in the territory of the former Socialist Federal Republic of Yugoslavia and will be ready to take further measures if and whenever deemed appropriate.

92/210. Statement on Thailand

Date of issue: 9 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States recall their statement of 20 May 1992 on the recent tragic events in Thailand and welcome the positive political developments which have been taking place, namely the constitutional amendments scheduled for discussion in Parliament on 10 June 1992. The Community and its Member States remain concerned that a number of civilian demonstrators are still unaccounted for and urge the Thai authorities to take the appropriate steps to restore the confidence of the Thai people in their government.

The Community and its Member States therefore hope that the future Thai government will respect human rights fully and express the wish that efforts will be intensified towards a peaceful and democratic development in Thailand.

The Community and its Member States urge all parties concerned to refrain from taking actions that may jeopardize the ongoing democratic process and work together for a lasting peaceful solution. They express the hope that a resolution of the present political uncertainties will open the way for the development of closer and stronger links with a democratic Thailand which will contribute positively to peace and stability in the region.

92/211. Statement on the Danish referendum

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Statement in the European Parliament

Mr Martins, President-in-Office of the Council: Mr President, I should like to begin by seeking your permission to explain why the Foreign Minister of Portugal, Professor João de Deus Pinheiro, is not present for this debate. Although the Minister's agenda included a statement to the House yesterday, it proved impossible for him to be here today. He is, at this moment, in the former Republic of Yugoslavia.

Mr President, ladies and gentlemen, contrary to what was generally expected, the referendum in Denmark of 2 June resulted in a no vote, although by a very narrow margin. We are obliged to respect it as the democratic expression of the will of the people of Denmark. However, I should like to reiterate here the Council Presidency's appreciation for the efforts made by the Danish authorities to obtain a positive outcome.

Nonetheless, we all believe that Maastricht marks a decisive stage in the life of Europe and is a major response to the new challenges facing us. Maastricht represents the political determination to continue with the construction of a common Europe, to establish unequivocally peace between our peoples, to strengthen the economic and social progress of our citizens and to consolidate the spirit of European solidarity in a world which is undergoing profound change. We must therefore evaluate the outcome of the referendum in Denmark in the light of the common effort to realize

this collective project called European Union, a goal which was already present at the outset of the process of European integration and which twelve countries gathered at the Maastricht European Council to achieve.

Therefore, the Presidency called an extraordinary Council meeting in Oslo which took place less than 48 hours after the result of the Danish referendum. We realized that the Council's reaction should be balanced but clear and coherent, open but firm. I believe that the conclusions of the Oslo Council are sufficiently explicit to leave European public opinion in no doubt as to the Council's determination.

The conclusions as set out in just four paragraphs and less than a hundred words which express a clear, strong and common political resolve and can be summarized as follows: the outcome of the referendum is regretted, the determination of eleven Member States to achieve European Union involving the Twelve is reaffirmed, the reopening of negotiations is excluded, the process of ratification in the different Member States within the framework of the agreed time-table, i.e. before the end of the year, is confirmed and its openness and desire for Denmark's participation in European Union are made clear.

That, Mr President, ladies and gentlemen, is what the Council stated in Oslo, thereby, I believe, unequivocally expressing its firm resolve. Avoiding both excessive dramatization or dangerous indifference, the Council once again indicated the path which must be followed. On the one hand the goal of European Union was reaffirmed and on the other eleven Member States confirmed that the text of the Maastricht Treaty could not be amended or renegotiated. 1 January 1993 was maintained as the date for the entry into force of the Union. We are therefore sparing no effort to prepare for the European Council in Lisbon on 26 and 27 of this month. We will be dealing with the financial package, enlargement and common foreign policy: three vital areas for European Union where any delay or hesitation could have grave consequences for the achievement of this great common endeavour. The financial package is one of the conditions for the successful achievement of European Union. As President Delors pointed out, it is a question of ensuring that we have the means we need to transform our ambitions into achievements. Enlargement not only calls for the approval of the Delors II package and the ratification of the Maastricht Treaty but also consideration of the strategy needed to enable the Twelve to follow a common course.

A common foreign and security policy is an essential element in the process of political union. Without determining the priorities and primary areas for the entry into force next year, the provisions of the Treaty will remain empty words. The three lines which I have just referred to are a real test of our resolve to make Maastricht a reality, since an immediate political response must take precedence over any legal considerations.

I am convinced that the great majority of Europeans wish to continue the work of deepening European integration and of building the future on security, stability and progress. The name of this future is European Union.

92/212. Statement on 'From the Single Act to Maastricht and beyond'

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Statement in the European Parliament

Mr Martins, President-in-Office of the Council: Mr President, ladies and gentlemen, it gives me great pleasure to be present here today. I wish to thank the President for inviting me to take part in the sitting of the European Parliament specially devoted to the debate on the Delors II package.

I want to begin by warmly congratulating the *ad hoc* committee and especially its rapporteur, Mr Van der Vring, for the immense efforts which have produced a report of unequalled quality, coherence and clarity. This report will undoubtedly enable the European Parliament to make a major contribution to the work currently taking place on the financial package, particularly at the forthcoming Lisbon Summit.

The financial package is one of the conditions for achieving European Union as defined at the Maastricht Summit. At the same time, I should like to stress that, as the Twelve recognized at the most recent European Council, it is also an essential condition for enabling the Community to face the challenges of enlargement.

For these reasons, the Presidency has given priority to work on the financial package on the basis of the proposal presented by the Commission last February which naturally is also the basis for the negotiations.

Before dealing specifically with the financial package, I should like to make two general comments. The first concerns the predominantly political nature of this proposal. I believe that everyone would agree that assessing the resources needed for the period 1993-1997 is more than just an accounting exercise. It is not a matter of calculating the flow of funds in terms of credit and debit, an approach which must be rejected as conflicting with the Community's principles. It involves drawing up a financial matrix for the period 1993-1997 which can be adjusted to our objectives as economic and social cohesion are strengthened through the growth in internal policies and as the common agriculture policy is reformed in the light of new developments in external relations.

Secondly, I should like to stress the need to maintain an overall balance between ambitions and means, between policies and instruments and between expenditure and resources. On the one hand, we must ensure that the Community always has the capacity to act consistently in line with the criteria of effectiveness, strictness and transparency and within the framework of a balanced application of the principle of subsidiarity. On the other, we must fix the amounts of our financial resources within as equitable a system as possible, bearing in mind not only expenditure needs but also the budgetary pressures on the Member States. This is not an easy balance to achieve, but it is one which we are actively endeavouring to bring about.

To reach an agreement we must ensure that this balance runs like a thread through the whole exercise from expenditure to revenue. The Community's responsibilities and in particular its new internal and external responsibilities call for new resources. Our ability to achieve our objectives depends on having these resources available on time. I believe that the citizens of Europe look to us to act with courage and rigour and to demonstrate that our aspirations are not simply exercises in political rhetoric.

Economic and social cohesion form the basis for deepening European integration. This was confirmed at Maastricht. Recent experience has shown that it is imperative. We need to confront the challenges facing us. Today we have to put a figure on the effort to bring about cohesion, particularly where the structural funds and the new cohesion fund are concerned. There is unanimous support for the funds for external relations which is not surprising in the light of the Council's recognition of the need to give priority to making the Community more active in the international arena, not only on the continent of Europe but also throughout the world.

The whole area of internal policy has been the scene of lively and, at times, polemical debate during the negotiations on the Treaty on European Union. Difficult and unavoidable choices will have to be made. The Community has to decide whether or not it wants to strengthen decisively its research policy and whether it wishes to take action to improve the general framework of competitiveness, particularly in industry. It must decide whether it wishes to strengthen the network of small and medium-sized undertakings which make up the basic fabric of European industry. Simi-

larly, a decision must be taken on the Community's role where trans-European networks are concerned in the light of the responsibilities laid down in the Treaty on European Union.

In the area without internal frontiers which we are seeking to create as quickly as possible, there is an ever growing need to think European and to broaden in space and time our vision of the new Europe. We cannot, however, cast the net of Community action too widely. We must permit the principle of subsidiarity to intervene naturally to ensure transparency, rigour and confidence in the process of European construction. At the same time we cannot allow the principle of subsidiarity to become an excuse for weakening the structure of the Community.

The recently completed reform of the common agricultural policy has reorganized one of the most important areas of expenditure. We are now in a position to estimate agricultural expenditure with a reasonable degree of accuracy. The Council is cooperating with the Commission on this area of the package in the light of the new developments.

We cannot ignore the growth in real terms of expenditure where the common agricultural policy is concerned, just as we cannot remain indifferent to the need for reform and to the concern which is being expressed by European agriculture. Here too a solution must be found, based not merely on technical analysis and budgetary action, but on political sensitivity. This, we are well aware, is a fundamental issue.

In fixing the level of resources it is essential to clarify adequately the guide-lines for Community policy as well as the relevant priorities and the measures needed to implement them. We are actively engaged on this task in the Council. Although we do not regard the Commission's proposal as the only possible response, we believe that it contains positive elements which should not be underestimated.

Where the structure of resources is concerned, we have to take account of the search for a more equitable system in line with the Maastricht guide-lines. In the current phase the most appropriate means of implementing the Maastricht guide-lines would be to increase funds based on production and to reduce the size of those based on VAT. This point clearly needs to be examined in greater detail. A word on the inter-institutional agreement. To date it has proved to be an extremely valuable element in the stability of the life of the Community and in encouraging a healthy spirit of co-operation between the institutions. There is every reason to believe that this experiment will continue to be as successful in the future as it has been until now. The Presidency is convinced of the desirability of a new inter-institutional agreement and in particular of good relations with the European Parliament.

Finally, I want to draw attention to the meeting of Foreign Ministers – a type of conclave – which will take place on 20 June next to prepare for the Lisbon Summit and which will deal specifically with the Delors II package. It is a demonstration of our determination to press ahead with the negotiations.

Mr President, ladies and gentlemen, the rapid conclusion of a political agreement on the financial package is important in its own right. This is clear from the timetable and the succession of tasks which the Community has set itself both in the domestic and foreign arenas over the next few years. I believe that the need has become more pressing in the present stage in the life of the Community. There can be no more adequate response to the old and new manifestations of Europeanism than the rapid assertion by the Community of its determination to pursue unequivocally the objectives it has set itself. The conclusion of the Delors II package which no one can deny will represent a fundamental stage in this process, will be seen simultaneously as an opportunity and a decisive test of the resolve and the ability of the Twelve to provide a practical political response which will effectively counteract the temptations of stagnation and retreat where the integration process is concerned.

92/213. Question No H-210/92 by Ms Ewing on the death penalty for Kurdish members of parliament

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Are the Foreign Ministers aware that on 10th November 1991 the Turkish State Security Court filed a case calling for the death penalty for two newly elected Kurdish deputies (Leyla Zana and Hatip Dicle) plus a further 20 Members for the sole reason that they spoke Kurdish at the opening of Parliament? Will the Foreign Ministers continue to put pressure on the Turkish Government to end its ceaseless and often brutal attacks on the Kurdish people?

Answer:

I would refer the honourable parliamentarian to the reply given in response to Oral Question H-50/92¹ on the same subject.

¹ *EPC Bulletin*, Doc. 92/085.

92/214. Question No H-448/92 by Mr Ramírez Heredia on the request for asylum in Germany by Yugoslav gypsies

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

The German Government has reportedly taken discriminatory measures against Yugoslav gypsies seeking asylum in Germany.

What does EPC know of this situation?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/215. Question No H-457/92 by Mr Kostopoulos on clandestine Christians in Turkey

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

Do the Ministers meeting in Political Cooperation agree that the Community's foreign policy, and that of the individual Member States, should not be oblivious of the fact that there are 300.000 or more Greeks in Turkey who have had to convert to Islam and practise Christianity clandestinely and that the Turkish Government should be urged to end its oppression of minorities and, in particular of these clandestine Christians?

Answer:

Ministers are not aware of the alleged facts; the Turkish authorities are aware of the importance which the Community and its Member States attach to the rule of law and to the protection of human rights, including the rights of minorities and their freedom of religion. These rights are enshrined in international conventions as well as in the CSCE Paris Charter, to which Turkey is a signatory. The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community therefore welcomes the Turkish Government's commitment to improve the human rights situation in the country and will continue to monitor the situation closely.

¹ EPC Bulletin, Doc. 91/194.

92/216. Question No H-487/92 by Mr Gutierrez Diaz on imprisonment of the Moroccan trade unionist Nubir El Amaui

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

On 17 April 1992 the Secretary-General of the Moroccan Confederation of Labour, Nubir El Amaui, was sentenced to two years in prison for criticizing the Moroccan Government's social and economic policy in an interview with the *El Pais* newspaper.

What stance and what measures has EPC adopted, or does it intend to adopt, in the context of the political and economic relations between the Community and Morocco with a view to securing the immediate release of Nubir El Amaui and respect for human rights, as called for by the European Parliament in its resolution on the financial protocols with Morocco?

Answer:

As stated in the answer provided to Oral Questions H-409/92 by Mr Juan Maria Bandres Molet and 437/92,¹ by the honourable parliamentarian on the same issue, the Moroccan authorities are in no doubt about the importance that the Community and its Member States attach to the respect of human rights.

Mr Amaui has been condemned to two years imprisonment for slander and defamation against the government by a Court of Rabat. Mr Amaui's lawyers have appealed against the sentence to the Supreme Court.

The Community and its Member States note with appreciation the announcement made by King Hassan II on the democratization process in Morocco and hope that the facts the honourable Members have mentioned will not hamper it. The Community and its Member States will continue to follow developments in Morocco closely, mainly the human rights situation in this country.

¹ EPC Bulletin, Doc. 92/180.

92/217. Question No H-517/92 by Mr Simeoni on the conversion of the arms industry in the Community

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Over the next five years more than half a million jobs will cease to exist in the arms industry in Western Europe. In Central and Eastern Europe the industrial base of entire regions (e.g. Slovakia) made over to arms production under the Communist regime is threatened in the short term. Their social and political stability are in jeopardy. Does European political cooperation intend to promote in the CSCE the idea of a pan-European programme for the conversion of the arms industry to civil purposes?

Answer:

Mr Martins, President-in-Office of European political cooperation: As the honourable Member will know, questions relating to the conversion of national arms industries do not come within the province of EPC. In view of the nature of the CSCE it seems to me difficult for the idea of a pan-European programme for the conversion of the arms industries to be developed within that body. However, very recently a decision was taken to set up an economic forum in the framework of the committee of highly-placed CSCE officials to encourage the dialogue on the transition and development of market economies with a view to consolidating the democracies.

The question of the conversion of the arms industries may well be one of the subjects to be broached in this recently constituted forum.

Mr Simeoni (ARC): Mr President, I thank the President for his answer, as it links up with my question in the other case a short while ago. I would point out in particular that as regards the industrial policy priorities, I took my references from the press and not from official documents. I am worried in so far as people are talking, in all discussions and at all meetings, of disarmament policy, whereas in fact I appreciate that it is hard to have a disarmament policy at the level of the European institutions, even if there is a lot of discussion and the subject is frequently debated.

I note therefore that, in an economic context, a conversion of the arms industries is contemplated. But in the region of Brittany, for example, there will be job losses and social problems. If this stays simply within the province of the governments and if the Community is not involved, I do not know how we shall manage to make any progress with this problem.

Apart from what the Presidency has just said, could we not have a little more specific hope or a suggestion somewhere?

Mr Martins: I shall be very brief because there is not much to add to what I have already said. I would remind you of the reply given by the Presidency of the Council during this part-session and I should like to stress that the prospect of these social consequences might be taken into consideration in this economic forum in the framework of the CSCE, which would make it possible to broaden the basis of the debate on the possible effects for the arms industry at European level.

Mr Bettini (V): I should like to hear from the Council what policy Europe intends to adopt on the subject of conversion of the arms industry for recycling the nuclear warheads at present in stock in both east and west.

Secondly, what is the Council's view with regard to the strikes, which are now coming one after the other, by workers losing their jobs as a result of certain closures in the arms industries, as is

happening in Greece, where people are taking part in demonstrations to defend their so-called jobs, in view of the fact that tomorrow we shall be holding a debate about the jobs which will be lost if the construction of the European fighter is abandoned? These seem to be extremely relevant questions to which the Council ought to provide an answer.

Mr Martins: I am very much afraid that I cannot provide here a solution to the problem of strikes raised by the honourable Member. In the context of the Community, though not of EPC, it might be possible for measures to be thought out and adopted to take account of the social problems to which the honourable Member has just referred. The history of the Community provides examples of initiatives by the Twelve and by the Community to deal with social problems arising from industrial changes which have cropped up in the course of European integration. In this specific case and if the matter should arise I think the Council will find an answer, jointly with the other Community institutions, with the Commission and the Parliament, to these problems.

92/218. Question No H-544/92 by Mr Moorhouse on human rights violations in Iran

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

It is reported that a member of the Baha'i community in Iran was executed on 18 March 1992, apparently because of his religious beliefs.

Do the Foreign Ministers meeting in Political Cooperation intend to make a formal protest to the Iranian Government regarding this murderous act, which is in total contradiction to the UN Convention on Human Rights to which Iran is a party?

Answer:

The Community and its Member States remain seriously concerned about the human rights situation in Iran and deeply deplore the fact that a large number of executions continue to take place. The UN Special Representative had noted signs of improvement of the situation of Baha'is in Iran. The Community and its Member States were therefore disturbed to hear reports of the execution on 18 March of Mr Bahman Samandari, apparently without any explanation from the Iranian authorities, and are also concerned that Mr Samandari's family has not been allowed to know the location of his grave or the cause of his death.

As the honourable Member is aware, the Community and its Member States have repeatedly expressed their concern about human rights violations in Iran to the Iranian authorities and urged them to respect the norms generally applied by the international community. The Presidency, on behalf of the Community and its Member States made a *démarche* to the Iranian Ambassador in Geneva, on 22 May. The Presidency will make a *démarche* to the Iranian authorities in Teheran. The Community and its Member States have also consistently supported resolutions adopted by the UN General Assembly and by the Commission on Human Rights on the human rights situation in Iran. They have also co-sponsored resolutions adopted in these two fora. The Iranian Government can be in no doubt that actions such as the execution of Mr Bahman Samandari will only reinforce international concern at the human rights situation in Iran.

The Community and its Member States will continue to keep the human rights situation in Iran under review and to urge any necessary action in the appropriate international fora in the light of the circumstances prevailing in the country.

92/219. Question No H-551/92 by Mr Dessylas on the revolt of the underprivileged in Los Angeles and human rights in the USA

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral question in the European Parliament

The recent revolt by the underprivileged in Los Angeles and other cities in the USA (the toll so far: 58 dead, 2.400 injured, 200 of whom in a critical condition, and 12.000 arrests) has shattered the facade of the 'New Order' and highlighted the enormous problems of oppression, poverty, unemployment, racism and the brutal violation of human rights in the USA.

When does EPC intend to respond to these appalling events? Does it intend to draw up a report on the violation of human rights in the USA?

Answer:

The recent incidents in Los Angeles and other cities in the US have not been discussed within the EPC framework. The Community and its Member States do not intend to respond to them or to draw up any report on the human rights situation in the United States, the best response being provided by the democratic institutions of the United States themselves.

92/220. Questions No H-556/92 by Mr Alavanos and H-583/92 by Mr Hadjigeorgiou on the report and initiatives by the Presidency on the 'Skopje Republic' (Macedonia) and on the application of the principle of solidarity in the European Community

Date of issue: 10 June 1992
Place of issue: Strasbourg
Country of Presidency: Portugal
Status of document: Answer to oral questions in the European Parliament

Question No H-556/92:

Will the Portuguese Presidency report on the crisis in Yugoslavia and in particular on the handling of the subject of the 'Skopje Republic'?

What recent initiatives have there been, and what does the Presidency consider to be the immediate prospects of a solution to this problem?

Question No H-583/92:

The tiny state of southern Yugoslavia which Marshall Tito created and named Macedonia is calling for national identity and recognition by the Community.

Nine hundred thousand Albanians and other nationalities such as Serbs, Bulgarians, Turks, Greeks and a minority of self-styled 'Macedonians' make up the two million or so inhabitants of this state. Greece has declared that it will recognize the state only if the latter's name does not include the word 'Macedonia', as it refuses to collaborate in the falsification of history and disturb the peace in the Balkans. Can the Ministers meeting in EPC explain why they are postponing their decision now that it has become clear that Athens and Skopje are sticking to their respective positions concerning the name of the country? Article 30(2)(c) and (d) of the EC Treaty is crucial for the future of European Union. Since the name 'Macedonia' is opposed by a Member State, why

does the Community not declare outright, in line with the principle of solidarity, that recognition of this state is conditional upon it being given a name which does not refer to Macedonia, thereby ensuring that political priority is not given to one nationality over the many other nationalities which make up this state and which do not use the term 'Macedonia' to describe their country?

Answer:

Mr Martins, President-in-Office of European political cooperation: During recent months I have had occasion several times to inform this assembly of the position of the Community and its Member States with regard to recognition of all the Yugoslav republics seeking recognition as independent states. Honourable Members will certainly recall that during Question Time in the May part-session the Presidency stated that the Foreign Ministers, at their informal meeting at Guimarães, declared themselves ready to recognize the former Yugoslav Republic of Macedonia as an independent sovereign state within its present frontiers and under a name which could be accepted by all interested parties. Meanwhile the Presidency, under the mandate entrusted to it and in collaboration with the parties directly involved, is continuing to make every effort to solve the questions still outstanding.

Mr Alavanos (CG): I cannot thank the President-in-Office, because he did not answer me in any way. We had the same answer a month ago from Mr Pinheiro, indeed much more analytically, to a corresponding question that we asked then. Today's question refers to the Portuguese Presidency's account of its tenure, to the new consultations that took place when the diplomat Mr Pereira was sent to Skopje, to whether the Portuguese Presidency has any new proposals or whether it perceives an impasse. It holds office for only a few more days and we want to know where we stand today, not two months or one month ago at Guimarães.

Mr Hadjigeorgiou (PPE): I too am very sorry, but I do not think we have been answered by the President-in-Office. The matter is a very clear one: on one side there is Greece, with incontestable arguments, and on the other side Skopje, ruled by a nomenclature which is a relic of the old communist regime, a minority, most of them Bulgarian, others who are political fugitives from Greece, who want their state to be called 'Macedonia', so distorting even history. There is Article 30, paragraph 2) sub-paragraphs 3) and 4) on solidarity, and we are asking why the Community is not taking the decisive step of telling them 'Sirs, it is not possible to recognize you with that name, find another name, call your State 'Republic of Skopje' with Skopje as its capital, like the Republic of Mexico whose capital is Mexico, the Republic of Brazil with Brazilia as its capital, and then we will gladly recognize you'.

Mr Martins: I do not think I should repeat what has already been said at great length in Parliament on this matter. I will simply make two points: first, to say that the Council and the Portuguese Presidency absolutely reject any assertion that nothing has been done on this matter.

Secondly, the balance-sheet of the Portuguese Presidency will be drawn up at the end of our Presidency.

Mr Balfe (S): Macedonia is unique in that it appears to be the only part of the former Republic of Yugoslavia which has actually managed to establish a separate state without excessive violence. Yet at the same time it appears not to be benefiting from the PHARE programme and other European Community programmes. It all seems to hinge on what it calls itself. Does the President-in-Office not consider that since we rushed to recognize Croatia, which is now drenched in blood, we should at least now make some attempt to recognize the republic, whatever it decides to call itself, but known colloquially as Macedonia, and that we should do this fairly soon and make sure that PHARE programme monies are directed to the one peaceful bit of Yugoslavia?

Mr Martins: As regards economic support, an initiative was recently taken by the Presidency, jointly with the Commission, precisely to assess the economic situation and the need for support for the former Yugoslav republic of Macedonia. We have already taken that initiative because we think the concern just expressed by the honourable Member on this matter is relevant.

At the political level, the Presidency has taken several initiatives and is continuing the search for an agreement on a problem which is a delicate one not only amongst the Twelve but for the region in question.

Everything within the Presidency's powers will be done to make it possible to find a political solution to this question.

92/221. Question No H-559/92 by Mr Medina Ortega on European political cooperation – Peru

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

What measures has European political cooperation adopted, or what action does it intend to take, to assist the people of Peru in the task of recreating or consolidating the country's democratic institutions in the wake of the constitutional crisis set in motion by President Fujimori? Is there any possibility of the Community making a contribution towards the realization of this project?

Answer:

On 8 April 1992,¹ the Community and its Member States expressed their deep concern at the decision of President Fujimori on 5 April 1992, to break off constitutional order and, in particular, to dissolve Parliament and to suspend the functioning of the judiciary, measures which cannot be justified. The Community and its Member States also expressed their disquiet about the interference with individual liberties, which have been noted.

On that occasion, the Community and its Member States have also urged President Fujimori to re-establish, as soon as possible, the democratic institutions with the full participation of the political parties, and the respect of human rights in the framework of the rule of law with a view to resolving the grave problems which Peru faces.

The Community and its Member States strongly support the OAS efforts of mediation. They welcome the commitments recently undertaken by President Fujimori before the OAS in Nassau regarding the resolutions adopted by this organization on the early re-establishment of democratic institutions, as well as the reaction of the political forces in Peru. They will continue to stress the need for full respect of human rights and fundamental freedoms and will monitor political developments in Peru closely in the light of the OAS resolutions.

¹ *EPC Bulletin*, Doc. 92/133.

92/222. Question No H-561/92 by Mr Pagoropoulos on human rights in Turkey

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

According to recent reports by Amnesty International, Helsinki Watch, the Human Rights Association and the Committee to Protect Journalists, human rights continue to be violated in Turkey under the new government.

In taking their decision to promote and improve relations between the EEC and Turkey, did the Ministers meeting in EPC take the reports of these international organizations into account and, if so, to what extent did the murder and imprisonment of children have a negative or positive effect on their decisions concerning that country?

Answer:

Ministers discussed relations between the Community and its Member States and Turkey at their meeting in Guimarães on 1 and 2 May and agreed to examine the different aspects of these relations in greater depth at a later stage. No decision was taken on the strengthening of such ties.

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities, as provided for in the Charter of Paris, the document of the Moscow meeting of the CSCE, the document of the Copenhagen meeting of the CSCE and the document of the Geneva meeting. The declaration on human rights adopted by the Luxembourg European Council in 1991¹ stated categorically that 'respecting' [...], promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/223. Question No H-587/92 by Mr McMahon on events in the states of the former Yugoslavia

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

When did the Ministers meeting in EPC last discuss the events in the states of former Yugoslavia and what proposals do they have to revive the peace process?

Answer:

Mr Martins, President-in-Office of European political cooperation: As is shown by the frequent contacts with Members of this assembly, events in Yugoslavia and the role played by the Community and its Member States in trying to solve the crisis there are questions of constant concern to us, which warrant, and are receiving, our permanent attention. Meanwhile in Bosnia-Herzegovina there have been continual violent clashes between the various ethnic militias, with the federal army lending its support to the attempt by Serbian irregular troops to expel the non-Serb population from vast areas of that republic.

Following the tragic death, on 4 May,¹ of a Belgian observer, it was decided to reduce the presence of Community observers in Bosnia-Herzegovina. The deterioration in operational condi-

tions led to the decision, on 12 May, to withdraw from the region the remaining staff of the European Community observer mission. It was made clear that the activities of the mission would be resumed as soon as local conditions made it possible.

On 5 May, in response to a series of dramatic events, the Community and its Member States condemned the continual bombardment of Sarajevo – which had already caused the death of innocent citizens – and the attack on troops retreating before the federal army. They then urged all parties involved in the conflict to abstain from the use of force so as to avoid potentially disastrous incidents in future.

In their declaration of 11 May² the Foreign Ministers repeated their conviction that the principles laid down in the conversations on institutional agreements reached between Serbs, Croats and Muslims and sponsored by the peace conference represented the only possible basis for a political solution to the conflict: they pointed out that the prospects of progress in the conversations had become unclear, raising doubts as to the viability of an agreement and its implementation.

The ministers stated that although each of the parties involved had contributed to the present state of affairs, by far the major part of the blame rested on the federal army and the Belgrade authorities, who control the army not only directly but indirectly as well, by supporting the Serbian irregular troops.

As we have seen, the situation in Bosnia-Herzegovina has led to the uprooting of tens of thousands of people, producing a nightmare of truly disastrous proportions. The constant violence and the blockading of Sarajevo airport in particular have had serious consequences for bringing in and distributing essential humanitarian aid and for creating the minimum safety conditions.

At the twelfth meeting of the peace conference the Presidents of Slovenia, Croatia and the Yugoslav Republic of Macedonia joined in a general appeal for the adoption of urgent humanitarian measures on behalf of Bosnia-Herzegovina. Although the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and the Community and its Member States responded to this appeal and are cooperating, they have in fact met with enormous difficulties in providing that republic with assistance.

The Community and its Member States, dismayed at the situation, called on 11 May for troops of the federal army and their weapons to be totally withdrawn from Bosnia-Herzegovina or for their forces to be disbanded and their arms placed under effective international control as well as for Sarajevo airport to be reopened under safe conditions so as to allow the distribution of the aid which was so urgently needed.

They asked the Belgrade authorities to give an undertaking to respect the integrity of all frontiers and of all republics as well as the rights of minorities and of national or ethnic groups including those of the regions of Kosovo and Vojvodina in accordance with the provisions of the draft treaty under discussion at the peace conference.

They also asked the Belgrade authorities to encourage the conclusion of an agreement with regard to a special statute for the region of Krajina, guaranteeing respect for the territorial integrity of Croatia, and to collaborate with all parties involved in the conference to solve the question of the succession of states.

The Community and its Member States also decided to recall their ambassadors in Belgrade for consultations and to demand the suspension of the Yugoslav delegation's participation in the work at present under way in the CSCE until the situation is re-examined on 29 June next. They also decided that, if the situation remained unchanged, the growing tendency to isolate the Yugoslav delegation within international bodies should be stepped up.

The Community and its Member States have asked the Commission to study possible details of economic sanctions. Any failure on the part of the Belgrade authorities to comply with these re-

quirements will be taken into account when the question of recognition of the new federal organization comes up for consideration.

Following the adoption on 30 May of Resolution No 757 of the UN Security Council the Community and its Member States issued a statement on 1 June³ giving their opinion that the sanctions adopted in the resolution in question should be considered in the light of their continued efforts to reach a peaceful and lasting solution to the problems of the former Socialist Federative Republic of Yugoslavia, particularly, as I have mentioned, by means of the conference on Yugoslavia and the talks held between the three communities in Bosnia-Herzegovina.

In pursuance of the UN Security Council resolution which I mentioned, the Community and its Member States also approved on 1 June a regulation and a decision applying economic sanctions to Serbia and Montenegro, together with sanctions at national level.

The Community and its Member States asked the Croatian Government to do everything in its power to avoid incursions of military and paramilitary forces into Bosnia-Herzegovina and to avoid arms smuggling.

Mr McMahon (S): I should like to thank the President-in-Office for a very full answer. Could I ask him to elaborate on what was actually agreed today in the form of sanctions. Could he itemize what form these economic sanctions took? Secondly, would he not agree that this is a matter of considerable urgency? I applaud the efforts of successive Presidents-in-Office. The Dutch, in particular, were very energetic and the Portuguese have obviously done their best in an extremely difficult situation. Would the President-in-Office not agree that the matter is extremely urgent and will the Lisbon Council discuss the situation?

Mr Martins: First, the economic sanctions laid down relate basically to a trade embargo including energy products and excluding only such humanitarian aid as may prove necessary. They are therefore wide-ranging economic sanctions, which we hope may produce political results conducive to the resumption of a fruitful dialogue.

The honourable Member will appreciate that the situation prevailing in this region of Europe is so serious that the Community, through its various institutions, must always be alert and ready to take such decisions as may be needed.

The Lisbon European Council will assuredly make an appraisal of the situation in Eastern Europe and particularly in this region, which is suffering a tragedy to which we cannot remain indifferent.

Mr Ramírez Heredia (S): In Yugoslavia there are roughly a million gypsy citizens; they are Serbians, Croats, Macedonians, Bosnians, Montenegrins, but in addition to possessing one or other of these nationalities they are gypsies and therefore largely marginalized.

In relation to the last question, I should like to know whether the Council, in all the humanitarian aid measures which it has put forward, like the Commission, on behalf of the citizens of Yugoslavia as a whole, has taken account of the existence also of this gypsy community consisting of a million people who, not feeling closely linked to any one of the republics or territories making up the former Yugoslav state, theoretically have no one to defend them.

Mr Martins: I think it will not be news to the honourable Member that in fact one of the major preoccupations of the peace conference which is in progress and for which the Portuguese Presidency has made every effort is the question of the ethnic minorities in the various republics. Apart from the whole political drama taking place in the Yugoslav region there is in fact the question of the ethnic minorities scattered throughout the various republics. I can assure the honourable Member that it will be considered with the utmost attention in European political cooperation.

Mr Alavanos (CG): I would like to ask the President-in-Office whether, at the next Council of Foreign Ministers in Luxembourg, the Portuguese Presidency, first, will draw attention within the scope of the talks to the report by the Secretary-General of the United Nations, which to a large extent weakens the grounds for the embargo, and speaks of the Serbian authorities' disposition to cooperate and of Croatia's responsibilities as well, and secondly, whether it will bring up the matter of Skopje for discussion and whether there are to be any new proposals by the Presidency.

Mr Martins: I can only give a general answer to the question the honourable Member puts to me, that is to say, as I have just mentioned, that the Yugoslav question in general will be one of the Presidency's concerns at its forthcoming meetings and also in the General Affairs Council under European political cooperation. I cannot say in advance what specific aspect may be raised in the debate which may take place.

¹ EPC Bulletin, Doc. 92/163.

² EPC Bulletin, Doc. 92/167.

³ EPC Bulletin, Doc. 92/209.

92/224. Question No H-592/92 by Mr Ephremidis on the serious risk of the conflict in Yugoslavia spreading southwards as a result of the events in Kosovo

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

There is a serious risk that the conflict in Yugoslavia will spread southwards to the region of Kosovo following the recent elections held by the Albanian population which Serbia has declared to be unlawful and unconstitutional. Kosovo's efforts to achieve independence and unite with Albania, the involvement of the Albanians of Skopje, who make up 40% of the population, and Serbia's entrenched opposition to any such moves make it imperative that immediate action be taken at international level to prevent further escalation of the conflict.

What steps do the Ministers meeting in EPC intend to take, bearing in mind the overall situation in the region, the danger of destabilization in the Balkans, as evidenced by a growing tendency to challenge borders, and the involvement of foreign powers in the hostilities, to prevent any worsening of the situation?

Answer:

Mr President, in my answer to Oral Questions 556, 583 and 587 by the honourable Members Alavanos, Hadjigeorgiou and McMahon respectively,¹ I addressed two important aspects of the present crisis in former Yugoslavia: the position of the Community and its Member States with regard to the Yugoslav Republic of Macedonia and their response to the tragic situation in Bosnia-Herzegovina. These, like all the different questions regarding the state of play in the republics concerned including the future of Kosovo, are of course interlinked and part of the overall effort of the Community and its Member States to bring peace to the region and its republics. The Conference on Yugoslavia, as the honourable Member will be aware, is a very important mechanism in this process.

The question of the rights of national or ethnic groups is an integral part of the Conference on Yugoslavia. In his capacity as chairman of the Conference, Lord Carrington and his senior staff

meet regularly with representatives of these groups to discuss matters of particular interest to them. Chapter II of the draft Treaty Provisions for the Convention, the basic document under discussion at the Conference, deals specifically with human rights and the rights of national or ethnic groups, including the special status of autonomy in which persons belonging to a national or ethnic group form a majority.

¹ EPC Bulletin, Docs 92/220 and 92/223.

92/225. Question No H-593/92 by Ms Crawley on East Timor

Date of issue: 10 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to oral question in the European Parliament

Would the Foreign Ministers, meeting in Political Cooperation, explain what steps they are taking to bring to an end the suffering the population of East Timor [is] experiencing at the hands of the Indonesian army of occupation? Will they take steps to put an arms embargo into place until the United Nations resolution calling for the Indonesian army's withdrawal is enacted?

Answer:

As the honourable parliamentarian will be aware from the reply to recent oral questions on the same issue, the Community and its Member States are following with deep concern the human rights situation in East Timor.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the resolution and the regulation adopted by the Development Council on Human Rights, Democracy and Development on 28 November 1991. This concern has furthermore been the object of a great number of common statements and *démarches* to the Indonesian authorities.

The Community and its Member States expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. In their statement on 3 December 1991² they further called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

The Community and its Member States on 13 February 1992³ issued a new statement expressing their position on this problem. Although they viewed favourably some of the reactions of the Indonesian authorities, following the publication of the summary report of the Indonesian National Investigation Commission, which they hoped would be followed by concrete and effective steps to improve significantly the human rights situation in East Timor, the Community and its Member States expressed their hope that further investigations will result in all those responsible being identified and, where appropriate, disciplined and brought to trial, and that these investigations will also produce clear information about the number killed and the fate of those missing.

The Community and its Member States also called on the Indonesian authorities to ensure that all East Timorese arrested on the occasion of the Dili shooting are treated humanely, that those not involved in violent activities are released without delay and that those brought to court are assured of proper legal representation and fair trials.

The Community and its Member States note that trials regarding East Timorese civilians have been going on in both Jakarta and Dili. Several of the accused have already been sentenced to heavy prison confinements, which are likely to be appealed against. Meanwhile, there have also been a number of court martials involving two officers and some other lower ranking military personnel, whose sentences would seem mild. In general, some trial procedures have not been in conformity with international standards. The Community and its Member States will continue to monitor these processes.

1 *EPC Bulletin*, Doc. 91/194.

2 *EPC Bulletin*, Doc. 91/429.

3 *EPC Bulletin*, Doc. 92/062.

92/226. Statement on the situation in Yugoslavia

Date of issue: 15 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States recall their support for United Nations Security Council Resolution 757 and stress once again the need for its full implementation. The sole purpose of the sanctions decided upon is to find a peaceful and equitable solution to the Yugoslav crisis. They are not motivated by hostility against the Serbian and Montenegrin people.

The Community and its Member States welcome and support United Nations Security Council Resolution 758 of 8 June and the steps taken by the Secretary-General of the UN to secure the re-opening of Sarajevo airport for humanitarian purposes under the exclusive authority of the United Nations, and with the assistance of UNPROFOR. They welcome the active participation of Member States in this operation. They are ready to assist the Secretary-General in any manner which would facilitate the immediate delivery of urgently needed humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina. They also call upon all parties concerned to cooperate fully with UNPROFOR and international humanitarian agencies in achieving their aim of helping the long suffering people of Bosnia and Herzegovina.

The Community and its Member States also support the establishment of a security zone encompassing Sarajevo and its airport, and express the hope that this may be the beginning of a process of normalization which will bring peace to Bosnia and Herzegovina in its entirety. They welcome the last cease-fire brokered by the UN and urge all parties to respect it. In this context, they also take note of the unilateral measures announced by the Serbs of Bosnia, expect that they will comply with these, and call upon the other parties in the conflict to reciprocate.

The Community and its Member States welcome Lord Carrington's decision to visit Sarajevo with Ambassador Cutileiro, once the airport has been reopened, to reconvene the talks on future constitutional arrangements for Bosnia and Herzegovina held under the aegis of the EC Peace Conference. They reaffirm once again that only a political negotiated settlement on the basis of the principles agreed by the three main political parties of Bosnia and Herzegovina on 18 March 1992, may bring a lasting and just solution to the outstanding problems of the Republic.

The Community and its Member States, therefore, urge the leaders of those parties to fully assume their historical responsibilities and call upon them to state publicly and unreservedly their readiness to resume the constitutional talks and their willingness to participate in them in good faith.

The Community and its Member States noted that the situation in Kosovo is potentially dangerous and urge all parties to show the necessary restraint and sense of responsibility. They urge the authorities in Belgrade to refrain from further repression and engage in serious dialogue with representatives of Kosovo. Failure to do so would impede their prospect for the restoration of normal relations with the international community. The Community and its Member States recall that frontiers can only be changed by peaceful means and remind the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the EC Peace Conference. They also call upon the Albanian Government to exercise restraint and to act constructively.

92/227. Report to the European Parliament on progress towards European Union [extracts only]

Date of issue: 15 June 1992

Place of issue: Brussels

Country of Presidency: Portugal

Status of document: Report of the European Council to the European Parliament on European Union

Introduction

In 1991 the Community lived through a year which was extremely rich in events and which will leave a lasting mark on the history not only of the European continent but of the world as a whole.

Some of these events seriously jeopardized the process of general *détente* and peace pursued in recent years and brought in their wake an often very heavy burden of loss and suffering for the peoples concerned: the Gulf war, the crisis in the Baltic States, the Kurdish tragedy, the attempted *coup* in the Soviet Union, the conflict between various republics in Yugoslavia, bloody confrontation in several countries of Africa.

Other events offered great hope and paved the way for more peace, dialogue and democracy: acceleration of the movement towards democratization in Central and Eastern Europe and also in other continents where democracy and respect for human rights left much to be desired; continuation of the pan-European process of the CSCE; the opening in Madrid of the Middle East Peace Conference; progress towards the total and irreversible abolition of apartheid and the creation of a new South Africa, united, democratic and non-racial; the successful out-turn of the Paris Peace Conference on Cambodia.

All these constituted for the Community challenges which it accepted and which resulted in it significantly increasing its role and its activity on the international stage.

Democracy, pluralism, the rule of law, complete respect for human rights, market economy principles: the five pillars of society in all Member States of the Community thus become every day a more widely-accepted reference model.

At the same time, a growing number of countries are expressing their intention of associating themselves more closely with the Community.

As a result, to cope better with its increased responsibilities, the Community pursued throughout 1991, with undoubted success, the internal and external development process which the European Council itself stated to be an absolute priority. Although no attempt is made to be exhaustive, the following aspects of the progress achieved deserve more particular attention.

The record of progress made towards achievement of the Single Market is broadly positive. The Inter-governmental Conferences on Political Union and Economic and Monetary Union took place with the aim of achieving overall agreement before the end of the year in accordance with the political undertaking already entered into in Rome and clearly confirmed by the European Council in Luxembourg.

Cooperation with the major industrial partners (United States, Japan, Canada) has intensified and extended. Political agreement has been reached on the entire draft EEA Agreement. Negotiations in the framework of the Uruguay Round have continued to make progress.

A web of relations, in particular contractual (cooperation or association agreements), has already been woven or is on the point of being so with the countries of Central and Eastern Europe, which are facing the difficult task of building stable democratic structures while at the same time making the difficult transition from a planned to a market economy.

Relations with the countries of the third world have improved considerably thanks to the various instruments adopted by the Community to assist development cooperation: entry into force of Lomé IV; policy of humanitarian aid and assistance and significant renovation of the commercial, economic and financial approach to the countries of the Middle East and the Mediterranean; substantial impetus to the relaunch of relations with the countries of Latin America and Asia.

The reform of the common agricultural policy has been undertaken and the process is under way of deepening and developing other policies such as fisheries, environment, energy, transport, regional policy (increased protection for remote areas).

Political cooperation has also proved its worth. The Twelve have continued to cooperate effectively within EPC on foreign policy matters.

Finally, inter-governmental cooperation has continued to develop and expand.

These various aspects as well as many others are addressed in greater systematic detail in Chapters A to D below.

A. Inter-governmental Conferences on Political Union and Economic and Monetary Union

The agreement reached by the Heads of State or of Government at the Maastricht European Council on 9 and 10 December 1991 on a draft Treaty on European Union marked the culmination or more than three years of intensive work on Economic and Monetary Union and almost two years of equally intensive work on Political Union, work which formally started with the opening of the Inter-governmental Conferences on Political Union and Economic and Monetary Union on 15 December 1990. The draft Treaty, which marks a new stage in the process of creating 'an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen', is considered by many to be the most important development in the history of the Community since the Treaty of Rome itself. The Treaty is due to be ratified by the Member States in the course of 1992 with a view to its provisions entering into force on 1 January 1993, which will also be the date on which the internal market will be fully established.

[...]

Political Union

The draft Treaty on European Union also marks an important step forward in the development of a political Europe, which is seen as the indispensable corollary to the development of an economic Europe. Its provisions give concrete effect to the guide-lines set out by successive European Councils and in particular by the European Council in Rome on 14 and 15 December 1990 and the European Council in Luxembourg on 28 and 29 June 1991. Those guide-lines concerned, in particular, the enhancement of the democratic legitimacy of the Community with particular reference to the role of the European Parliament, the implementation of a common foreign and security policy, the establishment of a citizenship of the Union, the extension and strengthening of Community action, the ensuring of the Union's effectiveness and efficiency, economic and social cohesion, cooperation in the areas of justice and home affairs and the importance of the principle of subsidiarity.

As regards democratic legitimacy, the draft Treaty provides for a considerable enhancement of the political, legislative and monitoring role of the European Parliament. Of particular significance in that connection are:

- the establishment of a new legislative procedure which will apply to a wide range of Community legislation and which is characterized by the institution of a direct dialogue between the European Parliament and the Council within a Conciliation Committee and the need for both of the legislative partners to agree (whether expressly or tacitly) to the legislative act proposed;
- the extension of the use of the cooperation procedure;
- the close involvement of the European Parliament in the appointment of the Commission: Parliament must be consulted on the nominee for President and approve, by a vote, the nominees for the President and the Members of the Commission;
- the formalization in the Treaty of the European Parliament's right of enquiry as well as the right of petition to Parliament.

The draft Treaty moreover provides for the appointment of an Ombudsman attached to the European Parliament and the creation of a consultative Committee of the regions enabling regional and local bodies to be closely involved in the Community decision-making process.

The requirements of effectiveness and efficiency are met in the draft Treaty by, on the one hand, inclusion of the various spheres of action of the Union within a single institutional framework and, on the other hand, considerable extension of qualified-majority voting in the decision-making procedures of the Community.

Community action has been extended and strengthened essentially by modifying some existing provisions of the Treaties establishing the European Communities (for example, in the environment field), and by the creation of specific legal bases for Community action in a number of fields such as education and vocational training, culture, public health, industry, consumer protection, trans-European networks and development cooperation. A declaration attached to the Final Act of the Conference moreover states that a future Conference will examine the question of the introduction into the Treaty of specific titles on civil protection, energy and tourism.

The new Treaty establishes a citizenship of the Union, of which every person holding the nationality of a Member State is automatically the beneficiary. Citizens of the Union are to enjoy a certain number of rights relating, in particular, to free residence and movement and to voting in municipal and European Parliament elections in the Member State of residence. Provision exists for the rights laid down in the Treaty to be strengthened or added to in the future.

As regards economic and social cohesion, the current Treaty provisions have been reinforced, in particular by the commitment to set up, before the end of 1993, a Cohesion Fund intended to channel financial assistance to the less-developed Member States for projects in the fields of the environment and trans-European networks. A Protocol attached to the new Treaty also foreshadows certain measures to be implemented in the near future with a view to furthering cohesion, including most significantly, a declaration of intention to take greater account of the contributive capacity of individual Member States in the Community's system of own resources.

One of the most important features of the draft Treaty on the Union is the setting-up of a common foreign and security policy, which is intended to give concrete expression to the unanimous desire of the Member States to strengthen the identity and role of the Union as a political entity on the international scene as well as the concern to ensure the consistency of all the Union's external activities.

The objectives of the common foreign and security policy are, *inter alia*, to strengthen the security of the Union and its Member States, to preserve peace and strengthen international security, to promote international cooperation and to develop and consolidate democracy and the rule of law. Those objectives are to be pursued through a reinforcement of current European political co-

operation as instituted by the Single European Act and through the gradual implementation of joint actions in the areas in which Member States have important interests in common. Such joint actions are to be adopted by the Council on the basis of general guide-lines from the European Council and will commit the Member States in the positions they adopt and in the conduct of their activity. In a declaration the European Council stipulated that joint action could be implemented as from the entry into force of the new Treaty in areas connected with security, in particular the CSCE process, the policy of arms control and disarmament in Europe, nuclear non-proliferation issues and the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports; furthermore, work will be started as of now on identifying areas open to joint action as regards particular countries or groups of countries.

As regards the specific questions of security and defence, the new Treaty specifies that the common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing, of a common defence policy, which might in time lead to a common defence. It is expressly stated that the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States under the NATO Treaty and be compatible with the common security and defence policy established within that framework.

Decisions and actions of the Union which have defence implications are to be elaborated and implemented by the Western European Union, which is flagged as an integral part of the development of the Union. The provisions on security and defence are accompanied by two declarations in the Final Act of the Conference by the members of the Western European Union which are also Member States of the European Union.

In the first of those declarations they addressed on invitation to those Member States of the Union which were not at present members of WEU to accede to the latter or, if they wished, to assume observer status.

In the second declaration, which concerned the role of WEU and its relations with the European Union and NATO, they agreed:

- as regards WEU's relations with the European Union, that the objective was to build up WEU in stages as the defence component of the European Union and that to that end WEU was prepared, at the request of the Union, to elaborate and implement decisions of the Union which had defence implications;
- as regards WEU's relations with NATO, that the objective was to develop WEU as a means of strengthening the European pillar of the Atlantic Alliance. Accordingly, WEU was prepared to develop further the close working links between it and the Alliance and to strengthen the role, responsibilities and contribution of WEU member States in the Alliance; this would be undertaken on the basis of the necessary transparency and complementarity between the emerging European security and defence identity and the Alliance, and WEU would act in accordance with the positions adopted in the Alliance.

Provisions governing cooperation in the fields of justice and home affairs are laid down in Title VI of the draft Treaty. This Title identifies a number of areas – for example, asylum policy, some aspects of immigration policy, combating drug addiction, police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime – as being matters of common interest to the Member States and provides that in those areas:

- Member States shall consult one another within the Council with a view to coordinating their action;
- the Council may adopt joint positions and common actions as well as draw up conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements.

The Title also provides the possibility for the Council to decide – subject to ratification by the Member States – that action in some of the areas in question may be taken under the new Article 100c of the Treaty establishing the European Community, The latter Article at present only covers some aspects of visa policy.

Two declarations annexed to the Final Act of the Conference further state that:

- the Council will consider as a matter of priority questions concerning Member States' asylum policies with the aim of adopting, by the beginning of 1993, common action to harmonize aspects of them; in this connection, the Council will also consider, by the end of the same year, the possibility of transferring such matters to the new Article 100c;
- the Member States will consider, during 1994 at the latest, whether to extend the scope of the police cooperation on which they have agreed and the main features of which are outlined in the declaration on that subject.

As regards social policy, the Conference, while leaving the existing Treaty provisions unchanged, agreed to attach to the draft Treaty on European Union a Protocol and an agreement on social policy, the provisions of which will bind all the Member States except one. The aim of that Protocol and agreement is to facilitate the further implementation of the 1989 Social Charter by the eleven Member States in question.

Finally, it should be pointed out that Article N contains a future developments clause whereby a new Inter-governmental Conference will be convened in 1996 to examine those provisions of the Treaty for which revision is provided. In this instance it will be a matter of examining to what extent the policies and forms of cooperation introduced by the Treaty on Union should be revised to ensure the effectiveness of the mechanisms and Community institutions, of considering the question of extending the scope of the new legislative procedure introduced by Article 189b and of considering the matter of revising the provisions of Article J.4 concerning the security and defence of the Union. The Conference will also be required to examine to what extent it would be possible to review the classification of Community acts with a view to establishing an appropriate hierarchy for the different categories of rules.

B. Areas within Community Competence

I. External Relations

1. The Community's foreign policy is increasingly bound up with Political Cooperation on the part of the Twelve, whose action it supports and strengthens.

2. Following the European Council meeting in Rome in December 1990, the Community committed itself to introducing new instruments for coping with rapid developments in the situation in the USSR; early in 1991, MECU 250 in emergency food aid and an MECU 500 credit guarantee were accordingly decided on for that country. That aid was later backed up by a significant technical assistance programme with MECU 400.

The abortive *coup d'état* in the USSR in August prompted the Community – which suspended its economic aid on 20 August and re-established it when the *coup* failed on 22 August – to increase its cooperation with the USSR so as to contribute to the stability of the Union and the republics.

Following the request from President Gorbachev for urgent supplies of foodstuffs and medicinal products for the coming winter, the Community agreed with its G-7 partners on aid amounting to MECU 6 000, one third of which is to be borne by the Community. The Community contribution consists of the above MECU 250 in grants and MECU 500 export credit guarantee and an additional MECU 1 250 in credit facilities. Some of the credits can serve to finance triangular operations involving the countries of Central and Eastern Europe, including the Baltic States, thus help-

ing to support these countries' economies. The above significant programme of technical assistance decided on by the Community as a contribution to the process of transition towards a market economy is now being implemented. It covers the fields of public and private-sector management training, financial services, energy and transport, with particular reference to foodstuffs distribution.

In addition, in view of the precarious food supply situation particularly in Moscow and Saint Petersburg, on 16 December 1991 the Council followed up the conclusions of the European Council meeting in Maastricht by approving an emergency food aid package for MECU 200.

On 20 August the Community decided that it would also strengthen its cooperation with the countries of Central and Eastern Europe to mark its solidarity with them in the face of the events in Moscow.

The necessary amendments were made to the negotiating directives so that the Europe Association Agreements with Poland, Hungary and Czechoslovakia could be concluded speedily. The agreements were signed in Brussels on 16 December 1991. At the same time, interim agreements were signed to make possible, pending completion of the respective ratification procedures, the provisional entry into force of the commercial provisions as from 1 March 1992. The principle of concluding Europe Agreements with Bulgaria and Romania was also agreed, enabling the Commission to begin exploratory talks with both countries. The Europe Agreements are based on the gradual realization of a free-trade area, are designed to make progress towards the other three freedoms and institutionalize a political dialogue. They strengthen the links binding the partners to the Community and constitute one of the significant features of the new architecture of Europe. In the preamble to the agreements, the parties recognize that the ultimate objective of the associated countries is to become members of the Community, and association should help them attain this objective.

Being aware of its responsibilities in the face of the new situation arising in Central and Eastern Europe, the Community continued throughout the year with its action to assist the Central and East European countries by implementing a coherent package of measures (see economic and monetary questions). Activities agreed on under the PHARE programme were also continued and extended to other countries, as confirmed at the G-24 ministerial meeting on 11 November 1991.

The Central and East European countries belonging to COST (Hungary, Poland and Czechoslovakia) have also been able to participate in specific Community research programmes since November 1991.

Again on 20 August, the Community and its Member States confirmed their decision to restore diplomatic relations with the Baltic States without delay. The Community's political and economic support was demonstrated in a meeting with the Ministers for Foreign Affairs of those three countries during the Council meeting on 6 September (following which a joint declaration was published),¹ the inclusion of the Baltic States in the PHARE programme and the GSP and the adoption of negotiating directives for the conclusion of traditional trade and cooperation agreements which constitute the basis on which, in due course, Europe Association Agreements will be built.

Finally, in view of developments in Albania, the Community supplied a considerable amount of aid in the form of foodstuffs and medicinal products, decided to include this country also in the PHARE programme and the GSP and to initiate negotiations for the conclusion of a traditional trade and cooperation agreement along the same lines as those planned for the Baltic States.

3. Within the context of the Political Cooperation efforts set in hand at the European Council meeting in Luxembourg in order to reach a peaceful solution to the Yugoslav crisis, a number of measures *vis-à-vis* Yugoslavia were agreed, most of which came within the sphere of Community competence.

The Political Cooperation declaration of 5 July² decided upon an embargo on armaments and equipment applicable to the whole of Yugoslavia, which was endorsed by the Security Council, as well as on the suspension of the 3rd Financial Protocol, which had just been signed between the EEC and Yugoslavia, and the freezing of the balance remaining under the 2nd Financial Protocol.

Acting on the invitation contained in the declaration of 28 October,³ on 4 November the Council approved, on a proposal from the Commission, the framework for restrictions which could be applied to Yugoslavia as well as positive selective measures to assist those parties which cooperated peacefully in finding a solution to the crisis on the basis of the EC's proposals at The Hague Peace Conference.

In accordance with the Rome declaration of 8 November,⁴ on 11 November the Council took the necessary decisions for immediate effective implementation of the restrictive measures, viz.: immediate suspension of the application of the agreements between the European Community, its Member States and the Socialist Federal Republic of Yugoslavia; denunciation of the Trade and Cooperation Agreement (the European Parliament having been asked for its assent under the urgent procedure) and the ECSC Agreement; removal of Yugoslavia from the list of beneficiaries of the GSP for 1991; reintroduction of the quantitative limits on imports of textiles originating in Yugoslavia following the suspension of the Textiles Agreement. For its part, the Commission suspended application of the PHARE programme, and Yugoslavia was not invited to the G-24 ministerial meeting on 11 November 1991.

The declaration of 8 November also decided to consider additional economic and political measures and to invite the Security Council to take the necessary steps towards imposing an oil embargo and additional measures to enhance the effectiveness of the arms embargo.

As regards the positive compensatory measures *vis-à-vis* parties which cooperated, the principle of which was confirmed, on 2 December 1991 the Council, taking note of encouraging developments giving reason to hope that fresh impetus could be imparted to the peace process, adopted a regulation reinstating, for the Republics of Bosnia-Herzegovina, Croatia, Macedonia and Slovenia, most of the trade concessions previously granted to Yugoslavia under the Cooperation Agreement. It also decided to reinstate PHARE programme coverage for those republics. It further asked the EIB to agree to the granting of loans, for up to MECU 100, to finance projects in the republics concerned and to consider resuming payments for ongoing projects, where the situation permitted.

The Twelve pointed out that the adoption of positive measures for those republics was entirely without prejudice to the question of their recognition.

It was also agreed that, if the economy of a Member State was seriously affected by Yugoslav counter-measures, the Community and its Member States would show their solidarity by taking effective and concrete corrective measures towards the Member State concerned.

Finally, the Community provided substantial humanitarian aid for the victims of the conflict.

4. Negotiations with the EFTA countries (Austria, Finland, Iceland, Liechtenstein, Norway, Sweden, Switzerland) for the creation of a European Economic Area (EEA) continued throughout 1991 under a very intensive negotiating process, featuring in particular EEC/EFTA ministerial meetings on 14 May (Brussels), 18 June (Luxembourg) and 21 October (Luxembourg). At the last ministerial meeting, political agreement was arrived at on the entire draft EEA Agreement.

That draft agreement has still to be finalized, particularly to make the adjustments required by the Court of Justice's opinion 1/91 of 14 December 1991, finding the envisaged judicial mechanism to be incompatible with the Treaty of Rome.

The agreement creating the EEA is scheduled to enter into force, following ratification by national parliaments and the assent of the European Parliament, on 1 January 1993, the date on

which the Single Market is to be completed within the Community. Thus will be created the largest existing integrated economic unit, encompassing almost 380 million inhabitants.

The Single Market will be extended to the entire EEA through the adoption by the EFTA partners (generally speaking immediately, although in certain cases following transitional periods) of the relevant '*acquis communautaire*' established over 30 years as regards free movement of goods, persons, services and capital. With respect to future Community legislation, a procedure is established which on the one hand preserves the Community's full decision-making autonomy while on the other guaranteeing, within the framework of a process of thorough information and consultation, that the EFTA partners' views are taken into account, which should in principle allow the EEA to take this legislation on board.

The agreement also makes provision for greater cooperation between the Community and EFTA within the framework of so-called flanking policies (research and development, environment, education, training and youth, social policy, consumer protection, small and medium-sized enterprises, tourism, audio-visual sector, civil protection).

It also contributes to reducing social and economic disparities between the regions within the framework of the arrangements laid down in the agriculture and fisheries sector and by the establishment by the EFTA countries, for Spain, Portugal, the island of Ireland and Greece, of a financial mechanism for a 5-year term of MECU 1 500 in soft loans and MECU 500 in grants.

Finally, it establishes a political dialogue between the Twelve and the Member States of EFTA.

Apart from the accession prospects of certain partners, the European Economic Area thus makes a major contribution to the organization of the European continent.

5. On 1 July 1991 Sweden applied for accession to the three Communities and, at its meeting on 29 July, the Council decided to implement the procedures laid down in the Treaties, which means that the Commission is required to prepare an opinion.

The Commission submitted its opinion to the Council on 2 August concerning Austria's application for accession.

6. The European Council meetings in June and December confirmed the Community's interest in achieving a positive conclusion to the Uruguay Round before the end of the year.⁵ A strengthened and expanded multilateral trading system constitutes the first priority in international economic relations as a factor of growth in the world economy and in view of the process of reform towards a market economy under way in the countries of Central and Eastern Europe, the USSR and many developing countries.

In December, the European Council also reaffirmed its commitment to achieving a substantial, balanced, overall outcome to the Uruguay Round, based on strong commitments concerning market access, agriculture, services, intellectual property and, generally, a stronger GATT system excluding any recourse to unilateral action by any partner. It specifically called upon the other Uruguay Round participants to join in its efforts to conclude the negotiations on that basis.

At its meeting on 23 December 1991, the Council carried out an initial assessment of the paper submitted by the GATT Director-General for the final stage of negotiations. Insofar as, in agriculture, the paper called into question the foundations of the Community's agricultural policy, the Council found it unacceptable. While agreeing that the paper contained some positive points, the Council considered that it was not balanced as a whole, and therefore asked the Commission to negotiate the necessary improvements.

7. The process of consultation and political and economic cooperation provided for in the Joint EEC/United States and EEC/Canada declarations has continued intensively.

The two six-monthly meetings between President Bush and the Presidents of the European Council and the Commission took place on 11 April in Washington and 9 November in The Hague. At the latter meeting, a declaration on the Uruguay Round *inter alia* was adopted, demonstrating a narrowing of differences.

The first of the regular summit meetings with the Prime Minister of Canada took place in Ottawa in April.

At a summit meeting between the Japanese Prime Minister and the Presidents of the European Council and the Commission in The Hague on 18 July,⁶ a joint declaration on relations between the European Community and its Member States and Japan was adopted, establishing with this other major industrialized partner a framework for relations similar to that set up with the United States and Canada.

This declaration acknowledged the crucial role played on the world stage by Japan, the Community and the Member States and reaffirmed their interest in maintaining peace, democracy and human rights and in developing a stable and prosperous world market economy. The declaration establishes the framework for a very broad political dialogue and for cooperation in a number of important areas of common interest, particularly in the economic, commercial and industrial spheres as well as in science and technology. An annual summit meeting is planned.

Japan and the Community reached agreement on the features of a consensus on arrangements for the import of motor vehicles for the period ending 1999. The aim of this consensus is to achieve gradual, full liberalization of the Community arrangements for the import of Japanese vehicles, avoiding market disturbances and allowing the necessary structural adjustments to be made by Community producers.

8. The responsibilities which the Community has to shoulder in Europe as a result of the upheavals in this continent have not, however, deflected it from its responsibilities towards the developing world.

9. The fourth ACP/EEC Convention of Lomé, concluded for a 10-year period, entered into force on 1 September 1991. Including Haiti, the Dominican Republic and Namibia 69 ACP States are now signatories. The new convention is designed at one and the same time to continue the Community's political commitment towards the development of the ACP States while adapting and improving the instruments of ACP/EEC cooperation. It provides in particular for a substantial increase in the resources made available to the ACP (MECU 12 000 for the first five years of application as compared with 8 500 million under Lomé III), some of which is earmarked to support structural adjustment. At the ACP/EEC Council meeting on 6 and 7 May, a large number of provisions required for the Convention's introduction were adopted. To help ease the ACP States' financial constraints, in November the Council decided to abandon the replenishment of STABEX resources for Lomé I, II and III and such replenishment is no longer provided for under Lomé IV.

Following the military *coup d'état* in Haiti on 30 September 1991 against the first democratically elected President of that member country of the Lomé Convention, the Community and its Member States decided to suspend their economic aid pending the return of that country to the rule of law and the reinstatement of its legitimate authorities.

The Development Council took a new initiative involving the sending of fact-finding missions in a troika-type formation to a number of development partners where it seemed appropriate. The troika of Ministers for Development visited Ethiopia on 21 August 1991 and Bangladesh from 20 to 25 October 1991 and held consultations with a view to the effective implementation of Community humanitarian aid.

In May 1991, acting on a proposal from the Commission and in agreement with the European Parliament, the Council adopted a special programme of emergency food aid for some famine-

struck parts of Africa. The programme, for an estimated cost of MECU 140, made it possible to supply 400 000 tonnes of extra food aid to countries in the Horn of Africa and in west and southern Africa.

In 1991 the Council Decision on the association of the OCT with the Community also entered into force for a period of 10 years. The OCT will benefit from the improvements provided for in the fourth ACP/EEC Convention as regards financial cooperation as well as for STABEX and SYSMIN. Moreover, significant improvements have been made to the trade arrangements to take account of the specific nature of the OCT and their particular relationship with the Community.

10. The firm resolve of the Twelve and the Community to encourage the positive developments under way in South Africa prompted the European Council to move towards a strategy involving gradual relaxation of the pressure on the South African authorities. At the same time, the Community stepped up its programme of positive measures, adapting it to the needs of the new situation, particularly to take account of the return and reintegration of exiles.

11. At the beginning of 1991 relations with countries in the Mediterranean/Middle East region were affected by events in connection with the Gulf War and its sequels. The determining of a comprehensive approach by the Community and its Member States, incorporating political, economic and security aspects, culminated in the convening of the informal European Council meeting in Luxembourg (8 April 1991). Among the decisions and action taken in this connection, mention may be made of the implementation of a programme of assistance for the countries worst affected by the Gulf Crisis (total aid from the EEC plus Member States: USD 2 504 million), the decision on Community aid to Israel (an MECU 160 loan with an interest subsidy of MECU 27,5) and to the Palestinian population of the Occupied Territories (MECU 60 in grants), aid to refugees or displaced persons from Iraq and the setting-up of operational arrangements coordinated by the Commission, and lastly administration of the embargo *vis-à-vis* Iraq.

12. The strengthening of cooperation with the partners in the Mediterranean region and the Gulf assumes added importance in the light of the Middle East Peace Conference, at which the Community and the Twelve are represented by the President of the Council, assisted by the Commission.

The redirected Mediterranean policy constitutes in this respect a significant instrument of the Community's contribution to future multilateral negotiations on regional cooperation. This redirected policy involves in particular a substantial increase in the financial means devoted to bilateral cooperation, to support for structural adjustment and also to support for regional integration and horizontal cooperation between partners. Moreover, agricultural preferences have been significantly improved, following the earlier granting of free access for industrial products. The legal instruments for the implementation of the redirected policy are currently being approved. The new Financial Protocols have been signed with the partners in the Maghreb, Mashreq and Israel.

The Cooperation Councils met with Israel on 13 May, Jordan on 4 November and Egypt on 2 December. The Association Council with Turkey met on 30 September and marked the resumption of Association Council proceedings with a view to the strengthening of the association relationship. These meetings are opportunities to take stock of cooperation within the framework of the agreements as well as to continue a political dialogue among Ministers.

The programme of Community aid towards the Occupied Territories continued.

Two ministerial meetings took place between the Community and its Member States and the Arab Maghreb Union (Algeria, Libya, Morocco, Mauritania and Tunisia) on 26 February and 4 November, giving tangible form to the will of the Community and the Twelve to strengthen their political and economic links with this regional entity. In addition to political talks, those meetings demonstrated *inter alia* the parties' wish to strengthen and give greater structure to their relations

by institutionalizing their dialogue to involve two ministerial meetings per year and by establishing a contractual basis on the model of the cooperation agreements concluded by the Community with other regional organizations in areas adjacent to the AMU.

The second ministerial meeting for political and economic dialogue with the countries of the Gulf Cooperation Council was held in Luxembourg on 10 and 11 May.⁷ It was followed by a revision by the Council of the negotiating directives, which should make it possible speedily to achieve a free-trade agreement to supplement the existing Cooperation Agreement, once the GCC countries have established a customs union amongst themselves.

13. In late November 1991, the Council adopted a joint guide-line – forwarded to the European Parliament under the conciliation procedure – on the framework Regulation for the implementation of the new guide-lines for cooperation with the developing countries in Latin America and Asia for the 1990s. These guide-lines are also based on a substantial increase in the Community's financial effort and, while confirming the traditional spheres of action, lay stress on new priorities, in particular the strengthening of support for regional and subregional integration, the environment and increased economic cooperation, particularly in the private sector.

Several ministerial meetings within the framework of political and economic dialogues were held: the 7th dialogue meeting of the San José type between the European Community and Central America in Managua in March;⁸ the first institutionalized meeting with the Rio Group in implementation of the Rome Declaration in Luxembourg in April⁹ and the 9th meeting with the Association of South-East Asian Nations (ASEAN) in Luxembourg at the end of May,¹⁰ followed by a meeting of Ministers for Economic Affairs.

At those meetings, the Community's desire to step up dialogue and cooperation with these regional groups was reflected in the definition of priority areas of cooperation, including that of human rights, and the announcement that the agreed framework for cooperation would be adapted to take account of the new stage reached in our relations.

To the same end, the Council:

- signed new 'third generation' agreements with Mexico (26 April 1991 in Luxembourg) and Uruguay (4 November 1991 in Brussels);
- granted the countries of the Central American Isthmus trade concessions under the GSP, which are similar to those granted to the countries of the Andean Pact.

Moreover, at its meeting on 13 and 14 May 1991, the Council came out broadly in favour, subject to certain conditions, of a limited extension of the EIB's external activities, and discussions are continuing on ways of implementing this approach.

14. In late December 1991 the Council adopted the texts implementing the Community's generalized scheme of preferences for 1992.

15. The Joint Committee meeting held within the framework of the Cooperation Agreement with China (Beijing, 23 and 24 October) marked the gradual resumption of cooperation with that country agreed on in the context of Political Cooperation. The development of the situation in China, particularly from the viewpoint of human rights, was discussed at the Council meeting in December 1991.

16. Citing the declarations made by the Ministers for Foreign Affairs on 21 July 1986¹¹ and by the European Council on 29 June 1991,¹² which reaffirmed that the fostering of human rights and democracy constituted an essential feature of the Community's external relations and the basis for equitable development, the Development Council on 28 November defined a common, concrete approach to the fostering of such values. Pride of place is given to a positive approach within the

framework of a dialogue with governments and support for the development of democratic institutions, development policies focusing on human beings and governments implementing principles of good governance. Where there is serious, persistent infringement of human rights or a serious interruption in the democratic process, a graduated reaction in the light of the circumstances and the gravity of each case will be implemented: confidential representations; public condemnation; changes in cooperation programmes or channels particularly designed not to penalize the population; suspension of cooperation. A reduction in or the excessive level of military expenditure will also be taken into account in developing cooperation.

17. On 26 November 1991 the Community joined the United Nations Food and Agriculture Organization (FAO).

This is an important step, which will enable the Community to play a full part in FAO proceedings in the fields in which the Member States of the Community have transferred powers and responsibilities to it.

[...]

C. Areas covered by European political cooperation

Introduction

1991 was yet another eventful year, during which the Community and its Member States were confronted with a combination of challenges and opportunities.

The Gulf war saw the active military involvement of a number of Member States while other Member States and the Community provided other types of support. The war should be seen as a valuable lesson when developing the conditions for action in the framework of a common foreign policy.

The Yugoslav crisis dominated the agenda of the Community. The Community and its Member States were closely involved, both in political terms and on the ground, through the presence of European Community monitors. Events in the Soviet Union, in the wake of the failed *coup*, cleared the way for sweeping reforms, but also planted new seeds of instability in what was formerly the Soviet empire.

In Eastern Europe the pace of change continued to accelerate. Those countries, including the newly independent Baltic States, moved ahead in consolidating democracy and pluralism and turned increasingly towards the Community for support and guidance. These developments placed the European Community and its Member States in a pivotal anchor role in the new European architecture. Political Cooperation mechanisms were used to the full to meet the demands of the Community's new partners in the East.

Beyond Europe, the tireless efforts of US Secretary of State Baker led to the convening of the Madrid Peace Conference, in which the Community and its Member States participated alongside the co-sponsors. The Community and its Member States are prepared to play an active role in all aspects of the negotiating process, a role commensurate with their interest in the region and the high expectations of the parties themselves.

The United Nations has continued to gain credibility and influence. It has asserted itself in the search for negotiated solutions to conflicts, as for example in Cambodia, and through its growing involvement in the Yugoslav crisis where, along with the CSCE, it complemented the efforts of the Community and its Member States. At their initiative, the First Committee of the UN General Assembly adopted with an overwhelming majority a resolution on transparency in armaments, which provides for the establishment of a UN Register of conventional arms.

The end of the Cold War and the demise of totalitarian ideology in Europe have had a profound impact on the world at large, opening avenues for cooperation with new partners everywhere.

The Community has helped to shape and influence international events in the course of the year. This is amply demonstrated by the rapidly increasing number of countries or groups of countries which conduct an institutional dialogue with the Community and its Member States, or are seeking to do so.

Under the circumstances, the Community and its Member States will pursue their objective of developing a common and foreign security policy not only for reasons of consistency, but also so as not to frustrate the high expectations of those who look to Europe as a factor of peace and stability outside their own borders.

The world at large looks increasingly upon the Community as a key player. We must take up this challenge by building upon the results of the Maastricht Summit.

Central and Eastern Europe

The Community and its Member States were among the first to support the democratic process initiated in the Soviet Union. They fully support the endeavours to accelerate the reforms undertaken and to ease the Soviet Union's integration into the world economy. The process of liberalization under way represents for the Community and its Member States a sign of hope and they sincerely desire it to continue.

The Community and its Member States witnessed with great satisfaction and relief the collapse of the *coup* in the Soviet Union in August 1991.¹³ They welcomed the reinstatement of President Gorbachev and the restoration of constitutional order and democratic freedoms. They expressed their deep admiration for all individuals who resisted the *coup* and acknowledged the key role played in this respect by President Yeltsin and other democratically elected leaders. It gave them new cause for confidence in the future of Europe that, after relatively few years of reforms, the democratic forces in Soviet society have already become so strong that they could not be subdued even by an alliance of Ministers controlling all the Union's security forces. The inhabitants of the Soviet Union have demonstrated that for them their government's commitment under the Paris Charter to build, consolidate and strengthen democracy as their only system of government is not a hollow wish. In view of the restoration of constitutional order and democratic freedoms in the Soviet Union, the European Community and its Member States decided to revoke their decision of 20 August 1991 to suspend the Community's economic assistance in the form of credits for food supplies and technical assistance.

The Community and its Member States believe that these events create new opportunities for the new leadership at Union and republic levels alike to press ahead with reforms. It is for the leadership and people to seize these opportunities: only they can mobilize the vast resources of their own country and realize its inherent wealth. The Community and its Member States do not underestimate the difficulties of the situation in the Soviet Union. With a view to helping the country to overcome such difficulties and to contributing to the success of the reforms, the European Council in Rome expressed in a concrete way the readiness of the Community and its Member States to extend and strengthen economic and financial cooperation between the Community and the Soviet Union. In this spirit, the Community is also ready to consider talks on a major agreement between the European Community and the Soviet Union.

The Community and its Member States warmly welcomed the restoration of the sovereignty and independence of the Baltic States and congratulated them on the resumption of their rightful place in the international community. They immediately decided to re-establish diplomatic relations with the three countries, and also stressed the willingness of the European Community as such to do the same. The Ministers for Foreign Affairs of the Member States of the European

Community and the representatives of the Commission and the Ministers for Foreign Affairs of the Republics of Estonia, Latvia and Lithuania met in Brussels on 6 September to mark this event.¹⁴ On that occasion, the Foreign Ministers of the Baltic States declared the commitment of their countries to democracy based on the respect for human rights and the rule of law and to a market economy, social justice and environmental responsibility, together with the other principles contained in the CSCE Helsinki Final Act and Paris Charter. They pledged that their countries, in their efforts to liberate themselves from the legacy of the past, would strive to settle all outstanding issues in a process of open and constructive dialogue, mindful of the need for future cooperation between all states in Europe. The Community and its Member States also welcomed the early membership and participation of the Baltic States in relevant international organizations, such as the United Nations and the CSCE. They also expressed their willingness to explore together with the three Baltic States all avenues to assist them in their democratic and economic development.

Right from the start, the Community and its Member States have adopted a clear policy of helping the countries of Central and Eastern Europe to succeed with their political and economic reforms. They are aware of their special responsibility towards these countries at a time when their efforts to achieve structural adjustment, together with the transition to a market economy, are meeting with additional difficulties due to external economic constraints. They consider that, in these circumstances, the European Community has a duty to help consolidate and develop the general process of reform being undertaken in these countries.

In this context, the Community and its Member States conducted an intensive and constructive political dialogue with the Soviet Union and with most of the countries of Central and Eastern Europe. The Association Agreements under discussion with Poland, Hungary and Czechoslovakia will be signed on 16 December 1991. These agreements mark a new stage in the Community policy of developing increasingly close relations with those countries. The Community and its Member States also underline their commitment further to expand cooperation with Bulgaria.

In the light of recent events in Bucharest, the Community and its Member States concluded on 30 September that the pressure for effective reform in Romania should be maintained. They also decided that sufficient guarantees concerning the democratization process were needed before further steps could be taken on the negotiation of a possible Association Agreement. On 3 October they condemned the use of force and urged the Romanian authorities to continue the political and economic reform which is indispensable for the development of the country.¹⁵ They hope that the new Government of Romania under Prime Minister Stolojan, which took office in October, will take further steps towards democratization and change in that country.

The Community and its Member States recall their strong interest in the development of the process of democratization in Albania. They continued to give their encouragement to any progress towards democracy in accordance with the principles of the rule of law and respect for human rights and fundamental freedoms. Following the free elections held in Albania on March 31 and the formation of a coalition government in June, the Member States of the European Community decided to give their support for the full participation of Albania in the CSCE process. They also agreed to establish diplomatic relations between the European Community and Albania. They furthermore stressed their readiness to cooperate closely with Albania in its effort to develop its economy.

Yugoslavia

The crisis and the ensuing armed clashes in Yugoslavia are a matter of deep concern to the Community and its Member States and have led to unprecedented intensive involvement in the process of finding a peaceful solution.

Since the beginning they encouraged the efforts under way to resolve the constitutional crisis by way of dialogue and appealed to all parties concerned to refrain from the use of force and to respect fully human rights and democratic principles in conformity with the Paris Charter on the new Europe. As an expression of this concern, the Ministerial troika of the European Community had a first meeting with the federal authorities in Belgrade on 4 April. Then, following a decision taken by the European Council on 8 April, the President-in-Office of the European Council and the President of the Commission had meetings in Yugoslavia with the federal authorities and the representatives of the Republics on 29 and 30 May.

After the declarations of independence of Slovenia and Croatia, and following a request by Yugoslav authorities, the European Council decided in Luxembourg to send the ministerial troika immediately to Belgrade and Zagreb. The European Council noted that all the parties concerned had agreed on the three points set out by the European troika as elements of a package for opening the road to negotiations: a cease-fire with the return of troops to their barracks, the suspension for three months of the declarations of independence and the restoration of the constitutional legality through the appointment of the President of the Federal Presidency.

The ministerial troika returned to Yugoslavia on 30 June, at the urgent request of federal authorities. The federal authorities and the representatives of the republics confirmed their acceptance of the three points set out by the troika on 28 June. At the same time, the Presidential Council moved to proclaim Mr Mesic as President of the collective Presidency of the Federation thus implementing one of those three points. The troika stressed that the three points and the full implementation thereof were not the solution of the constitutional question in Yugoslavia, but a first step towards that goal.

On 5 July,¹⁶ in view of the situation in Yugoslavia, the Community and its Member States decided upon an embargo on armaments and military equipment applicable to the whole of Yugoslavia. They launched an urgent appeal to other countries to follow this example. They also decided to suspend the second and third financial protocols with Yugoslavia.

Following a decision by EC Ministers and at the invitation of the Yugoslav Government, the European ministerial troika met on 7 July 1991 at Brioni¹⁷ with representatives of all the parties directly concerned. A joint declaration was approved by all Yugoslav parties, which thereby endorsed the position of the Community and its Member States. In Brioni, all the parties reaffirmed their commitment to full implementation of the European Community's proposals of 30 June 1991. Moreover, they agreed that in order to ensure a peaceful settlement, the following principles will have to be fully followed: it is up to only the peoples of Yugoslavia alone to decide upon their future; a new situation has arisen in Yugoslavia that requires close monitoring and negotiation between different parties; negotiations should begin urgently on all aspects of the future of Yugoslavia without preconditions and on the basis of the CSCE principles; the collective Presidency must exercise its full capacity and play its political and constitutional role, notably with regard to the Federal Armed Forces; all parties concerned will refrain from any unilateral action, particularly from all acts of violence. The Community and its Member States for their part agreed to assist in reaching peaceful and durable solutions to the present crisis, provided and as long as the commitments undertaken above are fully abided by. In this context, they accepted the request by the other parties to assist and facilitate the negotiating process.

The CSCE participating States welcomed the readiness expressed by the Community and its Member States, building on their initiatives, to organize a mission in order to help stabilize the cease-fire in Slovenia and to monitor the implementation of the remaining elements of the agreement reached between Yugoslav parties with the contribution of the European Community. The relevant Memorandum of Understanding was signed on 13 July by all the parties concerned and the mission could start to monitor the situation on the ground from 17 July. The area covered by

the mission was extended on 1 September to include activities in relation to the cease-fire in Croatia. Since 1 September four other CSCE participating States have joined the EC in the monitoring activities both in Slovenia and in Croatia. In October the Community and its Member States extended the activities of the Monitoring Mission to Bosnia-Herzegovina. On 4 October a protocol was signed with Hungary to allow for transit of the mission through that country and for monitoring activities in relation to the UN arms embargo against Yugoslavia.

During the weeks following 13 July, the Community and its Member States, through ministerial contacts with the parties concerned, continued to assist in reaching a cease-fire and facilitating negotiations between the Yugoslav parties on their future. Following a further ministerial troika mission to Yugoslavia in early August, the Community and its Member States strongly condemned the continuing use of force and attempts of any Republic to impose solutions on other republics by force.

The European Community and its Member States also reminded those responsible for the violence of their determination never to recognize changes of frontiers which have not been brought about by peaceful means and by agreement. They stressed that territorial conquests, not recognized by the international community, will never produce the kind of legitimate protection sought by all in the new Yugoslavia. Such protection can be brought about only by negotiations based on the principle of the fullest protection of the rights of all, wherever they may live in Yugoslavia. In this context, on 27 August,¹⁸ the European Community and its Member States called on Serbia to lift its objection to the extension of the activities of their Monitoring Mission in Croatia. On the same occasion, they announced the convening of a peace conference and the establishment of an arbitration procedure.

On 3 September,¹⁹ the Community and its Member States welcomed the fact that all Yugoslav parties had accepted the goals and instruments for a solution to the crisis as contained in the EC declaration of 27 August 1991 and that, by signing the cease-fire agreement and the Memorandum of Understanding on the extension of the activities of the EC Monitoring Mission, they had demonstrated their commitment to cooperate to that end.

As from 7 September 1991 in The Hague, the Conference on Yugoslavia convened by the Community and its Member States brings together federal and republican authorities. Lord Carrington accepted to chair the Conference on behalf of the Community and its Member States. An Arbitration Commission has been established in the framework of the Conference. The Community and its Member States and all Yugoslav federal and republican authorities, represented at the highest level on 7 September, agreed that their common aim is to bring peace to all in Yugoslavia and to find lasting solutions which do justice to their legitimate concerns and aspirations. They also agreed that a peaceful settlement must be based on all the principles and commitments agreed upon in the CSCE process and expressed their determination never to recognize changes of any borders which have not been brought about by peaceful means and by agreement. The outcome of the Conference must take into account the interests of all who live in Yugoslavia.

On 19 September,²⁰ the Community and its Member States welcomed the fact that the WEU was exploring ways in which the activities of the Monitor Mission could be supported so as to make its work a more effective contribution to the peace-keeping effort.

On 4 October in The Hague, the Yugoslav parties agreed that a political solution should be sought with a view to recognition of the independence of those republics so wishing, at the end of a negotiating process conducted in good faith and involving all parties. In the light of continuing heavy fighting in Yugoslavia, the Community and its Member States demanded that all parties would implement such agreement in all its aspects. Failing that, they agreed they will take restrictive measures to be applied against those parties continuing to flout the desire of the other Yugoslav parties as well as the international community for a successful outcome of the Conference on Yugoslavia.

On 5 October,²¹ the Community and its Member States rejected the seizure of the Federal Presidency by Montenegro and Serbia. They condemned this illegal action contrary to the Constitution of Yugoslavia and the Paris Charter. They stressed that they were not prepared to acknowledge any decisions taken by a body which could no longer claim to speak for the whole of Yugoslavia. On 10 October, the Presidency indicated in a meeting with Presidents Tudjman and Milosevic and General Kadijevic that, after having identified the key political issues for any settlement, the parties should reach an agreement on those issues within one month, or two if necessary. The agreement could be further elaborated upon by making use of arbitration. That would also be the point in time when a decision would have to be made on the recognition of the independence of those republics which had expressed their will to be independent through a democratic process. This would also be the time frame in which the withdrawal of the federal army from Croatia should be completed.

On 18 October,²² the Community and its Member States adopted a common declaration with the United States and the Soviet Union. The three parties stressed their common desire to promote a speedy and complete halt to all military activities as an essential precondition to a settlement. They condemned the use of force for the settlement of political differences. They also rejected the use of force to change established borders. They will not accept any outcome which violates the principles of CSCE with regard to borders, minority rights and political pluralism. The United States and the Soviet Union reiterated their full support for the efforts of the Community and its Member States, under mandate by the CSCE, to mediate a peaceful resolution to the Yugoslav crisis. They also expressed their readiness to support restrictive measures applied by the EC to help achieve a successful outcome of the conference on Yugoslavia.

During recent weeks, the Community and its Member States have been dismayed that heavy fighting was continuing in Yugoslavia in spite of the successive agreements reached in The Hague. They noted that the violence and breaches of cease-fire agreements were committed by all parties in the conflict. They were alarmed in particular at reports that the federal army, having resorted to a disproportionate and indiscriminate use of force, has shown itself no longer to be a neutral and disciplined institution. The Community and its Member States strongly condemned the continuous federal army attacks on Croatian cities. They called on the federal army to end the siege of Dubrovnik and to allow relief supplies to be brought to the beleaguered population of the city. On 28 October,²³ the Community and its Member States called on Serbia to withdraw its reservation on the principles of the comprehensive arrangement submitted to the Conference and indicated that otherwise the Conference would proceed with the cooperative republics to obtain a political solution, with a view to recognition of the independence of those republics so wishing, at the end of a negotiating process conducted in good faith.

At the extraordinary ministerial meeting held in Rome on 8 November 1991 to assess the Yugoslav crisis,²⁴ the Community and its Member States took note of the evaluation presented by Lord Carrington of the 8th plenary session of the Yugoslav Conference, which took place in The Hague on 5 November. They were deeply concerned at the fact that the fighting and indiscriminate bloodshed were continuing in spite of repeated cease-fire commitments. They also noted with great concern that the basic elements of the proposals on behalf of the Twelve put forward by Lord Carrington, aimed at a comprehensive political solution, had not been supported by all the parties. As a consequence, the negotiating process had been put in jeopardy.

In the light of the seriousness of the situation, the Community and its Member States decided to take the following measures:

- immediate suspension of the application of the trade and cooperation agreement with Yugoslavia and a decision to terminate that agreement,
- reintroduction of the quantitative limits for textiles,
- removal of Yugoslavia from the list of beneficiaries of the generalized system of preferences,

- formal suspension of benefits under the PHARE programme; Yugoslavia was not invited to take part in the next ministerial meeting of G-24, on 11 November 1991.

Furthermore, the Community and its Member States asked those Member States which are also members of the Security Council of the United Nations to invite the Security Council to reach agreement on additional measures to enhance the effectiveness of the arms embargo. They also decided to invite, in the same way, the UN Security Council to take the necessary steps towards imposing an oil embargo.

The Community and its Member States decided that positive compensatory measures will be applied *vis-à-vis* parties which do cooperate in a peaceful way towards a comprehensive political solution on the basis of the EC proposals.

The Community and its Member States remain firmly committed to such a comprehensive political arrangement. They stress that the only way out of the crisis is through negotiations in good faith without the use of force. Despite the continuous violations of the cease-fire, the Conference is the only place where talks on a peaceful solution can continue among all parties. The Community and its Member States appeal urgently to the parties concerned to create the necessary conditions for an early continuation of the Conference. They urge other countries to support their positions.

They also recall that the prospect of recognition of the independence of those republics wishing so can only be envisaged in the framework of an overall settlement that includes adequate guarantees for the protection of human rights and rights of national or ethnic groups. They urge parties concerned to prepare forthwith legal provisions to this end.

The Community and its Member States are also extremely concerned about the humanitarian aspects of the crisis and insist that all parties involved allow emergency aid to reach the communities in need and the many persons displaced by the fighting. On 13 November,²⁵ they agreed to conduct joint operations with UNICEF in order to establish humanitarian peace and security corridors, to allow for assistance and possible evacuation of Yugoslav children in the framework of balanced operations.

On the same occasion, the Community and its Member States noted that for the first time both the rump Presidency and the Government of Croatia had called for the deployment of international peace-keeping forces in the crisis areas. In response, the Community and its Member States invited Lord Carrington to explore whether an agreement on such deployment can indeed be reached. Any deployment of peace-keeping forces will be contingent on the prior establishment of an effective cease-fire.

CSCE

The Community and its Member States attach great importance to the comprehensive nature of the CSCE process, which deals with a large range of subjects in a balanced manner while bringing together the governments and peoples of Europe as well as of those of the United States and Canada.

Within this context, they welcome the admission by the CSCE Council of Ministers in Berlin (19 and 20 June 1991) of Albania as a participating State in the CSCE and are confident that this country will continue the process of democratization and the promotion of respect for human rights, thus complying with the commitments subscribed to when joining the CSCE.

Furthermore they note with satisfaction that Estonia, Latvia and Lithuania, having regained their independence, were admitted to the CSCE process as full participating States on 10 September 1991, allowing those countries to participate in their own right in the Third Meeting of the Conference on the Human Dimension in Moscow (10 September to 4 October 1991).

Since 1989, new procedural arrangements within the CSCE have allowed for the presence of the Community, alongside that of the Member States, to receive formal recognition from the other participating States. Those arrangements reflect a practice which has been developing since the signing of the Helsinki Final Act in 1975.

The possibility for the Community and its Member States to play a leading role in the CSCE has been considerably enhanced by the historic changes which have occurred in Central and Eastern Europe. Against this background, the Community, along with the participating States, has lent its weight to the convening of the Paris Summit of November 1990. In this connection, the Presidency wishes to highlight the fact that the first Summit of the Heads of State and Government of the CSCE participating States since the signing of the Helsinki Final Act in 1975 was in itself already proof that the CSCE has entered into a new phase in its development.

The Paris Summit had as its primary objective to give new direction to the CSCE process in the changed circumstances of the 1990's. It adopted the Paris Charter for a New Europe, a common vision of society and of relations between states and outlined the principles and guide-lines which should govern the conduct of the participating States, including human rights, the rule of law and democracy. The Community and its Member States supported the proposal to invite the Secretary-General of the Council of Europe to make a contribution to the summit. It should be noted that, in addition, representatives of the Council of Europe made contributions to the CSCE meetings in Cracow (cultural heritage, May 1991),²⁶ Geneva (minorities, July 1991)²⁷ and Moscow (human dimension, September – October 1991).²⁸ In all these meetings proposals made by the Community and its Member States, both jointly and individually, have been reflected in the results.

The Paris Summit also provided for regular political consultations among the CSCE participating States, based on the newly-established CSCE Ministerial Council as well as on the Committee of Senior Officials (CSO). The Community and its Member States were instrumental in setting up CSCE institutions in Prague, Vienna and Warsaw. The role of these institutions is currently being reflected upon among the participating States, notably the Community and its Member States, and will be reviewed at the Helsinki Follow-up Meeting in the light of the experience gained in the meantime. In this process, the Community and its Member States will work for the further development of CSCE structures and institutions as well as for a European architecture of interlocking institutions, while avoiding duplication of activities.

There is a major challenge which the CSCE is asked to deal with, i.e. to ensure the continuation of the dynamics of the rapprochement between the participating States at a time when East-West relations have undergone a change from confrontation to cooperation. A notable consequence of this change is that the efforts to conciliate East and West are no longer the most salient features of the CSCE process. A central task of the CSCE has become, as spelled out in the Paris Charter, to build, consolidate and strengthen democracy as the only system of government of the participating States. A number of new priorities have emerged within the CSCE process, as illustrated by the themes of the meetings that had been agreed upon at the CSCE Summit in Paris: the protection of national minorities (Geneva, July 1991) and the promotion of democratic institutions (Oslo, November 1991). Furthermore, negotiations in the field of military security have been given further thought in Vienna. In addition, the principles agreed upon at the Bonn CSCE Conference on Economic Cooperation (March – April 1990) are of particular relevance in the current process of economic and social change in the Central and Eastern European countries.

It is important, particularly at the present juncture in international affairs, to underline that the Member States of the Community have made a substantive contribution to the elaboration of the rules of procedure of the so-called emergency mechanism on the basis of which political consultations among the CSCE participating States can be held at short notice. It was to a large extent due to the coordinated efforts of the Community and its Member States that at the Berlin meeting of the CSCE Ministerial Council this emergency mechanism could be established. The extremely dis-

turbing situation in Yugoslavia has since then necessitated the convening of four emergency meetings of the Committee of Senior Officials (CSO) in Prague, which have proved the value of this newly created mechanism.

Through the CSCE, the good will and friendly concern of other states have been brought to bear on a tense situation and the actions of those most directly involved have been placed firmly in the perspective of values and principles shared by all the participating States. The Council of Europe naturally has a substantive role to play in the defence and promotion of shared values and principles of human rights, democracy and the rule of law.

Faithful to their ideals, the European Community and its Member States firmly commit themselves to strengthening the CSCE process. Following preparatory discussions at the regular meeting of the CSO from 22 to 24 October and in the light of future major CSCE meetings such as the Ministerial Council meeting in January 1992 and more particularly the Helsinki follow-up meeting in the spring of 1992, which are called upon to outline and confirm the future developments of the Conference for Security and Cooperation in Europe, the Community and its Member States will seek a common approach likely to foster the reinforcement of CSCE structures and institutions in all relevant fields.

The CSCE will endeavour to pursue its efforts aimed at establishing conditions likely to favour economic and social welfare, particularly in those parts of the continent which are at present facing severe challenges of an economic nature. It has become a shared view among the CSCE participating States that the responsible and creative activity of individuals, exercised with respect for human dignity and in a context of social justice, will foster prosperity throughout the CSCE nations.

In this connection, the Community and its Member States rightly maintain that the effective exercise of human rights is the legitimate concern of the international community. This has been explicitly reaffirmed in the document of the Moscow Meeting of the Conference on the Human Dimension. Respect for human rights and the promotion of democratic institutions in the participating States will remain a major ambition of the CSCE process.

Cyprus

The Community and its Member States continue to follow with concern developments in Cyprus, a member of the European family. They solemnly reaffirm their support for the good offices mission of the UN Secretary-General, aimed at finding a just and viable solution to the question of Cyprus, and for the sovereignty, independence, territorial integrity and unity of Cyprus, in accordance with the relevant United Nations resolutions and high level agreements.

In this context, they note the Security Council Resolution 716 (1991) on the report by the Secretary-General of 8 October 1991 on his good offices mission in Cyprus, which indicates the progress made in preparing a set of ideas as the basis for arriving at an agreed overall framework agreement on Cyprus. They also note the difficulties encountered in completing this work and regret that it was not possible to convene the high level international meeting envisaged in the statement by the President of the Security Council of 28 June 1991.

They hope that the resuming, this month, of the Secretary-General's discussions with the two parties in Cyprus and with Greece and Turkey will permit the removal of the remaining obstacles to the convening of a high-level international meeting on Cyprus under United Nations auspices before the end of this year.

Arms Control and Disarmament

Recent events in the Middle East provided proof of the dangers arising from proliferation of weapons of mass destruction and of ballistic missiles delivering them. They have also shown the

need for concerted international action against excessive and destabilizing accumulation of conventional weapons, in particular where areas of tension are concerned.

In the declaration on non-proliferation and arms exports, adopted by the European Council meeting in Luxembourg, in June 1991,²⁹ the Community and its Member States stressed the absolute necessity of further enhancing the effectiveness of non-proliferation regimes. They reiterated their firm support for the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons and for the IAEA's safeguards system. In the context of the 46th United Nations General Assembly, the Community and its Member States commended those states that recently acceded to the Treaty and at the same time called upon all states which had not yet done so to become parties to the treaty as well. In the meantime, they also proposed to the recent meeting of the IAEA Board of Governors, as well as to the IAEA General Conference (Vienna, 16 to 20 September 1991) the adoption of a first set of measures which will be relatively straightforward to implement but which will nevertheless make an immediate contribution to the effectiveness of safeguards, namely:

- an obligation for states to declare any new facilities to the Agency at least 180 days before construction work begins; in the case of any facilities already under construction or complete, but not yet in use, immediate declaration;
- an obligation to declare all civilian nuclear materials, including uranium or concentrate (yellow cake) produced in the territory of a state;
- effective use by the agency of special inspections, including the use of such inspections in relation to undeclared nuclear facilities;
- setting up by the IAEA of a universal register of exports and imports of equipment covered by Infirc/209, Rev.1, and, at the discretion of the IAEA, verification that:
 - I equipment covered by Infirc 209, Rev.1 is actually located in a safeguarded facility, and that
 - II all nuclear materials processed in that facility are effectively safeguarded;
- an obligation to notify the Board of Governors of any application for exemption under the terms of articles 36 and 37 of Infirc/153, before accepting such an application.

The Community and its Member States recognize that in addition to these initial measures more radical proposals for improving the effectiveness, efficiency and credibility of the international safeguards regime will also need urgent consideration. They have therefore indicated that they hope that these proposals submitted by the appropriate organs of the IAEA by [...] 1 January 1992.

They have warmly welcomed the START agreement, which will help to achieve substantial and balanced reductions in the nuclear arsenals of the United States and the Soviet Union.

They underlined the importance of the CFE I Treaty providing for the elimination of disparities in conventional armed forces prejudicial to stability and security in Europe, the elimination of the capability for launching surprise attacks as well as initiating large scale offensive action. They welcomed the fact that the problems in connection with the interpretation of the Treaty were resolved satisfactorily, thereby opening the way to early ratification.

The Twelve have also welcomed the progress made on Confidence and Security Building Measures (CSBMs), as is reflected in the Vienna document. The ongoing negotiations on manpower levels in Europe represent a further step towards strengthening stability and security in our continent. The Twelve express the hope that the renewed impetus to the arms control process will lead to the earliest possible establishment of an Open Skies regime and welcome the resumption of negotiations on 5 November, once an exploratory round in September had made clear that quick progress seemed possible. They underline the importance they attach to the informal preparatory consultations, which started in Vienna on 17 September, aimed at establishing by 1992, from the conclusions of the Helsinki follow-up meeting, new negotiations on disarmament and CSBMs, open to all participating States.

As far as chemical weapons proliferation is concerned, the Gulf war has imparted a new sense of urgency to reaching the long-sought goal of a global, verifiable and comprehensive ban on chemical weapons by the middle of 1992. The Twelve therefore called for the successful completion of the multilateral negotiations in the framework of the Geneva Conference on Disarmament on a Chemical Weapons Convention. They reaffirmed their intention to be among the first signatories of the Convention and invite other states to do likewise.

The Biological and Toxin weapons Convention remains a very important arms control agreement. It is the only one which stipulates the eradication of an entire category of weapons. In the context of the recent third review conference of the Biological and Toxin Weapons Convention, the Community and its Member States stressed the need to strengthen the authority and effectiveness of the Convention, orienting efforts in the three main directions which correspond to the areas where the Convention has proved to be still deficient: universality, confidence-building and verification. They proposed concrete measures aimed at achieving such objectives. Significant progress was made in the field of CBMs, which were improved and expanded, as well as in the field of verification, for which an ad hoc expert group will be established.

The Community and its Member States believe that far-reaching international action is needed immediately to promote restraint and transparency in the transfers of conventional weapons and of technologies for military use, in particular towards areas of tension. At their initiative, the First Committee of the United Nations General Assembly adopted with an overwhelming majority a resolution on transparency in armaments, which provides for the establishment of a UN register of conventional arms. In addition, the Twelve have already identified a number of common criteria on which their national policies on conventional arms exports are based. They hope that on the basis of criteria of this nature a common approach will be made possible, leading to a harmonization of national policies in the perspective of European Political Union.

The Twelve are convinced that effective efforts in this field will have to be based on concerted international action. In that spirit the Twelve and Japan have tabled a resolution at the current 46th United Nations General Assembly which, while explicitly recognizing every state's right to ensure its own security in accordance with Article 51 of the UN Charter, aims at achieving restraint and transparency in the transfer of conventional weapons by means of a universal and non-discriminatory register. In intensive and productive consultations with notably non-aligned countries, it became evident that the scope of the resolution had to be enlarged into transparency in armaments. From these negotiations the common recognition also emerged that the international community has a clear responsibility to deal with the excessive and destabilizing accumulation of conventional arms. The First Committee of the General assembly adopted with an overwhelming majority a revised draft resolution on transparency in armaments which provides for the establishment of a UN Register of Conventional Arms.

Middle East Post Gulf Crisis Situation

The Community and its Member States were greatly satisfied that Kuwait had recovered its freedom and that international legality had been restored. They express once again their gratitude to all states which committed forces to the cause of ensuring respect for the resolutions of the Security Council of the United Nations.

As they stated on the day on which military operations began in the Gulf, the Community and its Member States reaffirm their commitment to contribute actively to bringing about for all the peoples of the region, in dignity and security, a future of peace, stability and development in a context of social justice and regional economic solidarity. They also reaffirm their commitment to the sovereignty, unity, independence and territorial integrity of all the countries of the region.

To this end, they have developed an approach with regard to the region, bearing on security questions, political problems, and economic cooperation: through a redirected Mediterranean policy, a relaunched Euro-Arab dialogue and reinforced cooperation with the Gulf Cooperation Council and the Arab Maghreb Union.

The Community and its Member States believe that it is in the first place for the states of the region to reach agreement on arrangements aimed at ensuring their future security both individually and collectively.

The Community and its Member States continue to follow with great attention the human rights situation in Kuwait since that country's liberation, especially the position of the Palestinian community. They have made *démarches* to the Kuwaiti authorities emphasizing the importance of respect for human rights there.

Arab-Israeli Conflict

The Community and its Member States warmly welcomed the fact that, for the first time all the parties involved in the Arab-Israeli conflict and the Palestinian question were sitting together at the Conference table in Madrid, confirming their commitment to a just, comprehensive and lasting settlement. They commend the United States which, in partnership with the Soviet Union, has mounted the effort to bring them together.

From the outset the Twelve have given their full support to this peace initiative. They consider that the Madrid Conference is an outstanding achievement. In participating in the conference, the Community and its Member States aim to make a full contribution to negotiations between the parties, so that they may prove to be successful. They will continue to work closely alongside the United States and the Soviet Union as they share their overriding interest in the success of the negotiations.

The Community and its Member States consider it of the utmost importance that the parties concerned have committed themselves to the road map of the Conference: direct negotiations on the basis of Resolutions 242 and 338 along two tracks, between Israel and the Palestinians on the one hand and between Israel and its Arab neighbours on the other.

The Twelve's guiding principles throughout the negotiating process are those which have long governed their position. These principles are Security Council Resolutions 242 and 338, the principle of land for peace, the right of all states in the region, including Israel, to live within secure and recognized boundaries and the right to self-determination by the Palestinian people. Their position on issues relating to the Occupied Territories, including East-Jerusalem, is equally well-known. A comprehensive settlement should encompass these principles.

In the view of the Community, what is essential now is that the way be opened to discussion on substance. For this reason it stresses that the early adoption of confidence building measures is vital. These measures will make an essential contribution to creating the stable environment which progress in the negotiations requires. A halt to Israel's settlement activity in the Occupied Territories is such an essential contribution. Renunciation of the Arab trade boycott of Israel is another. With regard to the situation in the Occupied Territories, it is important that both sides show restraint and that Israel abide by the provisions of the Fourth Geneva Convention. The Community and its Member States look forward to a tangible improvement in the situation in the Occupied Territories, even before the putting in place of interim or other arrangements.

Early movement along the parallel track of the negotiations between Israel and its Arab neighbours is equally indispensable. Progress towards a durable peace between Israel and its neighbours Jordan and Syria will be crucial to the success of the overall peace process. Much will depend on the early establishment of a basis of confidence on both sides. Progress will undoubtedly con-

tribute to further restoration of stability and sovereignty to Lebanon, and to the implementation of Security Council Resolution 425.

Progress in the bilateral talks will need to be assisted and underpinned by multilateral negotiations on regional cooperation in fields of mutual interest, that will yield the practical and visible benefits of peace. Regional cooperation cannot progress faster than movement towards a political settlement. But the political and regional agendas should go hand in hand, each one reinforcing the other. Given its close ties with all the parties involved, the Community and its Member States undertake to make an active practical contribution to progress in this important area of regional cooperation. The Community will also endeavour to associate EFTA nations, Canada, Japan and the GCC States and others in a framework of closer economic cooperation.

The Community and its Member States remain seriously concerned at the situation in the Occupied Territories, which adversely affects the living conditions of the people, compromises the future of Palestinian society and prevents the economic and social development of those Territories. The situation concerning the observance of human rights in the Occupied Territories has led the Community and its Member States to set out repeatedly their concern. They urged Israel to act in conformity with its obligations under the Fourth Geneva Convention on the Protection of the Civilian Population and to cooperate with the United Nations. They also stressed their commitment to the economic and social development of the Palestinian people.

Iraq

The Community and its Member States are deeply concerned at the situation of the civilian population in Iraq, notably the Kurds and the Shi'ites. They consider that the UN have a major role to play in the protection of these population groups. They fully support the action undertaken by the UN Security Council and the Secretary-General in the framework of Resolution 688.

As to the short-term, the Community and its Member States have cooperated with the UN Secretary-General, contributing to a swift and effective solution to the problem of refugees. The European Council agreed on 8 April³⁰ on Community aid of MECU 150 under the heading of humanitarian assistance. It also launched the proposal for the establishment of a security zone under UN supervision in northern Iraq which has been successfully implemented. Following these decisions, the Community and its Member States have participated actively and substantially to the international humanitarian effort aimed at securing protection for the refugees, enabling a large number of them to return. In this context, several Member States sent troops to northern Iraq as well as to Turkey.

The contingent of 500 United Nations guards was fully deployed. To facilitate this deployment, the European Council undertook to meet the uncovered expenses of this operation until the end of the year. It also acknowledged with satisfaction the contribution in men and material which certain Member States have made to the contingent of UN guards.

The Community and its Member States have been following the negotiations between the Iraqi authorities and leaders of the Kurdish population on Kurdish autonomy and democratic reform in Iraq. They note that, at this stage, these negotiations have not led to a satisfactory agreement.

The Community and its Member States will continue to follow closely the situation in Iraq, in particular in order to ensure full compliance by the Iraqi authorities with the relevant UN Security Council Resolutions, notably 687 and 688 as well as 706 and 712. In this context, they stress that the non-compliance by the Iraqi regime with UN Security Council Resolution 706 affects directly the well-being of the Iraqi people, for which the regime in Baghdad is fully responsible.

The European Council also strongly condemned the attempt by the Iraqi authorities not to reveal a part of the nuclear equipment of the country, in explicit contravention of UN Security Council Resolution 687.

Following reports of the continued repression of its civilian population by Iraqi Government troops, on 15 November³¹ the Community and its Member States noted that the situation in Northern Iraq had worsened as a result of continued military action and the imposition of a blockade by the Iraqi authorities on the area. They demanded an end to Iraqi attempts to disrupt economic life in the North and to continued military action and other repressive measures against the Shia communities in the South.

In the long-term, the Community and its Member States consider that only in the framework of a new Iraq, united, democratic and respectful of the legitimate aspirations of the population groups of which the country is made up, can the Kurdish problem find an appropriate solution.

Lebanon

The Community and its Member States express their satisfaction at the implementation of the security plan in the greater Beirut area and a large part of Lebanon, the progressive disbandment of the militias and the extension of the control of the Lebanese army to Southern Lebanon. They hope that these developments in the South will also contribute to the full implementation of Security Council Resolution 425.

They express the hope that recent developments will foster a process of national reconciliation and lead to the full implementation of the Ta'if agreements, thus bringing about the restoration of the sovereignty, independence, unity and territorial integrity of a Lebanon free of all foreign troops, and enabling the Lebanese people to express their will through free elections.

They welcome the recent releases of a number of the hostages held in Lebanon, but remain concerned at the plight of those still being held and call upon the parties concerned to bring about their immediate, unconditional and safe release.

Maghreb

The Community and its Member States attach great importance to cooperation and political dialogue between the countries of the Arab Maghreb Union and themselves. They support the establishment of the AMU and its commitment to regional integration, with a view to bringing about a true partnership. At their ministerial meeting with the AMU countries on 4 November, they agreed on the need to continue and strengthen political dialogue on issues of mutual interest requiring common solutions, including the democratic process, human rights, development of their societies, security and immigration. They also agreed to explore the various proposals concerning economic EC/AMU cooperation. The Western Mediterranean Cooperation Process (5+5), involving four Member States of the Community, is an initiative aimed at the promotion of regional dialogue and cooperation.

Western Sahara

The Community and its Member States noted with satisfaction the progress made in the process leading the Saharan people towards self-determination, to which the cease-fire agreement of 6 September is an important contribution. In particular they warmly welcomed the adoption of the report of the Secretary-General by the Security Council and the General Assembly, as well as the establishment of the UN Mission for the Referendum in Western Sahara (MINURSO).

They believe these to represent an important step towards a just and lasting settlement of the conflict in Western Sahara, based on the self-determination of the population. The Community and its Member States will continue to provide assistance to the process underway and will firmly support all further efforts of the Secretary-General of the United Nations and his special representative to implement fully the United Nations Plan, which is in its operational phase.

Africa

The Community and its Member States noted with great satisfaction the emergence of democratic systems of government and the introduction of political pluralism in various countries in Africa. They have warmly welcomed this process of democratization which led, in particular in São Tomé e Príncipe, Cape Verde and Zambia, to exemplary democratic alternations.

South Africa

The policy of the Community and its Member States with regard to South Africa remained committed to the complete abolition of the unacceptable system of apartheid by peaceful means and its replacement by a democratic system in which all South Africans can participate in peace and harmony, regardless of colour and race. In light of the positive developments that took place in South Africa, the European Council in Rome on 15 December 1990³² decided to encourage the process aimed at the complete abolition of apartheid through a gradual easing of the existing restrictive measures along the lines decided upon by the European Council in Dublin in June 1990.³³ Wishing to contribute to combating unemployment and improving the economic and social situation in South Africa, the European Council decided to lift the ban on new investments. It also agreed to strengthen the programme of positive measures and to adjust it to the requirements of the situation, including those related to the return and resettlement of the exiles.

The European Council furthermore declared that as soon as legislative action was taken by the South African Government to repeal the 'Group Areas Act' and the 'Land Acts', the Community and its Member States would proceed to a further easing of the restrictive measures of 1986 (import bans on gold coins and iron and steel products).

At their meeting on 4 February 1991,³⁴ the Ministers for Foreign Affairs of the Twelve welcomed the announcement made on 1 February by President De Klerk, of further important changes in South Africa, including the repeal of the Group Areas Act, of the two Land Acts and of the 'Population Registration Act', which would open the path towards the complete and irreversible abolition of apartheid. After the tabling of the bills to repeal the above-mentioned acts, the Twelve decided to lift the remaining restrictive measures, decided upon in 1986, subject to a parliamentary waiting reservation entered by one Member State.

The European Council in Luxembourg on 28 and 29 June,³⁵ noting with satisfaction the progress achieved in desegregation in the field of sports, decided to support the principle of renewing sporting contacts with South Africa at international level on a case-by-case basis, where unified and non-racial sporting bodies have been set up.

The European Council also noted in Luxembourg on that occasion that a number of obstacles on the path to negotiations remained unresolved and expressed the hope that a rapid solution could be found to the problem of the release of political prisoners and the return of exiles. It reiterated, furthermore, its concern about the continuing violence in South Africa and called upon all parties to show restraint and upon the South African Government in particular to spare no effort to maintain law and order.

Also in this context, the Community and its Member States noted with interest the Statement by President De Klerk on 30 July 1991 in answer to revelations of secret funding by the South African Government of political and related organizations in South Africa and the alleged involvement of elements of the SADF and security forces in these acts of violence. They expressed the hope that this statement would contribute to re-establishing a climate of trust, which is essential to achieve further progress towards negotiations. On 22 August³⁶ the Community and its Member States welcomed the agreement reached between the South African Government and the United Nations High Commission for Refugees, which removed an important obstacle to negotiations.

On 16 September 1991,³⁷ the Community and its Member States welcomed the signing of the National Peace Accord of 14 September 1991 and expressed the hope that this agreement would finally open the path towards a definite end to senseless bloodshed, which delayed substantive negotiations on a new constitution. Furthermore, they urged all parties to subscribe to the principles laid down in the National Peace Accord and to assure its enforcement at all levels.

The European Community and its Member States have on several occasions called on all parties to resolve the outstanding questions in order to enable negotiations between all political forces to begin as soon as possible. In this context, in their statement on 3 October,³⁸ they noted that they have repeatedly called on the South African Government for all outstanding questions, including the detention of political prisoners, to be solved urgently. They also expressed concern that no solution had yet been found to the question of the continued detention of political prisoners in the so-called independent homelands.

Namibia

The European Community and its Member States have been following developments in Namibia since its independence very closely. In view of their commitment to give aid and lend support to the people of Namibia, the European Community and its Member States were particularly pleased to note that on 19 December 1990, only nine months after its independence, Namibia acceded to the Convention, thus enabling the European Community and its Member States and Namibia to reinforce their cooperation.

Angola

On 31 May,³⁹ the Community and its Member States gave a warm welcome to the signing by the Government of Angola and by UNITA of the peace agreements of Estoril which, in marking the end of the civil war, gave promise of a new era in Angola.

The Community and its Member States have noted with appreciation the progress already achieved by the Joint Political Military Commission as well as the encouraging spirit of dialogue shown by both parties in their search for peace and stability for the country. Furthermore, the Community welcomed the establishment of the United Nations Angola Verification Mission II (UNAVEM II), set up to monitor the implementation of the peace agreement in close cooperation with the Angolan parties.

The Community and its Member States reiterate their commitment to participate in the reconstruction of the country.

Mozambique

The continuing civil war and the ensuing loss of innocent lives and material damage remain a source of concern to the Community and its Member States and are incompatible with the new spirit prevailing in the region.

The European Community and its Member States recently welcomed the announcement of the resumption in Rome of the peace negotiations between the Government of Mozambique and RENAMO, which led to a declaration of a partial cease-fire in December 1990 and the subsequent establishment of a verification commission. They launched an urgent appeal to the two parties, in particular to RENAMO, to put an end to the conflict and to agree on the framework for national reconciliation and democratization, indispensable for real economic and political progress in the country.

They reiterated on that occasion their willingness to support the creation of a peaceful, democratic and pluralist Mozambique, in which all political forces would be treated equally.

The Horn of Africa

The Community and its Member States have been following very closely recent developments in Ethiopia and are encouraged by the restoration of peace after 30 years of civil war. This war has brought immense human suffering and has impoverished the entire country. The Community and its Member States have more than once strongly urged all those involved in the hostilities to lay down their arms and enter into genuine talks with a view to achieving a lasting peaceful solution to the conflict.

The Community and its Member States therefore welcomed the peace-talks in London on 28 May and the commitments subscribed to on that occasion. They also stated their support for convening a national conference open to all political groups in order to select a national government of transition. The Community and its Member States were pleased to be present as observers at the national conference, which started on 1 July in Addis Ababa. In their statement of 12 July,⁴⁰ they warmly welcomed the successful conclusion of the conference for peaceful and democratic transition in Ethiopia. They also noted with satisfaction that the charter adopted on that occasion explicitly guarantees individual human rights, including the freedom of expression and association.

The Community and its Member States, conscious of the significant progress made towards national reconciliation, expressed the hope that full implementation of the charter's provisions will lead Ethiopia into a new era of peace, democracy and development. They reiterated their readiness to support this process by appropriate means. In the meantime they will continue to provide humanitarian relief to the Ethiopian people, who continue to suffer the effects of a protracted civil war.

The Community and its Member States, on 2 January⁴¹ and on 15 July, urged the warring parties in Somalia, to work towards the establishment of a cease-fire and to find a peaceful and lasting solution to the conflict through dialogue and negotiation. They reaffirmed their commitment to an effective process of national reconciliation, based on the respect of human rights and for the independence, unity and territorial integrity of Somalia.

In view of prevailing separatist tendencies, the Community and its Member States reiterated in their statement of 24 May⁴² their appeal to all parties concerned to participate in talks dealing with political reconciliation, institutional reorganization and the reconstruction of the country in particular. They fully support the ongoing efforts to restore peace in the country.

On 2 August⁴³ the Community and its Member States welcomed the outcome of the conference on Somalia, convened under the auspices of the Djibouti Government which they attended as observers and which they considered to be a first important step towards the reconstruction of Somalia.

The Community and its Member States urged all parties concerned to continue working for national reconciliation, thus putting an end to the extreme sufferings of innocent civilians. They also reaffirmed their commitment to provide humanitarian relief under conditions that guarantee an effective distribution.

The political, economic and human rights situation in Sudan remains a source of deep concern to the Community and its Member States. The drought and famine threatening the lives of millions of people in Sudan caused the Community and its Member States to express great dismay (in their statement of 7 February)⁴⁴ at the failure of the Government of Sudan to respond to the efforts of the donor community to engage in substantive discussion on emergency assistance and to cooperate with donors and NGOs in implementing measures in order to ensure that the emergency supplies reach the population in all parts of the country on time.

In July, the Community and its Member States expressed their appreciation for the agreement reached between the Sudanese Government and the United Nations on the delivery of food aid, in particular both to refugees and displaced persons in Sudan. They expect that the agreement will lead to a constructive cooperation with donors on the question of emergency assistance.

Liberia

The Community and its Member States welcome the agreement of all Liberian parties on disarmament and on the organization of free and democratic elections, which was reached at Yamma-soukro on 29 and 30 October 1991. Liberia's long civil war has had a major impact on the country, as well as on the whole region.

The Community and its Member States are still extremely concerned at the enormous humanitarian needs and hope that a peaceful solution of the conflict will bring a rapid end to the suffering of the Liberian people. They support the recent appeal by the UN Secretary-General for humanitarian aid.

Zaire

The Community and its Member States are extremely concerned about the situation in Zaire. They deplored the course of events and launched an urgent appeal to restore peace and security in the country. They expressed their conviction that political initiatives designed to bring about democratization are the only way to satisfy the aspirations of the people. They therefore urged both the government and all political and social forces to do their best to reach an agreement on the political future of Zaire, in which the rule of law, the organization of free elections and respect for human rights are guaranteed. The installation of a Government which is not based on a broad consensus could have serious consequences in the diplomatic, political and economic fields, at the level of both bilateral cooperation and cooperation with the EC.

Latin America

In recent years, considerable progress has been made in the democratization process throughout Central and South America, sustained by a tendency towards greater respect for human rights and the application of the principles of the rule of law. In some countries, however, there is still considerable room for improvement. The Latin American countries are in the process of developing more market-oriented economies and have identified, as one of the ways to achieve this, the development of new forms of regional cooperation. The Community and its Member States believe that the reinforcement of democracy, the promotion of social justice and the efforts towards regional and international cooperation will offer new prospects for prosperity and stability.

They will continue to examine ways and means of further strengthening relations between the two regions, through political dialogue and programmes of economic cooperation and technical assistance, mainly with a view to promoting processes of regional integration. The Community and its Member States welcome further encouraging steps by some countries of South America in the field of disarmament and nuclear cooperation.

The Community and its Member States are supporting the efforts of those governments in Latin America, notably the Colombian Government, which are most directly involved in the fight against illicit drug production and trafficking.

They share the concerns of Latin American governments over socio-economic problems, including those related to the servicing of external debt and consider that all parties concerned should contribute to solutions in this area within the competent multilateral financial bodies.

The San José Process

In the framework of the San José process, the European Community and its Member States will pursue, together with their Central American partners and the Group of Three (Colombia, Mexico and Venezuela), their regular consultations on a wide range of issues of mutual interest and concern. The Seventh Ministerial Conference, which took place in Managua on 18 and 19 March 1991,⁴⁵ represented an important step forward. The Community and its Member States again unequivocally stated their willingness to continue to support politically and economically the efforts currently being undertaken to achieve national reconciliation, full respect for human rights, and economic and social progress. They have repeated their readiness to support the region's own efforts towards more democracy, the rule of law and the pacification of the Central American countries.

It is worth noting that since the Esquipulas II meeting in August 1987, a number of important changes have taken place in Central America. In particular, the Community and its Member States were pleased to note a more widespread recognition that the advancement of human rights and fostering of democratic processes in Central America has become a legitimate concern of the international community.

The Ministers of the European Community agreed to introduce, in close cooperation with other existing competent bodies, multi-annual programmes for the promotion of human rights in Central America. Within the framework of European political cooperation, experts are examining ways and means of implementing point 9 of the San José VII political declaration. The Community and its Member States are looking forward to the holding of fruitful discussions with the Central Americans during the preparations for San José VIII, in order to launch those programmes as soon as possible. They hope that this will facilitate the addressing of various issues in the field of human rights, such as the rights of indigenous peoples, refugees and displaced persons to live in safety and to be integrated into the national life of their country of residence.

The effective functioning of the UN Observer Group on Central America and other monitoring bodies such as the OAS/CIAV are a welcome illustration of the validity of the multilateral approach adopted by the Central American countries. As indicated in the political and economic communiqués adopted at the San José VII Ministerial Conference, the Community and its Member States will continue to support the peace processes underway. In this context, they stress the importance of cooperation between the countries of the region as agreed by them in Esquipulas.

Partnership for Democracy and Development (PDD)

At the initiative of the United States, the 'Partnership for Democracy and Development' (PDD) was established on 11 April 1991 by the Central American countries, the Group of Three, the OECD countries and a number of international financial institutions. The PDD is aimed at coordinating international efforts towards further democratization and economic development in Central America. Although the Member States of the European Community and the EC Commission participated in the founding of the PDD, it is essential to note that the San José process will remain the main vehicle for dialogue and cooperation with the Central American countries. The Community and its Member States are, however, willing to assess whether the PDD would provide additional value for their relations with Central America.

EC-Rio Group

In accordance with the provisions of the Rome Declaration of 20 December 1990,⁴⁶ the first institutionalized ministerial meeting between the European Community and the Rio Group was held in Luxembourg on 26 and 27 April 1991.⁴⁷ This meeting represented an opportunity for Ministers

for Foreign Affairs to have in-depth exchanges of views on a number of political and economic topics and to conclude that it would be in the interest of both the European Community and its Member States and the Rio Group to strengthen further their solidarity and their cooperation in the political, economic, cultural and social fields.

The meeting of EC Ministers with their Rio Group counterparts in the margin of the 46th UN General Assembly enabled both sides to take stock of projects underway and/or to be launched in the coming months, in the implementation phase of the first institutionalized ministerial meeting of Luxembourg.

The second institutionalized ministerial meeting between the EC and the Rio Group, in late spring of 1992 in Santiago de Chile, will provide ample opportunity to assess the follow-up of decisions reached in 1991, while at the same time enabling both parties to work in a future-oriented manner and enhance cooperation and exchanges in a variety of fields.

The 'Mercosur' Treaty

In the framework of Latin American regional integration, the European Community and its Member States welcomed the signature of the Treaty on the Establishment of a Common Market in the Southern Cone of the South American Continent ('MERCOSUR') by the Presidents of Argentina, Brazil, Paraguay and Uruguay at their meeting of 26 and 27 March in Asunción.⁴⁸ They are convinced that the revival of the various processes of integration underway in Latin America will contribute to the consolidation of democracy in the countries of the region, to their economic development and to the strengthening of their role in the world.

The Andean Pact

The Community and its Member States welcome the integration efforts carried out by the Andean Pact aimed at the establishment of a free-trade zone as of 1 January 1992.

Nicaragua

On the occasion of the first anniversary of the elections which made a democratic transition of government in Nicaragua possible, the European Community and its Member States were in a position to reiterate their support for pluralist democracy in this country.⁴⁹ They will continue to extend economic assistance. It remains of crucial importance that all political and social forces in Nicaragua help to bring about progress in the democratic process and national reconciliation through constructive dialogue, including the delicate problem of reintegration into civil life of refugees and displaced persons. In this connection, the Community and its Member States welcome the ongoing dialogue (concertación) between the Government of Nicaragua and the private sector.

El Salvador

The Community and its Member States pay tribute to the efforts of the Secretary-General of the United Nations and his personal representative, Mr Alvaro de Soto, to reach a negotiated settlement to the conflict in El Salvador. They were most encouraged by the agreement signed in New York on 25 September 1991 between the parties, which constitutes a major step forward in the achievement of peace in El Salvador. They also welcomed the announcement of the FMLN that it will cease all offensive operations on 16 November 1991 and expressed the conviction that restraint and goodwill on both sides are necessary if an end to bloodshed and the agreement on a permanent cease-fire are to be achieved. They also expressed the strong hope that both parties will pursue their endeavours to reach an overall political solution so as to lead the negotiating process to a successful conclusion.

The Community and its Member States remain greatly concerned at the continuing reports of human rights violations at a time when negotiations aimed at peaceful reconciliation raise hopes of a lasting solution and have already led to an agreement on human rights and the establishment of a United Nations Observer Mission (ONUSAL), dealing initially with monitoring the human rights situation in El Salvador.

Guatemala

The Community and its Member States welcomed the democratic character of the elections in Guatemala and the first transfer of power from one civilian President to another in the recent history of this country. These are important and encouraging signs for the peace process and the consolidation of democratic institutions in Central America.

They encouraged the Government of Guatemala and the Guatemalan National Revolutionary Union to pursue their negotiations and bring them to a conclusion in the same flexible spirit which made possible the agreement on democratization, reached in Mexico in August 1991.

They acknowledged the important contribution to these negotiations of the Guatemalan National Reconciliation Commission (CNR) and of the conciliator and the personal representative of the UN Secretary-General.

Even though the Government of Guatemala has adopted measures to promote respect for human rights and fundamental freedoms, the human rights situation in that country continues to cause the Community and its Member States deep concern. In addition, they draw special attention to the plight of the street children of Guatemala-City.

Belize/Guatemala

The Community and its Member States welcomed the statement by the President of the Republic of Guatemala on 5 September 1991,⁵⁰ in which the Government of Guatemala recognized the independence of the State of Belize. President Serrano's decision constitutes a major step forward towards the resolution of a bilateral difficulty of long standing. It also removes a source of international tension and strengthens regional stability.

Haiti

The Community and its Member States have been mindful of events in Haiti, particularly since fair and orderly elections of December 1990 offered the country the chance of a major breakthrough in its long struggle towards the establishment of a society built on the rule of law, respect for human rights and the promotion of social justice and economic progress.

They therefore condemned unreservedly the violent attempt to seize power in Haiti in early January 1991⁵¹ as a flagrant violation of the popular will. They furthermore expressed their great dismay at the violent events in Haiti on 30 September and unreservedly condemned the military *coup* against the country's first democratically elected President.⁵² The Community and its Member States expressed their strong support for the legitimate authorities as well as for the democratic forces in the country and called for an immediate return to the rule of law and the reinstatement of those legitimate authorities. Pending that, the Community and its Member States have decided to suspend their economic assistance. They expressed their support for the resolution adopted by the United Nations General Assembly. The Community and its Member States are at present examining other measures to ensure that democracy is restored in Haiti.

Chile

On the occasion of the first anniversary, on 11 March 1991,⁵³ of the investiture of President Aylwin, which marked Chile's return to democracy, the Community and its Member States ex-

pressed satisfaction at the peaceful and constructive atmosphere in which that first year had passed and reiterated their full support for the re-establishment of the rule of law in Chile and for the task which faces the Chilean authorities and political parties in their efforts to consolidate democratic structures in the country.

Suriname [Surinam]

The Community and its Member States strongly condemned the military *coup* in Suriname [Surinam] on 24 December 1990.⁵⁴ They stated their conviction that those events ran contrary to the strengthening of democracy throughout the world, and in particular in South America, and would further isolate Suriname [Surinam] from the other members of the international Community.

They associated themselves with the statements issued by the OAS and CARICOM in that respect and urged the new authorities of Suriname [Surinam] to return rapidly to democratic legality, in accordance with its promises, so that Suriname [Surinam] might recover its proper place in the international community. After the free and fair elections which took place on 25 May 1991,⁵⁵ they were in a position to congratulate the Surinamese people on having taken an important step back on the road to democracy. They subsequently expressed the hope that the new government would do justice to the clearly expressed will of the people of Suriname [Surinam].

The Community and its Member States noted with satisfaction the democratic election of a new President, Mr Ronald Venetiaan. They issued a statement on the occasion of his installation on 16 September 1991,⁵⁶ in which they expressed their confidence that Suriname [Surinam] now has regained its place as a respected member of the international community.

Asia Japan

The Community and its Member States welcome Japan's wish to put its relationship with the Community on a new footing. For that purpose, a joint declaration on their future relations was made public on 18 July,⁵⁷ on the occasion of Prime Minister Kaifu's visit to The Hague for the first EC/Japan summit meeting. The joint declaration envisages wide-ranging political dialogue, including on such issues as terrorism, international drug trafficking, protection of the environment and respect for human rights. It also envisages dialogue and practical cooperation on economic issues, such as trade and industrial matters, and science and technology. The Community and its Member States believe that this new dialogue will intensify and broaden EC/Japan relations. They also see it as a welcome signal of Japan's willingness to assume a greater political role in international affairs.

Cambodia

The Community and its Member States welcomed the signing of the comprehensive political settlement of the Cambodia conflict on 23 October⁵⁸ and support the important role assigned to the United Nations in the implementation of the settlement. They continue to stress the need for self-determination for the Cambodian people through free, fair and internationally supervised elections and full respect for human rights. These are fundamental principles for lasting peace. The Commission is examining arrangements for Community assistance in Cambodia, both for the repatriation and rehabilitation programmes and later for the reconstruction of the country.

Korean Peninsula

The Twelve welcomed the accession to the UN of North and South Korea in September 1991. They also welcome the reopening of a direct political dialogue between North and South Korea,

which they hope will help to reduce tension and lead to concrete progress. They have repeatedly urged North Korea to comply with all its NPT obligations without further delay, notably signing and implementation of the IAEA Safeguards Agreement.

Kashmir

India and Pakistan have also taken positive steps to defuse tension between their two countries, including agreement to certain confidence building measures. The Community and its Member States hope that the authorities of both countries will redouble their efforts to reach a peaceful settlement of the Kashmir problem, creating conditions under which the population of Kashmir can enjoy its fundamental rights and prosper in peace. The Community and its Member States have maintained their strong and clear stand with regard to the human rights situation in Kashmir both publicly and in confidential *démarches* to the Governments of India and Pakistan, while at the same time condemning the use of violence for political ends. The Community and its Member States have also urged the Government of Pakistan to take effective steps to prevent armed interference from territory controlled by Pakistan.

Afghanistan

The Community and its Member States welcomed the US/Soviet agreement of 13 September to end arms supplies to the combatants with effect from 1 January 1992 and have urged other governments to follow suit. They consider such steps as further support for the efforts of the UN Secretary-General and continue to hope that a cease-fire acceptable to all parties, an essential part of the transitional process, will be implemented soon.

ASEAN

The new international climate has given ASEAN renewed impetus and possibly new direction in regional cooperation. The Community and its Member States were represented by the troika of Ministers at the ASEAN Post Ministerial Conference in Kuala Lumpur in July, when discussions focused on political, security and trade cooperation in the Asia/Pacific region and on ASEAN's relations with her full dialogue partners, including the EC. The EC has begun discussions with ASEAN on the scope of future cooperation, recognizing ASEAN's increasing importance on the world stage and the need for closer links and a broader dialogue on a wide range of international issues.

Vietnam

The Community and its Member States welcomed the agreement between the United Kingdom, Hong Kong and Vietnamese Governments on the return to Vietnam under procedures agreed with the UN High Commissioner for Refugees of Vietnamese immigrants in Hong Kong determined not to be refugees. This agreement is a major step forward in the full implementation of the Comprehensive Plan of Action (CPA) for Indochinese refugees adopted at the International Conference on Indochinese Refugees in Geneva in 1989. Of particular importance in the agreement is the confirmation by the Vietnamese Government that no illegal immigrant who returns to Vietnam will face persecution and that the government will continue to facilitate the monitoring of those who return by the United Nations High Commissioner for Refugees and others, to ensure that these guarantees are fully respected.

The Community and its Member States recognize that repatriation will be facilitated by reintegration opportunities. In February 1991 the Commission inaugurated a six month MECU 10 pilot programme for reintegration. This is to be followed by a MECU 122 two and a half year programme for which contributions were sought from the international donor community at a meeting

in Geneva in October. The main aim of the programme is job-creation for returnees as well as for the local population. As such the reintegration programme is also a concrete step in tackling the root causes of the exodus from Vietnam.

Burma

In Burma, since the May 1990 elections, the authorities have persistently failed to initiate a democratic process, to respect internationally acknowledged rules of conduct in the field of human rights, to cease the harassment, detention and house arrests of leaders of the opposition (among them Nobel Peace prize winner Aung San Suu Kyi) and to free political prisoners. In the light of the Burmese Government's continued repressive policies the Community and its Member States have reduced economic and trade relations to a minimum, suspended all non-humanitarian aid programmes and agreed upon a total ban on arms sales to Burma. They will only be prepared to re-establish constructive relations with Burma, including a resumption of development assistance programmes, once Burma fulfils its obligations in the field of human rights and democracy.

China

Human rights concerns also remain at the forefront of the dialogue pursued by the Community and its Member States with China. The Community and its Member States take every opportunity to encourage the Chinese authorities to respect the rights of all their citizens and to pursue economic and political reforms and a policy of openness, in the belief that these are essential prerequisites for sustained social and economic development within China itself and for China's relations with other countries. This viewpoint was reiterated when the troika of Ministers met the Chinese Foreign Minister in New York on 25 September. In the light of the human rights situation still prevailing in China, the Community and its Member States have maintained their embargo on arms sales and military cooperation, agreed by the European Council in Madrid in June 1989.

The Community and its Member States continue to attach importance to the smooth implementation of the Sino-British joint declaration on Hong Kong and the Sino-Portuguese joint declaration on Macao.

Sri Lanka

The Community and its Member States remain concerned about continued reports of killings and disappearances in Sri Lanka. The appointment last November by the Government of Sri Lanka of a Special Task Force and other bodies to monitor human rights was a positive move. The Community and its Member States continue to encourage the Sri Lankan Government to ensure that these bodies are allowed to be effective.

East Timor

On several occasions during the last year, particularly in the Human Rights Commission in Geneva and at the General Assembly of the United Nations, the Community and its Member States repeatedly expressed their concern about the human rights situation in East Timor. Recently, the Community and its Member States vehemently condemned the indiscriminate killing and wounding of a considerable number of citizens of East Timor by the Indonesian armed forces in Dili in November. They urged the Indonesian Government to ensure that members of the Indonesian armed forces and the police in East Timor immediately refrain from using violence and that the members of the armed forces and police responsible would be brought to trial. This incident occurred in a context of a deteriorating human rights situation in East Timor.

The Community and its Member States view favourably the authorization that was given to the special UN Rapporteur on torture to visit the area and are looking forward to receiving his find-

ings. They expressed the hope that a just, comprehensive and internationally acceptable settlement may be found, in accordance with the principles of the United Nations Charter, including respect for human rights and fundamental freedoms, taking full account of the legitimate interests and aspirations of the people of East Timor.

Judicial Cooperation

A convention on the enforcement of foreign criminal sentences was agreed among Member States of the Community and signed during the Meeting of Ministers for Justice on 13 November 1991.

Human Rights

The Community and its Member States have continued to promote internationally accepted principles of human rights in the course of 1991. The declaration on human rights adopted by the Luxembourg European Council in June 1991 is a comprehensive statement of EC policy. In that declaration the Community and its Member States reiterate their belief that respecting, promoting and safeguarding human rights is an essential part of the conduct of international relations and one of the cornerstones of their relations with other countries. They also reiterate that raising human rights cases cannot be considered as interference in the internal affairs of a state but rather is a legitimate concern under international law.

The Community and its Member States' commitment to raise human rights violations regardless of where they occur is reflected in their frequent *démarches* in individual cases and in their efforts and interventions in appropriate international fora. In the course of the last six months, the Community and its Member States carried out over 50 *démarches*, which for the most part were confidential, on individual cases of violations of human rights. They also issued about 75 declarations which were widely distributed.

The interrelationship between human rights, democracy and sustainable development has become more and more evident and is a central concept in the Community's aid programmes.

Terrorism

The Twelve continue to be deeply concerned about the frequency and gravity of terrorist activities world wide. They believe that, given the scale of the threat, states must continue to concert their responses to terrorism as closely as possible if they are to combat terrorism effectively. In this context the establishment of a large market without internal frontiers within the European Community by 1993 will require an increase in cooperation between the Twelve's police forces. States must also continue to exercise maximum vigilance to protect their citizens.

Drugs

In accordance with the conclusions of the European Council meeting in Dublin on 25 and 25 June 1990, which stated that drug addiction and drug trafficking are sources of great damage to individuals and society as well as to states and hence represent a major menace to Europe and the rest of the world, the Community and its Member States have intensified their cooperation in combating drug abuse, notably through the establishment of a High-Level Coordinators' Group (CELAD). Both at Community level and within broader European and international fora, such as the Pompidou Group of the Council of Europe and the United Nations, no efforts have been spared over the last twelve months to achieve coordination and efficiency in the international efforts to combat drugs and drug-trafficking.

On 14 December 1990, on the occasion of the European Council meeting in Rome, CELAD submitted to the Heads of State and Government a general strategy which was adopted as the

'European plan to combat drugs'. The European Council concluded that the considerable importance attached to a systematic and continuous strengthening of action by the Community and its Member States in combating drugs and organized crime called for the competent bodies to implement rapidly the programme elaborated by CELAD, with particular regard to the objective of reducing demand. The European plan, the last part of which deals with 'Actions at the international level', stresses three sectors in particular:

- the implementation of UN Conventions and the global plan of action;
- cooperation with the main producer and transit countries;
- cooperation with other developed consumer countries, within both the Pompidou Group and other fora.

The most recent UN Convention is the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which has been signed by all the Member States of the European Community. The timely ratification of this Convention is a major objective for the Twelve. The European Commission, for its part, ratified the Convention on 31 December 1990.

The European Community and its Member States believe that all states, be they producer, transit or consumer countries, have a shared responsibility in preventing and reducing the spread of drugs. At international level, the Community and its Member States consider the UN as the most important organization for global cooperation and coordination in the fight against drug abuse. Numerous important conventions and other texts confirm this role of the United Nations.

The Community and its Member States welcome the establishment of the new United Nations International Drug Control Programme (UNDCP), in which the three existing UN drug control structures are integrated into one United Nations Drug Control Programme, in line with Resolution 179/45 of last year's General Assembly. The Community and its Member States will continue to provide financial support to the programme's projects and invite all states to strengthen the financial capacity of the UNDCP through an increase in their voluntary contribution.

In the framework of particularly fruitful cooperation with the Pompidou Group of the Council of Europe and acting on the conclusions of the European Council meeting in Dublin on 25 and 26 June 1990, the European Ministers responsible for drugs control met in Oslo on 9 and 10 May 1991. This Conference was the first regional Conference aimed at combating drug abuse at a pan-European level. In particular, attention was given to:

- (a) the reduction of demand, notably through prevention of drug addiction among the young, AIDS prevention amongst addicts, the organization of preventive services, the treatment and reintegration of addicts into society as well as cooperation programmes in this field, and
- (b) the reduction of supply, notably through actions against drug-trafficking (in particular heroin trafficking via the Balkan route), the control of chemicals used for drug manufacturing (precursors) and the fight against money laundering.

With regard to the follow-up to the Oslo conference, it is to be noted that this did not result in the establishment of new additional structures, but that preference had been given to concrete actions to be implemented jointly by ECLAT and the Pompidou Group. Those were in particular the strengthening of pan-European cooperation between law enforcement agencies on drugs issues and anti-drugs agencies, exchange of information, the establishment and use of drug liaison officers, the firm implementation of controlled deliveries and possibly financial assistance.

Furthermore, the final declaration adopted at the Oslo pan-European Conference made reference in particular to the Association Agreements to be concluded before the end of the year between the European Community and Poland, Hungary and Czechoslovakia, which should provide for specific forms of cooperation in the field of action against illicit drug abuse and trafficking.

It is worth noting that the Norwegian authorities will send the participants in the Pan-European Conference a document explaining its follow-up by addressing the full range of items listed in the

final document. On the basis of this document, the Pompidou Group is expected to settle its programme of action with a view to the implementation of the results of the Conference. On a more general level, it would be useful if both the Pompidou Group and ECLAT discussed ways of improving Central and East European countries' participation in the work of the Pompidou Group.

Regarding the fight against drug-trafficking and organized crime, the European Council meeting in Luxembourg on 28 and 29 June agreed on the objectives underlying proposals submitted to the European Council for the establishment of a European Criminal Investigation Office and requested Ministers with responsibility for drugs matters to submit proposals before the next meeting of the European Council in Maastricht. The European Council meeting in Luxembourg emphasized again the importance of ensuring that European Community action is taken in close co-operation with the United Nations International Drug Control Programme.

D. Areas Covered by Inter-governmental Cooperation
(Justice and home affairs)

On 12 June 1991, Denmark signed and ratified the Convention determining the State responsible for examining applications for asylum (the Dublin Convention).

Since the Twelve have now signed this Convention, other Member States' ratification procedures are under way.

At its meeting, in Maastricht, the European Council approved the work programmes on immigration and the right of asylum submitted to it by the Ministers concerned with immigration. Co-operation is therefore to go ahead on that basis.

Moreover, the draft Treaty on European Union lays down a new definition and a new organization of powers and responsibilities in such fields. This point is dealt with earlier in the section concerning the Inter-governmental Conferences on Political Union and Economic and Monetary Union.

At its meeting in December 1990, the European Council approved the European plan to combat drug abuse. CELAD has been instructed to monitor its implementation closely.

- 1 *EPC Bulletin*, Doc. 91/255.
- 2 *EPC Bulletin*, Doc. 91/203.
- 3 *EPC Bulletin*, Doc. 91/328.
- 4 *EPC Bulletin*, Doc. 91/349.
- 5 *EPC Bulletin*, Docs 91/193 and 91/431.
- 6 *EPC Bulletin*, Doc. 91/228.
- 7 *EPC Bulletin*, Doc. 91/128.
- 8 *EPC Bulletin*, Doc. 91/090.
- 9 *EPC Bulletin*, Doc. 91/123.
- 10 *EPC Bulletin*, Doc. 91/159.
- 11 *EPC Bulletin*, Doc. 86/230.
- 12 *EPC Bulletin*, Doc. 91/194.
- 13 *EPC Bulletin*, Doc. 91/249.
- 14 *EPC Bulletin*, Doc. 91/255.
- 15 *EPC Bulletin*, Doc. 91/294.
- 16 *EPC Bulletin*, Doc. 91/203.
- 17 *EPC Bulletin*, Doc. 91/204.
- 18 *EPC Bulletin*, Doc. 91/252.
- 19 *EPC Bulletin*, Doc. 91/254.
- 20 *EPC Bulletin*, Doc. 91/282.

- 21 *EPC Bulletin*, Doc. 91/295.
- 22 *EPC Bulletin*, Doc. 91/312.
- 23 *EPC Bulletin*, Doc. 91/328.
- 24 *EPC Bulletin*, Doc. 91/349.
- 25 *EPC Bulletin*, Doc. 91/359.
- 26 *EPC Bulletin*, Doc. 91/158.
- 27 *EPC Bulletin*, Doc. 91/200.
- 28 *EPC Bulletin*, Doc. 91/261.
- 29 *EPC Bulletin*, Doc. 91/196.
- 30 *EPC Bulletin*, Doc. 91/098.
- 31 *EPC Bulletin*, Doc. 91/364.
- 32 *EPC Bulletin*, Doc. 91/472.
- 33 *EPC Bulletin*, Doc. 91/296.
- 34 *EPC Bulletin*, Doc. 91/045.
- 35 *EPC Bulletin*, Doc. 91/199.
- 36 *EPC Bulletin*, Doc. 91/248.
- 37 *EPC Bulletin*, Doc. 91/281.
- 38 *EPC Bulletin*, Doc. 91/294.
- 39 *EPC Bulletin*, Doc. 91/161.
- 40 *EPC Bulletin*, Doc. 91/225.
- 41 *EPC Bulletin*, Doc. 91/001.
- 42 *EPC Bulletin*, Doc. 91/154.
- 43 *EPC Bulletin*, Doc. 91/241.
- 44 *EPC Bulletin*, Doc. 91/046.
- 45 *EPC Bulletin*, Doc. 91/090.
- 46 *EPC Bulletin*, Doc. 90/474.
- 47 *EPC Bulletin*, Doc. 91/123.
- 48 *EPC Bulletin*, Doc. 91/094.
- 49 *EPC Bulletin*, Doc. 91/066.
- 50 *EPC Bulletin*, Doc. 91/259.
- 51 *EPC Bulletin*, Doc. 91/005.
- 52 *EPC Bulletin*, Doc. 91/292.
- 53 *EPC Bulletin*, Doc. 91/072.
- 54 *EPC Bulletin*, Doc. 91/007.
- 55 *EPC Bulletin*, Doc. 91/156.
- 56 *EPC Bulletin*, Doc. 91/280.
- 57 *EPC Bulletin*, Doc. 91/228.
- 58 *EPC Bulletin*, Doc. 91/324.

92/228. Statement on Burma

Date of issue: 16 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States note the measures adopted by the State Law and Order Restoration Council (SLORC) after the replacement of General Saw Maung by General Than Shwe on 23 April 1992, in particular the announcement of the suspension of the offensive against the Karens, the release of some political prisoners including some senior National League for Democracy (NLD) personalities and the permission for Aung San Suu Kyi's husband and children to visit her.

The Community and its Member States welcome the proposal for a preparatory meeting with political parties on 23 June 1992 to consider arrangements for a national convention. They hope

that this meeting will set out an agreed and firm timetable for the process of an early transition to democracy, with full safeguards and respect for human rights.

The Community and its Member States believe that the release of remaining political prisoners, including the lifting of house arrest of Aung San Suu Kyi, and freedom for her to leave and return to Burma and have regular contact with her family, the lifting of martial law, and action to safeguard the rights of minorities in Burma are essential elements in this process. The Community and its Member States note with concern that the agreed arrangements for return of Rohingya refugees from Bangladesh are not being implemented as planned, and urge the Burmese authorities to cooperate fully with Bangladesh and the UN to ensure the safe and orderly return of refugees, allowing a UNHCR presence on the Burmese side of the border.

The Community and its Member States stress their willingness to re-establish constructive relations with Rangoon as soon as Burma becomes a democratic state and respects human rights, in accordance with the UN Charter and universally accepted standards.

92/229. Statement on the liberation of the two German hostages in Lebanon

Date of issue: 18 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States are extremely pleased that the two German hostages in Lebanon have been freed.

The Community and its Member States reiterate their strong condemnation of any hostage-taking, as well as any action against freedom and human dignity and hope that this liberation will contribute to an improvement of the situation in Lebanon and to strengthening the links between this country and the European Community.

The Community and its Member States express their gratitude to those who contributed to freeing the two German hostages, in particular the United Nations Secretary-General and his representatives.

92/230. Statement on Nagorno-Karabagh

Date of issue: 18 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States are deeply concerned about the continued fighting in Nagorno-Karabagh. They strongly condemn any use of force which will in no way help to resolve the crisis. They call upon the parties involved to show restraint and avoid inflicting further suffering or loss of human life.

The Community and its Member States urge the governments concerned to use all their influence to end the vicious circle of violence and to bring about an effective cease-fire.

They renew their call to Azerbaijan and Armenia to respect human rights, to which they have committed themselves at their admission into the CSCE. They urge them to contribute to the efforts underway in the framework of the preliminary emergency meeting in Rome to create the

necessary conditions to hold the Minsk Conference at the earliest moment under the auspices of the CSCE, which offers the best hope of seeing peace restored to this region.

92/231. Question No 1229/91 by Mr Arbeloa Muru (S) on deaths in custody in Syria

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Have the Foreign Ministers meeting in European political cooperation turned their attention to the deaths which have occurred recently, in suspicious circumstances, in Syrian prisons? For example, to the case of the Palestinian Abu Dawud, who was held incommunicado and, it appears, was denied medical treatment for wounds probably sustained during torture, and who probably died in the Fara Falastim detention centre in Damascus?

Answer:

The specific case mentioned by the honourable Member has not been discussed in the framework of EPC. Nevertheless the Syrian authorities are fully aware of the importance which the Community and its Member States attach to respect for human rights. The Community and its Member States have repeatedly stressed that the protection of human rights is the legitimate concern of the world community and of states individually and that respect for human rights will continue to be an important element in their relations with third countries.

92/232. Question No 1256/91 by Ms Oddy (S) on Bangladesh cyclone relief

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 14 June 1991)

What steps will the Foreign Ministers meeting in European political cooperation take to implement the resolution passed by the Parliament on the above issue?

Are the Foreign Ministers aware that over 200.000 people have lost their lives, five off shore islands have been virtually wiped out and damage to livestock and property is estimated in excess of £ 500 million?

Answer:

The question raised by the honourable parliamentarian does not fall within the competence of the European political cooperation.

92/233. Question No 1350/91 by Mr Arbeloa Muru (S) on Jewish settlements in the West Bank

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 24 June 1991)

Does the Community plan to make economic assistance to Israel dependent on developments in the Tel Aviv Government's policy of Jewish settlements in the West Bank?

Answer:

The Community and its Member States consider that Israeli settlements in the territories occupied by Israel since 1967, including East Jerusalem, are illegal under international law and under the 4th Geneva Convention in particular. They also consider that the establishment of any new settlements in the Occupied Territories, which is in any case illegal, is especially harmful at a time when all parties should show flexibility and restraint so as to enhance confidence and create the right climate for successful negotiations in the peace process. The Community and its Member States have made these views known both publicly and privately to the Israeli authorities on numerous occasions.

The question of economic assistance to Israel falls within Community not EPC competence. However, this issue will be considered in the light of the attitude of this country within the framework of the peace process and of the role assigned in it to the Community.

92/234. Question No 1874/91 by Mr Megay (S) on human rights in Kuwait

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 1 September 1991)

What pressures are the Foreign Ministers bringing to bear to secure improvements in human rights in Kuwait?

Answer:

Since the liberation of Kuwait, the Community and its Member States have followed the human rights situation in this country closely, including the situation of the Palestinian community. They have stressed to the Kuwaiti authorities on many occasions the importance they attach to respect for human rights and have also expressed their concern at the deportation of Iraqi Shi'ites and Palestinians from Kuwait.

While the question of the observance of fundamental human rights in Kuwait must continue to remain under scrutiny, there have been many positive improvements following the lifting of martial law last June, including in judicial procedures and in conditions in the prisons. The Community and its Member States welcomed the Kuwaiti decision to lift press censorship in January 1992. This should help to ensure the success of the National Assembly elections to be held in October.

The Community and its Member States will continue to follow developments closely, especially those concerning the deportation of expatriates. They have equally drawn attention to the need for foreigners who leave Kuwait to be allowed to do so under fair and humanitarian conditions, with full access to their belongings and to any money owed them.

92/235. Question No 1906/91 by Mr Cot (S) on the situation in the Middle East following the Gulf War

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 2 September 1991)

What conclusions does European political cooperation draw from the events of the Gulf War and their consequences for the whole region and what does it think the war's implications for the future are as regards:

1. the effectiveness of Political Cooperation
2. the Israeli/Palestinian problem
3. the human rights situation in the region
4. the international community's right to intervene on behalf of peoples threatened with genocide, in accordance with the 1948 Convention
5. uncontrolled exports of conventional and non-conventional weapons
6. political stability in the region
7. the need to promote the CSCM (Conference on Security and Cooperation in the Mediterranean)
8. the environment?

Answer:

The Community and its Member States took careful note of the lessons to be learnt from their involvement in the Gulf Crisis when elaborating proposals for a common foreign and security policy in the context of the Treaty on European Union, signed at Maastricht on 7 February 1992 and due to come into effect on 1 January 1993. The Treaty envisages systematic cooperation between Member States in the conduct of foreign and security policy and a gradual implementation of joint action in areas in which the Member States have essential interests in common. Member States have undertaken to support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and to refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. In addition Member States have undertaken to inform and consult one another within the Council on any matter of foreign and security policy of general interest, in order to ensure that their combined influence is exerted as effectively as possible by means of concerted and convergent action.

Following the cessation of hostilities in the Gulf, the Community and its Member States warmly welcomed the efforts of the United States, in partnership with the Soviet Union, to mount an effort to bring together all the parties involved in the Arab/Israeli conflict and the Palestinian question. It was a remarkable achievement to get the parties involved to sit together for the first time at the conference table in Madrid, confirming their commitment to a just, comprehensive and lasting settlement. The Community and its Member States are fully committed to playing a consistent role in this process, bearing in mind that the Middle East is a neighbouring region, with which Europe has long-standing political, historical, cultural, economic and commercial ties, and whose stability and security are essential to Europe's own stability and security.

The Community and its Member States have maintained regular contacts with the parties to the bilateral negotiations as well as with the co-sponsors and other participants.

The inception of the multilateral phase of the Middle East peace process in Moscow in January 1992 has the potential to reinforce the bilateral talks. The Community and its Member States are firmly committed to playing a constructive and active role in the multilateral negotiations, which are in themselves a concrete confidence building measure, enabling regional problems such as the environment and arms control and security to be tackled, genuine regional cooperation to develop and peace to become a reality. However, substantive progress in the multilaterals can only be attained if the central issues of the bilateral negotiations also register some progress.

The early adoption of confidence building measures will help to create the stable environment which progress in the bilateral and multilateral negotiations requires. A halt to Israel's settlement activity in the Occupied Territories is on[e] such measure. Renunciation of the Arab trade boycott of Israel is another. With regard to the situation in the Occupied Territories, it is important that both sides show restraint and that Israel abide by the provisions of the Fourth Geneva Convention.

The Community and its Member States look forward to a tangible improvement in the situation in the Occupied Territories, even before the putting in place of interim or other arrangements.

The Community and its Member States have continued to devote their attention to the benefits of comprehensive approaches in order to ensure security and to promote economic development, democracy and human rights in the Mediterranean region. The enhancement of the role of the UN and the end of East/West confrontation, which have already revitalized the peace process in the Middle East, could gradually clear the way to broader cooperation schemes and improve the conditions for the convening of a Helsinki-like conference for the area.

The Community and its Member States believe they have a duty to protect peoples threatened with genocide, as was the case with the Kurdish population in Iraq following the Gulf war. They have urged Iraq to act in conformity with its obligations under UN Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations. The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. In this respect, the Community and its Member States continue to stress the need for an early and effective implementation of Security Council Resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population in the whole country. The Community and its Member States hope that the resumption of talks in Vienna between the UN and Iraq reflects a greater willingness on the part of this country to cooperate in the implementation of Resolutions 706 and 712.

The Community and its Member States remain concerned at continued reports of violations of human rights elsewhere in the region. They are monitoring the situation closely in conjunction with the United Nations and international humanitarian organizations. The Community and its Member States have repeatedly expressed their concerns publicly and privately and have urged the governments to act in conformity with their obligations under the various international human rights instruments and international humanitarian law and to cooperate with the United Nations.

92/236. Question No 2131/91 by Mr Pagoropoulos (S) on blockade of the Ecumenical Patriarchate of Constantinople by fanatical muslims

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 26 September 1991)

Groups of fanatical Muslims, almost certainly acting on instructions from well-known anti-Christian organizations, have been blockading the Ecumenical Patriarchate of Constantinople since the morning of Sunday, 25 August 1991, and are preventing the Patriarch, clergymen and worshippers from entering, carrying out their duties and praying. Despite protests from representatives of the Patriarchate, the police are refusing to intervene and disperse the 'besiegers', who are broadcasting fanatical marching songs through loudspeakers.

What are the views of the Ministers meeting in Political Cooperation on such actions and what steps do they intend to take to rescue the seat of the Orthodox Church and ensure that such incidents, which may lead to unforeseeable and dangerous developments for Christianity, do not recur?

Answer:

I would refer the honourable parliamentarian to the reply given in response to his Oral Question No 992/91¹ on the same subject.

¹ EPC Bulletin, Doc. 91/438.

92/237. Question No 2405/91 by Ms Izquierdo Rojo (S) on the international conference to resolve the problem of Cyprus

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 30 October 1991)

In view of the vital strategic position of the Mediterranean on the southern flank of the European Community, affecting all aspects of security policy, and associate status of the parties to the conflict, Turkey and Cyprus, does the Council of Ministers consider it appropriate and necessary for the European Community to be represented at the next international conference on Cyprus?

Answer:

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the Mission of Good Offices of the UN Secretary-General, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN Resolutions and high-level agreements. They regret that it has not been possible to convene the high-level international meeting foreseen by the most recent reports of the Secretary-General to the Security Council and the subsequent statements by the President of the Security Council as well as by Security Council Resolution 716/91.

The Community and its Member States had hoped that the resumption by the Secretary-General of discussions with the two parties in Cyprus, Greece and Turkey would have led to the removal of the remaining obstacles and enabled the convening of a high-level international meeting on Cyprus under UN auspices. However, this initiative has regrettably not yet moved forward.

92/238. Question No 2433/91 by Mr Romeos (S) on abolition of the Turkish Chess Federation

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 30 October 1991)

The Turkish security authorities have closed down the democratically selected executive body of the Turkish Chess Federation, which is a member of the World Chess Federation, and are threatening to confiscate its property. Has EPC taken note of complaints by the European chess associations and does it intend to make representations to the Turkish Government with a view to reinstating the legitimate executive body of the Chess Federation?

Answer:

The executive body of the Turkish Chess Federation and the Turkish Human Rights Association confirmed at the end of February 1992 that they are unaware of any threat to abolish the Turkish Chess Federation.

92/239. Questions No 2481/91 by Ms Ewing (ARC) and 2482/91 by Ms Ewing (ARC) on the disappearance of a Kurdish journalist in south-east Turkey and on the arrest of Dr Ismail Besikçi in Turkey

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written questions in the European Parliament (from 4 November 1991)

Question No 2481/91:

On 10 July 1991 the journalist Faysal Dagli, of Kurdish origin (aged 26, married with two children) of Diyarbakir, Turkey, was seriously wounded during brutal police actions in Diyarbakir, following protests against Mr Vedat Aydin's assassination. Mr Dagli has not been seen since, and his family and friends have grave fears for his safety.

Will EPC ask the Turkish authorities for clarification on the events of 10 July and request information on the whereabouts of Mr Dagli and the other 200 people who disappeared during the same demonstration?

Question No 2482/91:

On 1 August 1991 Dr Ismail Besikçi, Turkish sociologist and steadfast supporter of the Kurdish nation, was arrested and taken to the central prison in Ankara. He was charged with 'separatism' as a result of the contents of his recent book entitled 'State Terror in the Near East'.

Will EPC adopt the cause of Dr Besikçi and prevail upon the Turkish authorities to sanction his immediate and unconditional release?

Answer:

The specific cases mentioned by the honourable parliamentarian have not been discussed in the EPC framework. Nevertheless, according to the latest information available, Mr Dagli was brought before the State Security Court on 16 July 1991 and later released. In Dr Besikçi's case, the judge at his trial, which opened in Ankara's State Security Court on 31 October 1991, accepted the defence lawyer's request that Dr Besikçi be released from custody, and postponed the hearing indefinitely.

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities. The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community and its Member States call upon the Turkish Government to keep improving the human rights situation in the country and will continue to monitor the situation closely.

¹ EPC Bulletin, Doc. 91/194.

92/240. Question No 2483/91 by Ms Ewing (ARC) on human rights violations in Morocco

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 November 1991)

In the first three months of this year, over 1.500 people, including those involved in riots at the time of the general strike in December, were arrested in Morocco. Over 1.000 of these people were sentenced for political offences in trials where defence rights were flagrantly violated. Torture tactics persist in pre-trial *garde à vue* detention centres.

Will EPC call for an investigation into human rights abuses in Morocco?

Answer:

The Community and its Member States are aware of the reports by Amnesty International on the human rights situation in Morocco and they are concerned about the violations taking place. The Moroccan Government, however, has recently taken a number of actions to improve this situation, for example by enacting a law making a number of reforms to the detention regime as well as releasing a number of Western Saharans.

The Community and its Member States abhor all violations of human rights and in particular the use of torture wherever they occur. The human rights policy of the Community and its Member States and the importance they attach to it in their relations with third countries are well known to the Moroccan authorities. The Community and its Member States will not fail to make representations wherever these are deemed appropriate.

92/241. Question No 2556/91 by Mr Vandemeulebroucke (ARC) on the safety of the Kurdish population and aid workers in northern Iraq

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 14 November 1991)

According to reports by the Dutch Ministries of Foreign Affairs and Defence, the allied land forces are being withdrawn from south-east Turkey from the end of September 1991.

Can European political cooperation say what measures will be taken to protect the Kurdish population and the aid workers still in northern Iraq?

Answer:

The Community and its Member States remain very deeply concerned about the plight of the Kurds in Iraq and the safety of aid personnel. The situation of the Kurds has been aggravated by continued military action and economic blockades conducted by the Iraqi authorities, combined with harsh winter conditions. The Community and its Member States have repeatedly called upon Iraq to cease such operations and other repressive measures and to respect the human rights of all Iraqi citizens.

The Community and its Member States fully support the United Nations Inter-Agency Programme for the region, and significant cash and in-kind contributions have been made, both at

Community and national levels. The UN agencies involved have a clear understanding of the humanitarian situation in the field, and the UN guard force of 500 men has played an important role in ensuring the safety of the population and of UN personnel and aid workers. The Community and its Member States consider that the most effective way to help the Kurds is by acting in close cooperation with the UN effort.

The Community and its Member States have also repeatedly called on the Iraqi authorities to comply fully with the provisions of Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations.

The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. In this respect, the Community and its Member States continue to stress the need for an early and effective implementation of Security Council Resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population in the whole country. The Community and its Member States hope the resumption of talks in Vienna between the UN and Iraq reflects a greater willingness on the part of this country to cooperate in the implementation of Resolutions 706 and 712.

The Community and its Member States, through the EPC framework, have kept these issues under constant review and remain open to further actions in this area.

92/242. Question No 2848/91 by Ms van den Brink (S) on fighting between Kurds and Iraqi troops in Iraq

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 5 November 1991)

The international presence in northern Iraq to protect the Kurdish population has not only achieved a considerable reduction of tension in this area but also appears to have prevented an escalation of violence.

1. Does European political cooperation consider that the international presence in northern Iraq has, in fact, made a positive contribution to reducing tension between the warring parties?
2. If so, should steps not be taken to guarantee this presence for an indefinite period until a lasting solution to the conflicts in the area is found?
3. The recent fighting has resulted in a growing stream of refugees towards northern Iran, which is faced with the task of sheltering them. Will EPC provide extra financial and material resources to assist this growing stream of refugees and support Iran? In particular, will it help to provide the Kurds with shelter during the winter months?

Answer:

The Community and its Member States have cooperated with the UN Secretary-General in contributing to a swift and effective response to the problem of Iraqi displaced persons both inside Iraq and in southern Iran. They also launched the proposal for the establishment of security zones under UN supervision in northern Iraq, which has been successfully implemented. The UN guard force of 500 men continues to play an important role in ensuring the safety of the Kurdish refugees. Nevertheless the Community and its Member States share the honourable parliamentarian's concern about the continued plight of Kurdish refugees in Iraq, which has been aggravated by continued military action and economic blockades conducted by the Iraqi authorities, combined with harsh winter conditions. The Community and its Member States have repeatedly called upon

Iraq to cease such operations and other repressive measures and to respect the human rights of all Iraqi citizens.

The Community and its Member States have also participated actively and substantially [in] the international humanitarian effort aimed at securing protection for the Kurdish refugees. They have fully supported the United Nations Inter-Agency Programme for the region, and significant cash and in-kind contributions have been made, both at Community and national levels.

The Community and its Member States have also repeatedly called on the Iraqi authorities to comply fully with the provisions of Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations.

The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. In this respect, the Community and its Member States continue to stress the need for an early and effective implementation of Security Council Resolutions 706 and 712, which would contribute to improving the living conditions of the civilian population in the whole country. The Community and its Member States hope the resumption of talks in Vienna between the UN and Iraq reflects a greater willingness on the part of this country to cooperate in the implementation of Resolutions 706 and 712.

The Community and its Member States are keeping these issues under constant review, including the question of extra budgetary contributions to the UN Inter-Agency Programme, and remain open to further actions in this area to permit the safe return of the Kurdish refugees to their homelands.

92/243. Question No 342/92 by Mr Ford (S) on Salomeh Ayesheh Emami

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 27 February 1992)

Will the Foreign Ministers meeting in Political Cooperation please state what action they are taking over the case of the abducted child Salomeh Ayesheh, being held hostage in Iran since 1988?

Having regard to the desperation and urgency of this case, and as a humanitarian gesture, will the Foreign Ministers agree to the appointment of a designated EC envoy to submit an official request to the Iranian authorities, asking for cooperation in securing the child's immediate release?

Will the Foreign Ministers note that this case (thorough documentation of which is available upon request) has now reached the US Senate and the French Prime Minister's office; that the British High Courts have ordered the child's release; that the Iranian authorities appear sympathetic to the child's plight; and that a small gesture on the part of the EC might result in conditions favourable to the child's release?

Answer:

The case of Salomeh Ayesheh has not been discussed in the framework of EPC.

There are two International Conventions which seek to combat the problem of child abductions, namely the Hague and European Conventions of 1980. However Iran has not ratified either of the Conventions and there is therefore no formal mechanism available for the recognition and enforcement of Court Orders made by another country in this case in Iran.

The human rights policy of the Community and its Member States and the importance they attach to it in their relations with third countries are well known to the Iranian authorities. The Community and its Member States will not fail to make representations wherever these are deemed appropriate.

92/244. Question No 393/92 by Mr Romeos (S) on Israeli settlement [in] the Occupied Territories

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 27 February 1992)

The Israeli Prime Minister recently said that nothing in the world would stop Israelis from settling in the Occupied Territories.

What steps do the Foreign Ministers meeting in EPC intend to take in response to such actions by the Israeli Government which are sabotaging the Middle East peace process?

Answer:

I would refer the honourable parliamentarian to the reply given to his identical Written Question No H-92/92.

92/245. Question No 496/92 by Mr Arbeloa Muru (S) on response of Morocco in respect of human rights

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 19 March 1992)

What response has the Government of the Kingdom of Morocco made to the most recent resolutions by the European Parliament on violations of human rights in that country? More specifically, have the Moroccan authorities given the reasons for continuing to detain 61 ex-servicemen several years after completing their sentences, having been transferred in 1973 to Tazmamart, on charges of complicity in a number of attempted *coup d'état* against the king? Where are the prisoners now being kept?

Answer:

The specific case raised by the honourable parliamentarian has not been discussed in the framework of EPC. As the honourable Member will know Tazmamart prison was closed in September last year.

The Community and its Member States are concerned about reports of human rights violations in Morocco. They note, however, that the Moroccan Government has recently taken a number of actions to improve this situation, for example by enacting a law making a number of reforms to the detention regime.

The human rights policy of the Community and its Member States and the importance they attach to it in their relations with third countries are well known to the Moroccan authorities. The

Community and its Member States will not fail to make representations wherever these are deemed appropriate.

92/246. Question No 497/92 by Mr Arbeloa Muru (S) on executions in Tunisia

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 9 March 1992)

Can EPC express its repugnance to the Government of Tunisia, with which the Community has just signed a Cooperation Agreement, at the execution of at least six people in October and November 1991, despite President Ben Ali's public statements opposing the death penalty?

Answer:

The Community and its Member States were active in securing adoption at the 44th UN General Assembly in 1989 of a Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

As its title suggests however, the impact of this protocol depends on the political will of states parties to the covenant to ratify or accede to the protocol. There was no disposition to force states, which applied the death penalty, to abolish it. Rather, the protocol was designed to give those countries which had decided to abolish the death penalty an opportunity to declare this fact publicly and solemnly.

The Community and its Member States are concerned to ensure that in countries where the death penalty continues to exist, the rights of those facing the death penalty should be safeguarded in line with legal guarantees laid down in the International Covenant on Civil and Political Rights and other international instruments.

92/247. Question No 502/92 by Mr Nianias (RDE) on fears of political deadlock over Cyprus

Date of issue: 19 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 16 March 1992)

The International 'Helsinki Watch' report reveals increasingly gross violations of human rights in Turkey. At the same time, one Community Member State, Greece, is hastening to improve its relations with the Turkish Government, as evidenced by a declaration in Davos concerning a future treaty of friendship. Apart from the fact that this Member State is not only undermining the Community's strict line on human rights in Turkey, it is also in flagrant breach of another area of Community policy, the question of Cyprus. The Dublin declaration¹ effectively rules out any closer relations between the European Community and Turkey because of Cyprus, that is to say the Turkish invasion and continued occupation of the territory of another state. Moreover, human rights and Cyprus are, in this instance, being ignored and a bilateral improvement in relations is occurring on the initiative, or with the consent of, a Community Member state. In practice, this is tantamount to encouraging the intransigent stance adopted by Turkey which will not lose this oppor-

tunity – in the same way as it is hastening to recognize the new Balkan and Caucasian States, to secure some measure of international recognition for the puppet state controlled by Denktash, and put off any resolution of the Cyprus issue. In view of this, will the Community in the course of its negotiations (on recognition, economic aid, etc.), make every effort to prevent international recognition by these states or any legitimization of the puppet state controlled by Denktash, a possibility which is causing great concern among the Greek community of Cyprus?

Answer:

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the Mission of Good Offices of the UN Secretary-General, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions and high-level agreements. They regret that it has not been possible to convene the high-level international meeting foreseen by the most recent reports of the Secretary-General to the Security Council and the subsequent statements by the President of the Security Council as well as by Security Council Resolution 716/91.

The Community and its Member States had hoped that the resumption by the Secretary-General of discussions with the two parties in Cyprus, Greece and Turkey[,] would have led to the removal of the remaining obstacles and enabled the convening of a high-level international meeting on Cyprus under UN auspices. However, this initiative has regrettably not yet moved forward.

It is a matter for individual states themselves to decide the parameters for their relationship with Turkey. The Community and its Member States, for their part, intend to continue their existing regular political dialogue with the Turkish authorities. Through this ongoing dialogue, the Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights. The Community and its Member States therefore welcome the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 90/265.

92/248. Statement on the violence in South Africa

Date of issue: 23 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The Community and its Member States express their shock at the recent appalling incidents of violence in South Africa, particularly in Boitapong, which have taken a heavy toll of innocent human life.

The Community and its Member States, which had welcomed the signing of the national peace accord in September 1991, and all further efforts to bring an end to violence expect all parties concerned to fully respect their commitments.

The Community and its Member States urge the South African Government to investigate these incidents rapidly and thoroughly, so that those responsible are punished, and note its com-

mitment to do so. They also call upon the leaders of all parties concerned in South Africa to persevere with determination in the peaceful path to a non-racial democracy, representative of all South Africans, initiated in the framework of CODESA.

92/249. Question No 246/91 by Mr Gutiérrez Díaz (GUE) on waste-disposal plant in Tarfaya (Morocco)

Date of issue: 24 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 4 March 1991)

The group 'Naturaleza y Sociedad' (Nature and Society) in Spain has informed the European Parliament's Committee on Petitions that there is a plan to build a waste disposal plant in Tarfaya (Morocco), near the border, which would present a serious threat not only for Morocco and the Sahara, but also for the Canary Islands (which are Community territory).

Does EPC not consider that in view of the relations between the Community and the Kingdom of Morocco and the importance of this matter, representation should be made to the Moroccan Government with the aim of ensuring that the potential environmental hazards of the project do not become reality?

Answer:

According to press reports in 1989, plans to build a toxic waste-disposal plant at Tarfaya were vetoed following concerns expressed by King Hassan. There are no indications that the Moroccan Government plans to revive the project.

92/250. Question No 352/91 by Mr Ribeiro (CG) on relations between EEC and the PLO

Date of issue: 24 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 7 March 1991)

At the end of the General Affairs Council meeting on 4 February, the Portuguese Minister for Foreign Affairs announced that the Community had decided to 'freeze' relations with the PLO and its leader, Yasser Arafat.

In view of the gravity of such a decision, what is the context and, from the point of view of European political cooperation, the intention of the statement by the Portuguese minister?

Answer:

The Community and its Member States maintain a dialogue with the PLO, with the aim of encouraging it to support the Middle East peace process underway constructively. At the same time, they continue their dialogue with Palestinians in the Occupied Territories.

92/251. Question No 1218/91 by Mr Robles Piquer (PPE) on recovery of works of art stolen during the military occupation of Kuwait

Date of issue: 24 June 1992

Place of issue: Strasbourg

Country of Presidency: Portugal

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

During the military occupation of Kuwait by the Iraqi army, many valuable works of art were stolen from the National Museum of Kuwait and from private collections, including the collection belonging to the anthropologist Jassim Jusuf Al-Humaithi. In December 1990 for example Sotheby's identified a set of Arab-Andalusian copies of the Koran in Beirut as belonging to this collection.

Can the twelve Member States help to recover these stolen objects for return to Kuwait, acting either through their embassies in this area or through the United Nations and UNESCO?

Answer:

Iraq has accepted responsibility for loss and damage resulting from its illegal occupation of Kuwait, and has undertaken to return stolen property. United Nations Security Council Resolution 687 calls on the Secretary-General to monitor the steps taken by Iraq to return this property. In a recent update to a January 1992 report by the United Nations Secretary-General, reference is made to property of the Central Library and the National Museum of Kuwait having been returned. Furthermore, the Iraqi officials involved with the return of property have cooperated fully with the United Nations, according to the UN Secretary-General's report.

It is feasible that certain stolen property may have found its way onto the open market. In such instances it is for the Kuwaiti authorities themselves to take steps to identify and recover this property, in conjunction with the United Nations.

92/252. Statement on Cambodia

Date of issue: 25 June 1992

Place of issue: Brussels, Lisbon

Country of Presidency: Portugal

Status of document: Press statement

The Community and its Member States welcome the successful outcome of the Ministerial Conference on Rehabilitation and Reconstruction of Cambodia which took place in Tokyo on 22 June 1992 and fully support the Tokyo Declarations on Rehabilitation and Reconstruction of Cambodia and on the Cambodian peace process. They stress the importance of strictly adhering to the Peace Agreements reached in Paris on 23 October 1991 aimed at the rehabilitation and reconstruction of Cambodia.

The Community and its Member States appreciate the prominent role played by Prince Sihanouk as President of the Supreme National Council, the action undertaken by the United Nations Transitional Authority in Cambodia (UNTAC), and the efforts of the UN Secretary-General's representative, Mr Akashi.

The Community and its Member States call upon all Cambodian parties to implement fully the Paris Agreements. They express concern at the refusal of one party to allow the necessary deployment of UNTAC and call upon that party to cooperate with UNTAC in the full and timely implementation of the second phase of the cease-fire.

The Community and its Member States consider that the reconstruction and rehabilitation of Cambodia can only be achieved with full respect for human rights and the holding of free and fair elections in 1993 which will contribute to peace and stability in the Asia/Pacific region.

92/253. Conclusions of the European Council meeting in Lisbon, held on 26 and 27 June 1992 [extracts only]

Date of issue: 26/27 June 1992

Place of issue: Lisbon

Country of Presidency: Portugal

Status of document: Conclusions of the European Council

Conclusions of the Presidency

The Treaty on European Union agreed at the European Council in Maastricht¹ expressed the mutual commitment of the governments of the 12 Member States to create a Union capable of meeting the challenges with which Europe is confronted today. The realization of this commitment remains as important today as it was then as a means of ensuring peace and stability as well as economic and social progress in Europe and in the world.

Convinced that the political commitment undertaken in Maastricht represents a major positive step in the process of European unity, reinforcing democracy in European decision-making, the European Council in Lisbon expresses the determination to press ahead with European construction in this spirit. It agrees the following political guide-lines reflecting its determination to maintain the impetus for developing the Community's work internally and externally over the coming decisive period.

The European Council heard a statement from Mr Klepsch, President of the European Parliament, on the main topics under discussion in the European Council.

Progress towards European Union

State of the ratification procedure on the Treaty on European Union

The European Council underlines the importance of respecting the timetable laid down for ratification to ensure in any case the entry into force of the Treaty as of 1 January 1993.

The European Council welcomes the result of the Irish referendum. It notes that ratification in one other Member State is likely to be completed before the summer holidays and that ratification procedures in most other Member States are well advanced.

It confirms the conclusions reached by the General Affairs Council in Oslo on 4 June.

Enlargement

The Treaty on European Union provides that any European State whose system of government is founded on the principle of democracy may apply to become a member of the Union. The principle of a Union open to European States that aspire to full participation and who fulfil the conditions for membership is a fundamental element of the European construction.

The European Council in Maastricht agreed that negotiations on accession to the Union on the basis of the Treaty agreed in Maastricht can start as soon as the Community has terminated its negotiations on own resources and related issues in 1992.

The European Council considers that the EEA agreement has paved the way for opening enlargement negotiations with a view to an early conclusion with EFTA countries seeking member-

ship of the European Union. It invites the institutions to speed up preparatory work needed to ensure rapid progress including the preparation before the European Council in Edinburgh of the Union's general negotiation framework. The official negotiation will be opened immediately after the Treaty on European Union is ratified and the agreement has been achieved on the Delors II package.

Negotiations with the candidate countries will, to the extent possible, be conducted in parallel, while dealing with each candidature on its own merit.

The European Council agrees that this enlargement is possible on the basis of the institutional provisions contained in the Treaty on the Union and attached declarations.

The European Council considers that, if the challenges of a European Union composed of a larger number of Member States are to be met successfully, parallel progress is needed as regards the internal development of the Union and in preparation for membership of other countries.

In this context the European Council discussed the applications which have been submitted by Turkey, Cyprus and Malta. The European Council agrees that each of these applications must be considered on its merits.

With regard to Turkey the European Council underlines that the Turkish role in the present European political situation is of the greatest importance and that there is every reason to intensify cooperation and develop relations with Turkey in line with the prospect laid down in the Association Agreement of 1964 including a political dialogue at the highest level. The European Council asks the Commission and the Council to work on this basis in the coming months.

Relations with Cyprus and Malta will be developed and strengthened by building on the association agreements and their application for membership and by developing the political dialogue.

As regards relations with Central and Eastern Europe, the European Council reaffirms the Community's will to develop its partnership with these countries within the framework of the Europe agreements in their efforts to restructure their economies and institutions. The political dialogue will be intensified and extended to include meetings at the highest political level. Cooperation will be focused systematically on assisting their efforts to prepare the accession to the Union which they seek. The Commission will evaluate progress made in this respect and report to the European Council in Edinburgh suggesting further steps as appropriate.

The Commission presented its report 'Europe and the challenge of enlargement'.

[...]

A Union close to its citizens

The European Council agrees that specific steps must be taken to increase the transparency in the decision-making process of the Community and to reinforce the dialogue with the citizens of Europe on the Maastricht Treaty and its implementation.

The approach of the Maastricht Treaty of bringing the process of European unity closer to the citizens and reaffirming the importance of the identities of the nations that are part of the Union must be forcefully reflected in the Community's actions and behaviour. The European Council expresses the wish to see the dialogue between national parliaments and the European Parliament strengthened, including in the Conference of Parliaments.

The European Council recalls the important role that the subsidiarity principle has played in the drafting of the Treaty on the Union, both through the integration of this principle as a new legally binding ground rule in the Treaty (Article 3b) and through the introduction for the first time of precise delimitation of the type of Community action which can be carried out in the new areas of competence which the Treaty assigns to the Union.

The European Council is convinced that harmonious development of the Union over the coming years depends to a considerable degree on the strict application to existing and future legislation of the principle of subsidiarity by all the institutions. This will be essential to ensure a direction of the European construction which is in conformity with the common wish of Member States and of their citizens.

The European Council, having heard a first report by the President of the Commission on this subject, invited the Commission and the Council to undertake urgent work on the procedural and practical steps to implement the principle and to report to the European Council in Edinburgh.

The Commission undertook, for its part, to justify in the recitals of future proposals, the relevance of its initiative with regard to the principle of subsidiarity. The Council will have to do the same if it decides to amend the original Commission proposal.

There will likewise be a re-examination of certain Community rules in order to adapt them to the principle of subsidiarity. A report will be prepared for the European Council in December 1993 on the results of that re-examination.

[...]

Fight against drugs

The European Council took note of the report drafted by the European Committee to Combat Drugs (ECCD).

It welcomed the political agreement which emerged on the regulation establishing a European Drugs and Drug Addiction Monitoring Centre. That body will help give the Community and the Member States an overall view of this serious social phenomenon and will thus assist them in defining their action.

The European Council confirms its full support for the organization in the Member States, from 16 to 22 November 1992, of a European Week to promote the prevention of drug use. It calls for particular emphasis to be placed on the prime importance of education and prevention as regards young people.

It calls upon the ECCD to report to it, at its Edinburgh meeting, on the implementation of the European programme for the fight against drugs adopted by the Rome European Council on 14 December 1990. That report may be accompanied by proposals for further measures.

Europol

The European Council took cognizance of the report prepared by the Trevi Ministers and signified its agreement on its conclusions.

It calls for the preparation of the convention necessary for the establishment of Europol.

It endorses the setting-up of a project team to facilitate the early establishment of a European Drugs Intelligence Unit, which has been conceived as the first phase of Europol's development.

External relations

The European Council noted with satisfaction the initiatives developed in the last months in the field of the Community external relations, in line with the ever-increasing expectations of third countries with regard to the role to be played by the Community on the international scene.

The European Council confirmed the will of the Community to continue acting in this area in a spirit of solidarity and cooperation, fully assuming its international responsibilities.

Rio Conference on Environment and Development

The European Council welcomes the results of the United Nations Conference on Environment and Development (UNCED) held at Rio de Janeiro from 3 to 14 June 1992 and in particular the acceptance by the international community at the highest level of the aim of sustainable development world-wide. It also noted with satisfaction the role played by the Community and by its Member States in the Conference.

The European Council invites all the participating states to proceed rapidly to the implementation of the measures agreed at Rio.

The Community and its Member States, for their part, are prepared to commit themselves to the following eight-point plan:

- (i) to ratify the climate change convention and publish national plans for implementing it;
- (ii) to publish national plans for action on bio-diversity, and to establish the basis for ratification of the convention;
- (iii) to publish national plans for the implementation of the forest principles;
- (iv) to publish national plans for the implementation of the Rio Declaration and Agenda 21;
- (v) to give financial support to developing countries for the implementation of Agenda 21 through Official Development Assistance (ODA) and for the replenishment of the Global Environment Facility (GEF);
- (vi) to take the lead at the 1992 UN General Assembly in the establishment of the Sustainable Development Commission;
- (vii) to put their weight behind establishing an international review process for the forest and desertification principles;
- (viii) to take the lead in the restructuring of the GEF so that it can in time be established as the permanent financial mechanism for the climate change and biodiversity conventions.

The European Council invites the other states to make a similar commitment.

Uruguay Round

The European Council reaffirms its commitment to a swift conclusion of the Uruguay Round. An open multilateral trading system reinforced by rules and discipline accepted by all concerned is essential for world economic growth. Further liberalization of world trade will benefit both industrialized and developing countries.

The European Council underlines that these negotiations form a whole and that in order to be successful they must lead to a substantial and balanced result in all areas of the negotiations (agriculture, market access, rules and discipline and new subjects).

Particular responsibility lies with the major trading partners to ease the final multilateral process of the Uruguay Round by opening the way to a solution of the problems that remain. The Community has shown, and is prepared to continue to show, such flexibility based on reciprocity.

In the context of the Uruguay Round the Community has submitted substantial contributions and offers in key areas of the negotiations. In taking the initiative of reforming its common agricultural policy, the Community is basing its agricultural future on a better match between supply and demand, thus contributing to the stabilization of world markets while ensuring that the incomes of Community farmers are legitimately maintained.

The European Council calls on all parties to the negotiations to show similar flexibility so that realistic and balanced solutions can be achieved in agriculture and that in the area of access to markets and services, undertakings can be secured leading to genuine liberalization that is both tangible and mutually satisfactory.

The European Council invites the Community negotiators to pursue the dialogue with their partners and in particular with the United States to resolve the remaining differences so that overall agreement can be concluded as soon as possible.

Common foreign and security policy

The European Council approved a report by Ministers for Foreign Affairs on the likely development of the common foreign and security policy (CFSP) with a view to identifying areas open to joint action *vis-à-vis* particular countries or groups of countries.²

Countries of Central and Eastern Europe

The European Council expresses its full support for the processes aimed at consolidating democratic institutions in the countries of Central and Eastern Europe, thereby guaranteeing the rule of law and respect for human rights. This includes the principles governing the rights of minorities, and the inviolability of borders, which can be altered only by peaceful means and through agreement, in accordance with the commitments accepted by the signatories to the UN Charter, the Helsinki Final Act and the Charter of Paris for a New Europe.

The European Council also supports the economic reforms undertaken by the governments of the countries of Central and Eastern Europe aimed at creating a climate conducive to modernization and the development of a market economy.

In the light of the results of the 5 and 6 June elections in Czechoslovakia and the joint public declaration of Mr Klaus and Mr Meciar after their talks of 19 and 20 June, the European Council expresses the hope that the ongoing talks between the different political forces will continue in a peaceful and constructive manner and that the important steps in regional and international cooperation already achieved may be further developed without any major difficulty.

The European Council welcomes the progress made in the establishment and deepening of relations with the countries of Central and Eastern Europe and in particular the entry into force of the Intermediate Agreements to the European Agreements signed with Czechoslovakia, Hungary and Poland, the approval of the directives for negotiation with Bulgaria and Romania and the completion of the trade and cooperation agreements with the Baltic states and with Albania.

The European Council expresses its willingness, within the framework of the G-24, to pursue joint international action to assist the balances of payments of Bulgaria, Romania and Albania, in view of the continued financing needs in these countries which are covered neither by international financial institutions nor by public and private interventions.

Commonwealth of Independent States (CIS)

The European Council is following developments in the CIS with the greatest interest and confirms its willingness to play its part in the efforts made by the international community to restore the economies of Russia and of other republics of the CIS. Those efforts, in accordance with the guide-lines adopted at the Lisbon Conference of 23 and 24 May 1992, are aimed at ensuring the early integration of those states in the world economy with the intention of contributing to the prosperity of their respective peoples.

The European Council believes that the reforms aimed at achieving proper efficiency should continue to be accompanied by the political changes already under way, which are needed to consolidate an open society founded on the rule of law, individual liberties and political pluralism.

The European Council welcomes the agreement signed by the Presidents of Russia and Ukraine in Dagomis, on 23 June, in which both parties settled the basis for a future share of the Black Sea Fleet and hopes to see the agreements implemented without delay to the benefit of peace and security in the region.

The European Council, on this occasion, expresses its deep concern with the continued fighting in Georgia, in Moldova and in the enclave of Nagorno-Karabagh, and strongly urges all authorities concerned to end the vicious cycle of violence by engaging in a political dialogue and cooperating with all peace efforts, namely in the framework of CSCE.

The European Council underlines the role of the human and technical assistance to the CIS, instituted by the Community, and expresses satisfaction over the positive results achieved in actions so far.

The European Council agrees that urgent action must be initiated in order to provide emergency medical assistance using a suitable part of the loan of ECU 1.25 billion. The Commission will act accordingly.

The European Council considers that the Lisbon Conference on assistance to the Commonwealth of Independent States, which for the first time gathered together representatives of the donor countries, the international organizations and the beneficiary countries, constituted an important moment in which to effect an overall balance of the assistance provided so far by the international community and to stress the extent of the effort developed by the Community and its Member States in that context.

The European Council welcomes the signing of the agreement which creates the International Science and Technology Centres, for reorientation of CIS scientists and technical staff towards pacific activities and reiterates the importance it attaches to the preservation of the scientific and technological potential of the former Soviet Union.

Nuclear safety in the Central and East European countries and the CIS

1.19. The European Council notes the considerable effort undertaken in the framework of the Phare programme for Central and Eastern Europe as well as in the technical assistance programme for the CIS to improve the safety of nuclear power plants of Soviet design.

The European Council considers that, in addition to the bilateral contributions under the coordination of the G-24, the setting up of a multilateral mechanism would be desirable to take action that will not be covered by bilateral measures, it invites the other G-7 partners to respond positively to this initiative.

Given the urgency of this problem, the European Council asks the Commission to increase further the amounts foreseen for this purpose in both programmes.

As far as the 'upgrading' of these nuclear power stations is concerned, the European Council requests the Council to consider the possibility of extending the Euratom loans to investments for this purpose.

European Energy Charter

The development of close cooperation in the energy sector will make a vital contribution to facilitate and accelerate the transition of the former socialist countries towards a market economy. Based on the progress to the achieving of the energy internal market, it will play an important role in maintaining and strengthening economic and political stability in Europe, and in enhancing environmental protection.

Therefore, the European Council emphasizes the importance of rapid progress in the negotiation of the Basic Agreement for the implementation of the European Energy Charter and urges the Charter conference to intensify its efforts in order to reach early agreement to be signed in a forthcoming Lisbon conference on energy.

Yugoslavia

The European Council adopted the declaration in [the] Annex.³

Middle East peace process

The European Council adopted the declaration in [the] Annex.⁴

Relations with the Mediterranean countries

The European Council adopted the declaration in [the] Annex⁵ on relations with the Maghreb countries.

The European Council underlines the importance it attributes to its general relations with the Mediterranean countries and welcomes in this connection the recent agreement on the renewed Mediterranean policy, which constitutes an essential element towards greater political and economic stability in the Mediterranean region.

European Economic Area

The European Council welcomes the conclusion of the negotiation process and the signature on 2 May in Oporto of the Treaty creating the European Economic Area.

The European Council expresses its desire to see that the ratification processes in progress take place as soon as possible, so that the Treaty may come into force on 1 January 1993.

Latin America

The European Council underlined the importance it attaches to the deepening of relations between the Community and Latin America as the means to support economic recovery and consolidation of democracy in that region.

In this context, it welcomes the positive results of the last ministerial meetings which took place in Lisbon and Santiago de Chile, and the signature of new framework agreements with Brazil and Paraguay.

The European Council stressed the importance of supporting the efforts of economic integration which are developed at regional level, such as Mercosur.

In this context, following the meeting in Guimarães on 2 May 1992, the European Council invites the Commission to present proposals with a view to intensifying and institutionalizing relations between the Community and Mercosur.

Relations between the Community and its Member States and developing countries

The European Council believes that the far-reaching changes in the international scene have contributed to the creation of a new climate and favourable opportunities for the revitalization of a constructive dialogue aimed at promoting development based on solidarity, mutual interest and shared responsibilities.

The easing of international tensions with the end of the Cold War provides new possibilities and resources for development but also favours the emergence of new forms of cooperation, namely at the inter-regional level. At the same time, a political consensus is growing around the fundamental relationship between pluralistic democracy respect for human rights and development regarded as an equitable and sustainable process focused on the individual.

The European Council, recalling its declaration on Human Rights adopted in Luxembourg⁶ as well as the resolution of the Development Council on human rights, democracy and development of 28 November 1991, reaffirms that the respect, promotion and safeguarding of human rights is an essential element in international relations and therefore one of the cornerstones of cooperation as well as of relations between the Community and its Member States and other countries. It attaches special importance to positive initiatives designed to ensure active support to those countries which are instituting democracy, improving human rights performance as well as promoting good governance.

The European Council considers that an active relationship and dialogue with developing countries is a fundamental condition to overcome the disparities and gaps that still divide the populations of the world. The European Community and its Member States are playing and will continue to play a major role in all fields of cooperation for development, taking in due account the new possibilities brought about by a positive climate in international relations.

CSCE

The European Council reaffirms the commitment of the Community and its Member States to the CSCE process and underlines the major contribution of the CSCE to freedom, peace and stability in Europe and as a means to ensure cooperation among all participating States, on the basis of full compliance with the provisions of the Helsinki Final Act, the Charter of Paris for a New Europe and all other relevant CSCE texts. Without total respect and thorough implementation of all CSCE commitments, no state can expect to play a role in the building-up of a new Europe of peace, freedom, cooperation and progress.

The European Council welcomes the positive results already achieved at the ongoing CSCE follow-up meeting of Helsinki and looks forward to a successful outcome of the Helsinki Summit meeting. The European Council expresses its conviction that, on the occasion of the Helsinki Summit, fundamental steps will be taken which shall render the CSCE more effective and operational in order to be able to play the role it must assume in the future.

The European Council urges parties to the CFE Treaty to take the necessary steps in order to achieve its entry into force. Furthermore, the European Council stresses that an agreement to limit the personnel strength of conventional armed forces of the CFE participating countries will further enhance stability and security in Europe and should be signed at the Helsinki Summit.

Non-proliferation and arms exports

The European Council noted with satisfaction the conclusion of a common list of nuclear goods and nuclear-related dual-use goods to be controlled by Member States, when exported.

Furthermore, the European Council notes that work in progress in European political cooperation has, by comparing national policies on arms exports, identified an additional common criterion on which these policies are based.

This criterion will be added to those approved by the European Council of Luxembourg and will be formulated as follows:

'The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that States should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.'

Southern Africa

The European Council is deeply concerned about the recent violence in South Africa. Recalling the Community and its Member States' statement of 23 June⁷ expressing shock at the Boipatong

massacre, it notes the fact that the South African Government has stated its readiness to allow for foreign observers to participate in the investigation under way. It underlines the absolute need to ensure an effective control of the police and security forces. The ministerial troika of the Community and its Member States will address this issue on the occasion of its forthcoming visit to South Africa.

It calls upon all parties in South Africa to resume negotiations in the framework of Codesa, which is a privileged forum where the necessary consensus may be sought, in order to ensure a peaceful transition towards a true democratic and non-racial South Africa, in particular by the establishment of a transitional government. The European Council considers it vital that South Africa not lose the substantial progress already made in that forum.

The European Council notes with satisfaction the clear advances made towards a lasting peace throughout southern Africa, in particular the progress made in the peace process in Angola, which should culminate in general elections in September 1992.

The European Council urges the parties involved in the Mozambican conflict to reach, with utmost urgency, a peace agreement in the context of the mediation process in which EC countries play an active role. This will make possible the delivery of international aid to the affected populations, who are already suffering because of the prolonged drought which is having catastrophic effects throughout the sub-region.

The European Council, after consultation of the President and the enlarged Bureau of the European Parliament, agreed to renew the mandate of Mr Jacques Delors as President of the Commission.

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- 1 *EPC Bulletin*, Doc. 91/431.
 - 2 *EPC Bulletin*, Doc. 92/257.
 - 3 *EPC Bulletin*, Doc. 92/254.
 - 4 *EPC Bulletin*, Doc. 92/255.
 - 5 *EPC Bulletin*, Doc. 92/256.
 - 6 *EPC Bulletin*, Doc. 91/194.
 - 7 *EPC Bulletin*, Doc. 92/248.

92/254. Declaration on the former Yugoslavia

Date of issue: 26/27 June 1992

Place of issue: Lisbon

Country of Presidency: Portugal

Status of document: Conclusions of the European Council

The European Council strongly condemns the continuing violence which has ravaged the territory of the former Yugoslavia for over a year, resulting in an appalling loss of life and a desperate humanitarian situation, in particular in Bosnia-Herzegovina. Although all parties have contributed, in their own way, to the present state of affairs, by far the greatest share of the responsibility falls on the Serbian leadership and the Yugoslav army controlled by it. The Community and its Member States stress again the need for full application of the sanctions stipulated by the UN Security Council.

The European Council deplores in particular that the reopening of Sarajevo airport for humanitarian purposes, in accordance with UN Security Council Resolution 758, has not been achieved. Further measures are therefore required. EC Member States will propose that the legally competent body, the UN Security Council take, without delay, all necessary measures for the reopening

of the airport and effective delivery of humanitarian assistance to Sarajevo and neighbouring areas. The European Community and its Member States are ready to cooperate in that as far as is legally and practically possible for them to do so. This may include airborne humanitarian aid. While giving priority to peaceful means, the European Council does not exclude support for the use of military means by the UN to achieve these humanitarian objectives.

Noting the declaration by the WEU Council of Ministers of 19 June 1992, the European Council welcomes the study being carried out by this organization of possible means in support of actions undertaken in the framework of the relevant UN Security Council resolutions.

The European Council is gravely preoccupied by the increasingly intolerable situation of the hundreds of thousands of displaced persons in the territory of the former Yugoslavia. In spite of actions already undertaken, in particular by the United Nations High Commissioner for Refugees (UNHCR), the European Council considers that further important financial help will be needed. The Commission will coordinate these efforts with the other G-24 countries.

With regard to Kosovo, the European Council expects the Serbian leadership to refrain from further repression and to engage in serious dialogue with representatives of this territory. The European Council reminds the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the Conference on Yugoslavia. It stresses the need to immediately dispatch observers to Kosovo as well as to neighbouring countries in order to prevent the use of violence and with a view to contributing to the restoration of confidence. The Community and its Member States call upon the CSCE to take the necessary steps to that effect and stand ready, as far as they are concerned, to take part in such a mission.

The European Council reiterates the position taken by the Community and its Member States in Guimarães on the request of the former Yugoslav Republic of Macedonia to be recognized as an independent State. It expresses its readiness to recognize that republic within its existing borders according to their declaration on 16 December 1991¹ under a name which does not include the term Macedonia. It furthermore considers the borders of this republic as inviolable and guaranteed in accordance with the principles of the UN Charter and the Charter of Paris.

The European Community and its Member States will not recognize the new federal entity comprising Serbia and Montenegro as the successor State of the former Yugoslavia until the moment that decision has been taken by the qualified international institutions. They have decided to demand the suspension of the delegation of Yugoslavia in the proceedings at the CSCE and other international forums and organizations.

The European Council states its determination to help the people of the former Yugoslavia in their quest for a peaceful future in Europe and reiterates that the EC Conference on Yugoslavia chaired by Lord Carrington is the only forum capable of ensuring a durable and equitable solution to the outstanding problems of the former Yugoslavia, including constitutional arrangements for Bosnia-Herzegovina. The European Council urges all parties involved in the peace process to participate fully and without further delay in the negotiations sponsored by the Conference.

¹ *EPC Bulletin*, Doc. 91/465.

92/255. Declaration on the Middle East peace process

Date of issue: 26/27 June 1992

Place of issue: Lisbon

Country of Presidency: Portugal

Status of document: Conclusions of the European Council

The European Council reaffirms its support for the peace process launched in Madrid in October 1991, which provides a unique opportunity for peace. It is of paramount importance for the world and Europe in particular, which has an essential role to play in the political and economic stability of the region. The European Council pays tribute to the commitment and perseverance of the co-sponsors as well as to the wisdom and courage displayed by the parties directly involved.

The European Council has taken note of the results of the election in Israel. It believes that these results, which are an illustration of the democratic tradition in Israel, will reinforce the peace process and the commitment to a just and lasting settlement. It hopes that the new Israeli Government, as well as the Arab parties involved, will seize the opportunity to negotiate a comprehensive peace.

The European Council recognizes that it is for the parties to the dispute to establish the terms of a settlement, which, to be effective, must be freely negotiated and agreed among them. But the European Council reiterates its belief that for an agreement to prove just and lasting it will have to be based on United Nations Security Council Resolutions 242 and 338, which enshrine the principle of land for peace. It should provide for the security of all states in the region, including Israel, within recognized and guaranteed borders, and for the Palestinian people to exercise their right to self-determination.

The European Council reiterates the need for all parties to commit themselves to the peace process, to refrain from all acts of violence and to avoid any action likely to endanger the negotiations, or to threaten the climate of confidence. It hopes that the new Israeli Government and the Arab parties will act quickly to implement confidence-building measures. It looks forward to a halt to the building and expansion of Israeli settlements in the Occupied Territories, including East Jerusalem, which are illegal under international law, and to full application of the provisions of the Fourth Geneva Convention. The European Council also calls upon the members of the Arab League to lift the boycott of trade to Israel, which is incompatible with the spirit of the peace process.

The European Council reiterates the commitment of the Community and its Member States to play a constructive and active role in the peace process in both its bilateral and multilateral tracks, based on the Community's well-known positions of principle. Both Israel and her Arab neighbours can rely on Europe's commitment to building a future of peace and prosperity in the region in the light of progress achieved in the peace process.

The European Council reiterates the Community's wish for full implementation of Security Council Resolution 425. It reaffirms its support for Lebanon's independence, sovereignty, unity and territorial integrity. It calls for the withdrawal of all foreign forces from Lebanon and for co-operation by the parties with the United Nations forces serving there. The European Council believes that the Lebanese people should be permitted to make their views known in elections which are held under conditions guaranteed to be free and fair.

92/256. Declaration on relations between Europe and the Maghreb

Date of issue: 26/27 June 1992

Place of issue: Lisbon

Country of Presidency: Portugal

Status of document: Conclusions of the European Council

The European Council reaffirms its solidarity with the Maghreb countries and its firm determination to continue its overall policy of contributing to the stability and prosperity of the Mediterranean region on the basis of an approach favouring partnership.

The Community and its Member States consider that their relations with the Maghreb countries must be founded on a common commitment to:

- (i) respect for international law, the principles of the United Nations Charter and the Resolutions of the United Nations Security Council;
- (ii) respect for human rights and fundamental freedoms in civil, political, economic, social and cultural matters and for democratic values exemplified by free and regular elections;
- (iii) the establishment of democratic institutional systems guaranteeing pluralism, effective participation by citizens in the lives of their states and respect for the rights of minorities;
- (iv) tolerance and coexistence between cultures and religions.

The political dialogue between the European Community and its Member States and the Maghreb countries should permit a regular exchange of information and greater mutual consultation on political and security matters. Similarly, the European Community and its Member States hope that this dialogue will as soon as possible extend to elected representatives and the social partners. The Community and its Member States are also ready, at the appropriate time, to continue the dialogue entered into with the AMU.

In the economic field, the European Council reiterates its support for the harmonious development of the Maghreb region with a view to its economic integration, the introduction of true market economies and the modernization of economic systems.

In this context the European Council, mindful of the possibilities for action already decided upon in the context of the new Mediterranean policy, to which the Community remains firmly committed, considers that a true Europe-Maghreb partnership should encourage the continuation of economic reforms and a substantial increase in private investment, and more particularly joint ventures between firms in Europe and the Maghreb, with a view to promoting job-creating activities.

The European Council states that the Community is ready to play a full part in such an undertaking, in particular through financial cooperation, especially in the context of the new Mediterranean policy, investment promotion, increased technical cooperation in all areas of common interest and ultimately, by stages, the setting up of a free-trade area. The European Council notes that talks have already made it possible to explore this approach with Morocco and hopes that rapid progress can be made along these lines. It proposes that a similar approach be adopted towards other countries in the region.

In the social field, the European Council considers that priority consideration must be given to the problems raised on both sides of the Mediterranean by:

- (i) migration and the living and working conditions of migrant communities;
- (ii) demographic imbalances and the attendant economic and social disparities.

In the cultural field, the European Council considers that more exchanges, in particular of young people, university students and staff, scientists and those in the media, are vital for a better knowledge and mutual understanding of peoples and cultures in Europe and the Maghreb.

Through the progressive attainment of the objectives cited, in particular that of partnership, the European Council shows its firm determination to place relations between Europe and the Maghreb on a footing which, in scale and intensity, is commensurate with the links forged by geography and by history.

92/257. Report to the European Council in Lisbon on the likely development of the common foreign and security policy (CFSP) with a view to identifying areas open to joint action *vis-à-vis* particular countries or groups of countries

Date of issue: 26/27 June 1992

Place of issue: Lisbon

Country of Presidency: Portugal

Status of document: Conclusions of the European Council

I – Introduction: the likely development of CFSP

The Treaty establishing the European Union, which should come into force on 1 January 1993, will mark the creation of the common foreign and security policy.

The CFSP should be seen as the successor to the activities hitherto pursued by Member States in the framework of European political cooperation (EPC) under the Single European Act. With specific aims and means, the CFSP represents a *saut qualitatif* in the sense that it integrates the *acquis* of EPC and gives it greater potential, principally by means of joint action, an additional instrument which implies a strict discipline among Member States and enables the Union to make full use of the means at its disposal.

With the new phase now beginning, the CFSP should contribute to ensuring that the Union's external action is less reactive to events in the outside world, and more active in the pursuit of the interests of the Union and in the creation of a more favourable international environment. This will enable the European Union to have an improved capacity to tackle problems at their roots in order to anticipate the outbreak of crises. Furthermore, the Union will be able to make clearer to third countries its own aims and interests, and to match more closely those parties' expectations of the Union.

In order to contribute to the strengthening of the Union's external activities as a whole, it will be up to the Council and to the Commission to ensure consistency between the CFSP, the Community external action and the cooperation in the fields of justice and home affairs.

The legal provisions on CFSP are to be found in Title V of the Maastricht Treaty where it is stated that the Union shall gradually implement 'joint action in the areas in which the Member States have important interests in common' (Article J.I.3).

It was specifically with a view to identifying the areas open to joint action that the Maastricht European Council issued a statement in which the Council was invited:

to prepare a report to the European Council in Lisbon on the likely development of the CFSP with a view to identifying areas open to joint actions *vis-à-vis* particular countries or groups of countries.

It should be noted that the proposals herein constitute only a starting point for the implementation of CFSP and more specifically for joint action. Consequently the proposals on geographical areas and horizontal domains for joint action are to be seen as a first indication and should in no way be regarded as exhaustive.

II – Framework

In accordance with the Union's Treaty, the CFSP covers all areas of foreign and security policy and implies, with the aim of achieving the objectives set out in Article J.1.2:

- (i) systematic cooperation between Member States in the conduct of policy on any matter of foreign or security policy of general interest;
- (ii) the gradual implementation of joint action in the areas in which the Member States have important interests in common.

Joint action must be seen as a means for the definition and the implementation by the Union of a policy in the framework of the CFSP in a specific issue. It must necessarily:

- (i) satisfy the objectives of the Union set out in Article B and, more particularly, in Article J.1.2;
- (ii) take into account the Union's *acquis*;
- (iii) remain consistent with other actions and positions adopted by the Union.

For each area, the Union should define specific objectives in order to select the issues in which joint action may be envisaged. These specific objectives might be *inter alia*:

- (i) strengthening democratic principles and institutions, and respect for human and minority rights;
- (ii) promoting regional political stability and contributing to the creation of political and/or economic frameworks that encourage regional cooperation or moves towards regional or sub-regional integration;
- (iii) contributing to the prevention and settlement of conflicts;
- (iv) contributing to a more effective international coordination in dealing with emergency situations;
- (v) strengthening existing cooperation in issues of international interest such as the fight against arms proliferation, terrorism and the traffic in illicit drugs;
- (vi) promoting and supporting good government.

The existence of important interests in common constitute the basic criterion for adopting joint action (Article J.3). According to the principle of solidarity among Member States, this does not rule out the possibility of a given interest being of more importance to some Member States than to others.

It is possible at this stage to list certain factors determining important common interests. Account should be taken of these and other factors in defining the issues and areas for joint action:

- (i) the geographical proximity of a given region or country;
- (ii) an important interest in the political and economic stability of a region or country;
- (iii) the existence of threats to the security interests of the Union.

Bearing in mind that joint action should be gradually implemented, a limited number of geographical areas has been identified. For each area, a number of horizontal issues in respect of which joint action could be undertaken in the short term were selected. These areas are: Central and Eastern Europe, in particular the Commonwealth of Independent States and the Balkans, the Mediterranean, in particular the Maghreb, and the Middle East.

In addition, certain domains within the security dimension have already been identified by the European Council.

As pointed out in the introduction, the selection of areas for implementation of joint action is merely illustrative.

The European Council will review the international situation in order to establish general guide-lines for joint action in the light of change in the areas already identified and in any others where appropriate.

With regard to the special importance of the North-South relations, the Union may want to develop gradually in a consistent and coordinated manner its external activities *vis-à-vis* the countries of Africa, Latin America and the Caribbean and Asia in all aspects of its relations (e.g. foreign, security, economic and development policies) in order to contribute to the development of those regions within a context of full respect for human rights, and to the strengthening of their relations with the Union. Particular account will be taken of relations, including contractual relations, which have been established with regional and other groupings.

The Union wishes also to draw attention to the high priority it continues to attribute to the relations with the United States of America, Canada and Japan, with whom the Union has adopted separate joint declarations which constitute a basis for a fruitful partnership. All sides remain aware that cooperation in a close partnership remains indispensable.

In accordance with the provisions of Title V, the Member States of the Union will coordinate their action in international organizations of which they are members and at international conferences at which they participate, both in pursuing common positions and following up joint actions.

III – Joint action *vis-à-vis* particular countries and groups of countries

The following paragraphs identify, in accordance with the European Council's mandate, areas in which joint action *vis-à-vis* selected individual countries or groups of countries would appear to be, in a first phase, particularly beneficial for the attainment of the objectives of the Union.

A – Central and Eastern Europe

The Community and its Member States have followed closely the economic and political changes in the region. They seek to respond to challenges by mobilizing the resources at their disposal to support the transformation taking place in those countries, in particular the establishment of the rule of law and the process of economic reform.

The Union will:

- (i) promote political stability and contribute to the creation of political and/or economic frameworks that encourage regional cooperation or moves towards regional or sub-regional integration;
- (ii) encourage full implementation of the CSCE commitments in the framework of the CSCE itself and elsewhere, including in particular the provisions relating to:
 - (a) the human dimension, notably respect for democracy, the rule of law, human rights including those of persons belonging to national minorities;
 - (b) the prevention and settlement of conflicts, whilst fully respecting the inviolability of frontiers and other CSCE principles.

1. Russia and the former Soviet Republics

Hitherto, the action of the Community and its Member States in the political field has been dominated by the need to assure the area's stability, with particular attention to the preservation of European security. With a view to strengthening the Union's capacity for influence *vis-à-vis* this group of countries, joint action might be envisaged in the following areas:

- (i) support for the setting-up of a framework of harmonious relations between the European Union and the new states, taking into account the different interests and historical experiences of the states concerned;
- (ii) reinforcing existing patterns of cooperation and trade between the new states themselves;
- (iii) encouraging full compliance with all the treaties on disarmament and arms control to which they are parties, including those on non-proliferation;
- (iv) opening joint facilities and missions, each case being treated on its merits.

2. Other countries in Central and Eastern Europe including the Balkans

These countries are engaged in the road to democracy and in the process of setting up new political and economic structures. It would be convenient to reinforce their links with the European Union and other organizations.

Progress has already been made by some of these countries in the process of democratization and integration in European institutions. Taking it into account, joint action might be envisaged in establishing the political frameworks to foster these countries' relations with each other and with the Union and the reinforcement of their ties with European organizations and structures.

3. Former Yugoslavia

For the present the essential aim is to promote peace among the peoples and countries of the area and to contribute to safeguarding European security.

The following issues could fall within the framework of joint action:

- (i) the Union efforts to find a peaceful and lasting solution to the Yugoslav crisis including the Peace Conference and the continuation of the various aspects of the monitoring mission;
- (ii) the monitoring of a possible future solution and the promotion of cooperation between the republics;
- (iii) the promotion of cooperation in political and security issues between the republics and the Union;
- (iv) the contribution to the strengthening of democracy and the rule of law, human and minority rights, by means of legal and technical cooperation.

B – Maghreb and Middle East

The southern and eastern shores of the Mediterranean as well as the Middle East are geographical areas in relation to which the Union has strong interests both in terms of security and social stability.

The Union has therefore an interest in establishing with the countries of the area a relationship of good neighbourliness. The goal should be to avoid a deepening of the North-South gap in the region by favouring economic development and promoting full respect for human rights and fundamental freedoms and the development and consolidation of democracy and the rule of law.

1. Maghreb

The Maghreb is the Union's southern frontier. Its stability is of important common interest to the Union. Population growth, recurrent social crises, large scale migration, and the growth of religious fundamentalism and integralism are problems which threaten that stability.

Without prejudice to the necessary differences in approach concerning the region's various countries, attention might be given in priority to the following:

- (i) promoting a constructive dialogue, aimed at creating an area of peace, security and prosperity, in which respect of the fundamental principles of international law is assured;
- (ii) establishing a framework of cooperation in all fields, which should gradually lead to an upgraded partnership between the Union and its Member States and the Maghreb countries;
- (iii) strengthening of existing cooperation measures on the foreign policy aspects of the fight against terrorism and illicit traffic in drugs;
- (iv) ensuring full compliance by the countries of the region with the relevant treaties and agreements on disarmament and arms control, including those on non-proliferation;
- (v) supporting the current moves towards regional integration.

2. Middle East

The Middle East has been one of the constant preoccupations of the Community and its Member States. The instability which has been a permanent feature of this region affects international security and the interests of the Union, the most important of which are to ensure the stability of the area and a relationship of cooperation and dialogue.

Within the framework of the objectives set by the Union, the following domains are potentially open to joint action:

- (i) development of systematic action to support the process of negotiations launched by the Middle East Conference in Madrid on the basis of the relevant resolutions of the United Nations Security Council which should lead to a just and comprehensive solution to the Arab-Israeli conflict and the Palestinian question;
- (ii) ensure the Union's active involvement in the peace process;

- (iii) making efforts to persuade Israel to change its policy regarding settlements in the Occupied Territories and to persuade Arab countries to renounce their trade boycott;
- (iv) support moves towards regional integration;
- (v) ensure the full compliance by the countries of the region with the relevant treaties and agreements on disarmament and arms control, including those on non-proliferation, and with the relevant resolutions of the United Nations Security Council;
- (vi) the foreign policy aspects of the fight against terrorism and the illicit traffic in drugs.

IV – Domains within the security dimension

The Heads of State or Government at the Maastricht European Council adopted provisions for the establishment, the definition and the implementation of a common foreign and security policy. This policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy which might in time lead to a common defence.

In this context, the European Council indicated the domains within the security dimension which may be, as from the entry into force of the Treaty, the object of joint actions, namely:

- (i) the CSCE process;
- (ii) the policy of disarmament and arms control in Europe, including confidence-building measures;
- (iii) nuclear non-proliferation issues;
- (iv) the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports.

In accordance with Article J.4, the Union requests the WEU, which is an integral part of the development of the European Union, to elaborate and implement decisions and actions of the Union which have defence implications. In this context Member States which are also members of the WEU recall the declaration adopted at Maastricht in December 1991 and which was noted by the Inter-governmental Conference. The issues having defence implications dealt with under Article J.4. shall not be subject to the procedure of joint action.

The policy of the Union in accordance with Article J.4 shall not prejudice the specific character of the security and defence policies of certain Member States and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.

The European Council has also invited the Ministers for Foreign Affairs to begin preparatory work with a view to defining the necessary basic elements for a policy of the Union by the date of entry into force of the Treaty. This preparatory work should in particular consider the elements which will be necessary to the Union in the framework of the CFSP. To this effect an *ad hoc* working group on security will be created under the Political Committee.

92/258. Statement on North Korea

Date of issue: 29 June 1992
 Place of issue: Brussels, Lisbon
 Country of Presidency: Portugal
 Status of document: Press statement

The Community and its Member States recall their statement of 31 January 1992, and welcome the positive steps undertaken so far by the Government of the Democratic People's Republic of Korea towards full implementation of the Safeguards Agreement with the International Atomic Energy Agency (IAEA), namely the ratification of the Agreement and the nuclear inspections now being carried out.

The Community and its Member States hope that the IAEA inspections will proceed satisfactorily and will create international confidence as well as contribute to peace and stability in the Asia/Pacific region. Furthermore the Community and its Member States underline the importance they attach to early and full implementation of bilateral nuclear inspections agreed to in the framework of the Joint Declaration on the Denuclearization of the Korean Peninsula on 31 December 1991.

The Community and its Member States also urge the Government of the Democratic People's Republic of Korea to abide by Missile Technology Control Regime Guide-lines for sensitive missile-relevant transfers and to cease missile sales.

92/259. Statement on the report by the Secretary-General of the United Nations on preventive diplomacy

Date of issue: 30 June 1992
Place of issue: Brussels, Lisbon
Country of Presidency: Portugal
Status of document: Press statement

The European Community and its Member States welcome the release of the report by the Secretary-General of the United Nations on 'Preventive Diplomacy, Peace-Making and Peace-Keeping', pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, which represents a highly valuable basis for a thorough reflection among the member States of the United Nations.

The European Community and its Member States attach great political significance to the field of preventive diplomacy, and believe that it is possible to explore the potential of the Charter of the United Nations to foster a deeper and more effective use of its capabilities to defuse potential conflicts at an early stage. In this respect, the Twelve welcome the call for increased activity by the United Nations in preventing conflicts, seeking negotiated and lasting solutions and maintaining peace, as well as an enhanced cooperation with regional organizations.

The European Community and its Member States reiterate their commitment to the Charter and look forward to debating the Secretary-General's report in the appropriate 'fora'.

92/260. Statement on the European Council meeting in Lisbon, held on 26 and 27 June 1992, and on the activities of the Portuguese Presidency

Date of issue: 7 July 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Report on European Council to the European Parliament; Statement in the European Parliament

Mr Cavaco e Silva, President-in-Office of the European Council: Mr President, ladies and gentlemen, it is an honour for me to come here today to inform the elected representatives of more than 320 million Europeans of the results of the European Council in Lisbon.

I am grateful for this opportunity and I should like to begin by thanking also the President for the kind speech he made for us at the beginning of this Council. It was a speech rich in substance and giving important information on questions about which Parliament is concerned, and which we bore in mind throughout the discussions in Council.

The Portuguese Presidency put its programme before Parliament at the beginning of January and over the six months the Presidency frequently had occasion to discuss with Parliament and with several of its specialized committees how the Community matters before us were to be tackled.

We always attach the greatest importance to contacts with Parliament, not only because they are required by democratic procedure, which is important to us, but also because they have always proved a source of enrichment for the Presidency's activities.

So I should like to express here the Presidency's thanks for the spirit of openness and ready collaboration there has been in our contacts with Parliament.

Mr President, ladies and gentlemen, the European Council in Lisbon was of course remarkable in being the first one after the Maastricht Council, where the historic agreements were reached on a new course for Europe.

A significant part of its agenda stemmed, to some extent, from this fact and events over the six-month period tended to compound this.

In the first place it was necessary to take stock of the situation as regards proceedings for the ratification of the Treaty on European Union.

Difficulties which were in a way unexpected and which arose in some states resulted in certain objections from 'Euro-sceptics', which urgently needed an appropriate response.

The speed and decisiveness of the Community reaction at the extraordinary Council meeting on 4 June to the result of the referendum in Denmark was in itself an important response.

But the Lisbon Council confirmed the clear determination of all governments to proceed with their mutual commitment to creating a European Union and underscored the importance of complying with the deadlines laid down for ratification so that the treaty might come into force on 1 January 1993.

Taking the view that one of the basic rules of the Treaty on European Union is the principle of subsidiarity, the Lisbon Council, on the basis of an oral report from the Commission, made a statement on the conditions for applying this principle with a view to giving greater transparency to the Community decision-making process and to strengthening dialogue with the citizens of Europe.

I should like to call attention here to the desire which the Council expressed to see a strengthening of the dialogue between national parliaments and the European Parliament, in particular through the Conference of Parliaments.

The Commission is to prepare, for the European Council in Edinburgh, a more in-depth analysis of the conditions for applying the principle of subsidiarity to present and future legislation.

It is hoped that it may be possible in this way to allay any fears about the Community 'dictatorship of bureaucracy' without prejudicing the harmonious development of the Union.

In accordance with a decision of the Maastricht Council, the Lisbon Council gave in-depth consideration to the guiding principles which must shape the Community's views on the question of enlargement.

- The European Union is a union open to all European states which satisfy the basic political principles on which it is founded.
- In the event of new accessions to the European Union, negotiating procedures can only be started when the process of ratification of the treaty is complete and when a decision has been taken on the new financial perspectives and the remaining series of proposals known as the 'Delors II package'.

- So far as possible, negotiations will be conducted in parallel, although each application will be considered individually on its own merits.
- The ability of applicant countries to accept the whole of the Community *acquis*, as it emerges from the Treaty of Union, will also be a condition of accession.

Adopting a political position of principle with regard to the applications made, the Council immediately took the view that, in view of the Treaty of Oporto setting up the European Economic Area, negotiations with applicant members of EFTA could begin as soon as the conditions relating to the ratification of the treaty were satisfied and a decision had been taken on the Delors II package.

With regard to the applications by Turkey, Malta and Cyprus, the Council gave its view as to the manner in which these applications should be considered at present, in the context of strengthening the statute of association and the development of the political dialogue.

As regards the countries of Central and Eastern Europe the Council confirmed the Community's wish to develop partnerships aimed at restructuring their economies and institutions in the framework of the so-called 'Europe agreements' and to step up political dialogue with these countries.

The conclusions of the Maastricht Council also led to an evaluation of the Delors II package, as Parliament knows only too well, so I do not need to go into that.

Since this package of proposals was submitted by the Commission at the end of February, the Presidency undertook to arrange for it to be discussed as soon as possible in the various Community bodies so as to make it practicable to take outline decisions charting out the work to be done with a view to getting a final decision at the Edinburgh Council.

However, the political conditions prevailing in various Member States did not allow the Lisbon Council to come to an agreement with regard to the financial perspectives as a whole. Finally a compromise proposed by the Presidency, which may be regarded as a balanced one, was approved; its salient features are as follows:

- Confirmation of the financial resources necessary for implementing the new common agricultural policy, the reform of which was welcomed;
- Confirmation of economic and social cohesion as an essential Community dimension;
- The setting up at the beginning of 1993, for the Member States with a *per capita* GNP below 90% of the Community average, of the cohesion fund envisaged in the treaty;
- The treatment to be provided for the *Länder* of East Germany and for East Berlin in the context of the Community's structural actions;
- A substantial increase in the resources allotted to action to be undertaken in the field of the common external policy;
- An undertaking to correct the regressive nature of the present system of own resources, regard being had in particular to the position of Member States with a *per capita* GNP below 90% of the Community average;
- The existence of an agreement in principle with regard to the renewal of the inter-institutional agreement.

Various Member States expressed their regret that it had not been possible in Lisbon to reach more precise conclusions with regard to all the features which make up this package. However, it must be acknowledged that the Lisbon conclusions left the field open for reaching, in Edinburgh, an agreement on the future financing of the Community in line with the aims set out in the Treaty on Union.

I should like to mention here my sincere appreciation of the work carried out in this field by Parliament, particularly the opinion it has given, which I am sure we shall continue to refer to in our work on the Delors II package.

As was mentioned in the programme presented, the internal market was the Portuguese Presidency's absolute priority.

The Lisbon Council assessed what progress it had been possible to make in this field and noted that more than 90% of the measures referred to in the relevant white paper had been adopted, and requested all the authorities concerned to continue to work towards achieving the 1992 objective.

On the other hand it was recognized that completing the list of legislation did not clear up all the problems of the internal market and that it was necessary to ensure that it operates fairly and effectively after 1992. The Internal Market Council has already given consideration to this matter on the basis of a document prepared by the Presidency in which the Lisbon Council asked the competent authorities to take the necessary steps to ensure that this objective is achieved.

The subject of social questions was amongst the priorities of the Portuguese Presidency and we are well aware of the attention Parliament has devoted to this subject.

As it has been possible to circumvent the obstructive climate which had arisen in the sphere of social policy, we sincerely hope that progress towards European Union, which we all desire, will also represent progress towards a socially fairer Europe with greater well-being for its citizens.

The Community has good reason to be satisfied with the leading role it was able to play at the United Nations Conference on the Environment and Development, as well as in the far-reaching preparatory work beforehand.

It was in fact due to the active part played by the Community and the Member States that it was possible for agreements and texts on subjects fundamental to the future of humanity to be drawn up and it is now essential for the states represented at the Rio Conference to move on quickly to ratify and adopt the various measures envisaged in the Rio de Janeiro decisions.

I should also like to stress the significance of the fact that the Community arranged to be represented at the highest level at the Conference in the persons of the President of the European Council and the President of the Commission.

The European Council in Lisbon has in the meantime been able to give a fresh impetus to the implementation of the Rio Conference decisions by publicly stating the Community's commitment to achieving an eight-point plan, including the ratification of the convention on climatic changes, the creation of national action plans for the protection of -diversity and the preservation of forests, financial support for developing countries as regards the application of the measures envisaged in Agenda XXI and the restructuring of the GEF.

The negotiations in progress under GATT – the Uruguay Round – naturally also concerned the Lisbon Council, not only because of the importance of these negotiations for the development of world economic relations but also for the Community's role as one of the main participants.

The Community is viewing these negotiations as a whole and substantial, balanced results are expected in all areas of negotiation; in this respect it has already made important contributions and offers in key areas of negotiation, including, in particular, those resulting from the recent reform of the CAP.

The European Council expects all the Community's partners to show similar flexibility and for this purpose has asked the Community's negotiators to pursue the dialogue with the other members, particularly with the United States of America with a view to reaching a global agreement by the end of this year.

The European Council approved the report on the probable trends in the common external and security policy with a view to identifying possible areas for joint action in relation to given countries or groups of countries.¹

The report clearly identifies Central and Eastern Europe, in particular the Commonwealth of Independent States and the Balkans, the Mediterranean, especially the Maghreb and the Middle

East. This is, I think, the first time we have pinpointed areas in which future joint programmes could make a particularly positive contribution to pursuing the objectives of the Union.

This identification is a first step towards the application in practice of the common external and security policy and may in future be extended to other geographical areas in accordance with Council decisions.

So, once the Treaty on European Union comes into force, the Community will have available an instrument setting the framework for future joint actions, defining possible objectives such as respect for human rights and minority rights, strengthening democratic institutions, promoting regional political stability, helping to prevent and resolve conflicts, providing effective international coordination in emergencies, strengthening cooperation in matters of international importance such as the fight against arms proliferation, terrorism and drug trafficking.

On the other hand the importance of North-South relations and the priority which the European Union will continue to give to relations with the United States, Canada and Japan are also stressed.

The document approved cannot and must not be definitive, but I think in this way the Portuguese Presidency has helped to make it possible for the future European Union to speak with a single voice on those matters of external and security policy already earmarked for joint actions.

The consolidation of democratic regimes in Central and Eastern Europe in which the rule of law and respect for human rights may be guaranteed are objectives of major importance which we are continuing to support as a matter of priority. At the European Council in Lisbon we reaffirmed our intention of strengthening relations with the countries in that part of the world and supporting in particular the reforms undertaken by the individual governments towards modernization and the development of market economies.

We also repeated our readiness to take part in the international community's efforts to rescue the economies of Russia and the other republics of the Commonwealth of Independent States. We stressed, in accordance with the conclusions of the Lisbon Conference of 23 and 24 May, that humanitarian and technical aid has a basic part to play in this field as well as in the setting up of pluralistic regimes.

The aid, particularly humanitarian aid, granted by the Community, has helped to create an atmosphere conducive to the reforms under way. We shall also continue to pay the greatest attention to programmes of nuclear safety and at Lisbon we decided to increase the Community's financial contribution.

The tragic situation in the former Yugoslavia led us to give very special attention to this question at the Lisbon Council.

The statement we adopted made very clear the Community's determination to take vigorous action to deal with the present situation.²

At this stage humanitarian aspects – particularly aid to the population of Sarajevo – are a priority. We decided to step up our pressure, particularly on the Serb leaders, so as to manage to help those peoples who have been victims of systematic and intolerable violence. However, the Community is ready to go further, not excluding, if necessary, recourse to military measures in the framework of United Nations Security Council decisions. On the other hand the Community does not recognize Serbia and Montenegro as the automatic successor state to the former Yugoslavia and is asking for suspension of the Yugoslav delegation's participation in the CSCE and other international organizations.

Nevertheless we remain determined to help to find a political agreement within the framework of the Brussels conference, which will open the way to a fair and lasting solution to the present conflict.

The situation in the former Yugoslavia has underlined the importance of strengthening the machinery and powers of intervention of the CSCE so that freedom, peace and stability may be guaranteed throughout Europe. We therefore trust that decisive steps in this direction will be taken at the next Helsinki Summit in two days' time.

The European Council approved a statement on the peace process in the Middle East,³ reaffirming its support for this process, in which the Community and its Member States wish to play a constructive and influential role both bilaterally and multilaterally.

The Council noted the result of the recent elections in Israel and urged the new Israeli Government and the Arab parties to take advantage of the state of affairs which has now arisen to negotiate a general peace for the region, based on the United Nations resolutions embodying the principle of 'land for peace' and with respect for the right to security of all states in the region, including Israel, and for the right of the Palestinian people to self-determination. The European Council thinks there must be an end to the illegal practice of colonizing the Occupied Territories and has appealed to the members of the Arab League to end their trade boycott against Israel.

The European Council also adopted the declaration on Euro-Maghreb relations,⁴ stressing its solidarity with the Maghreb countries – which represent the Community's southern frontier – and the firm intention of pursuing a global policy which will contribute to the stability and prosperity of the Mediterranean region.

We are proposing a new concept of partnership to the Maghreb countries.

Relations between the Community and the Maghreb must therefore draw their inspiration from a political, economic and cultural dialogue and from a joint commitment to respect the fundamental principles of international law and the United Nations Charter, human rights and fundamental freedoms and tolerance between the different cultures and religions.

With regard to relations between the Community and the developing countries, the European Council thinks that the profound changes which have taken place in the international scene will help to create a fresh atmosphere which might lead to a rekindling of the dialogue between North and South based on the principles of solidarity and the sharing of responsibilities. One essential feature of international relations is respect for human rights and the Community makes that a fundamental condition for cooperation with third countries.

The European Council referred also to the special importance which the Community attaches to its relations with Latin America; any strengthening of those relations would help to consolidate economic recovery and political democracy in that part of the world. On this subject the results of the latest ministerial meetings in Lisbon and Santiago de Chile and the signature of new framework agreements with Brazil and Paraguay are to be noted.

The importance of the work to achieve regional economic integration in Latin America was also stressed and the Commission has been asked to put forward proposals for intensifying and institutionalizing relations between the Community and Mercosul.

The European Council in Lisbon decided unanimously to reappoint Mr Jacques Delors as President of the Commission. As President of the European Council and during my tour of the capitals of the Member States before the Lisbon Summit I obtained a general consensus on his reappointment. And before the European Council I not only informed you, Mr President of the European Parliament of this fact but I also met the enlarged Bureau of Parliament – which I think was not reported – and informed the members of the intention to nominate Jacques Delors again as President of the Commission.

I should like to tell Parliament here how glad I am, as Prime Minister of Portugal, about this reappointment and to wish Jacques Delors the greatest success in the renewal of his ever difficult task.

Mr President, ladies and gentlemen, these were, briefly, the main conclusions of the European Council in Lisbon, which I am glad to have had the opportunity to put before you.

This afternoon the Foreign Minister and the State Secretary for European Integration will be here to give you an account of the Presidency's work and to give any explanations which you may feel necessary.

But before I end I should like to thank the Commission officers in general and its President in particular for all the support they have given to the Presidency during these six months, particularly in preparing for the European Council in Lisbon.

The results achieved are to a great extent due to them.

[After the following debate, Mr Deus Pinheiro stated:] Madam President, ladies and gentlemen, at the end of six months of regular contacts, I am appearing before this assembly for the last time as President of the Council.

I should like to start by saying how stimulating I found the opportunity to work with the European Parliament and how grateful I am that you were always ready to engage in discussion.

I was personally enriched by this experience.

The Presidency was determined to seek a close link with Parliament, which has certainly contributed to the climate of general calm between the institutions over the past six months. Parliament, on its part, has fully responded to our approach.

In looking back over the events which distinguished the term of the Portuguese Presidency of the Council, I have an impression of constant change, both in the Community and in the world.

Not that change surprised me, since it has already become an intrinsic part of the daily reality with which we all have to cope. However, specific developments can never be altogether foreseen and frequently upset plans, no matter how carefully they have been laid.

So it was with great satisfaction that I found it was possible for the Presidency to keep to the course it had mapped out and actually to lead the Community to initiate what I called the cycle of European Union when I spoke here for the first time in January.

After the decisive Maastricht agreements the Portuguese Presidency represented a period of greater reflection in which full stock was taken of the importance of the measures adopted for amending the Treaty and which took a more practical approach to the problems.

I am happy to note that this healthy abandonment of rhetoric was also due to the growing feeling of a need to revitalize direct links between European integration and the citizen. In fact, one of the basic recent improvements is precisely the ever-increasing participation of European citizens in Community debates – a new development in response to a concern felt in Portugal for some time past, particularly in the field of political union, in which we advocate setting up the statute of European citizenship.

At the European Council in Lisbon we added a fresh line of approach to this concept, expressly emphasizing the importance of principles such as the transparency of the decision-making process or the reaffirmation of national identities, in a constructive dialogue with the partners in European unity.

But there is no doubt that the main response in Lisbon to the need for a citizen-orientated union lay in providing appropriate guide-lines for clarifying the method for applying the principle of subsidiarity in practice.

The concrete result must be to lay down a more solid basis for realizing the objective of 'consolidating Maastricht' which we as the Presidency laid down and which, as a Member State, we shall continue to advocate.

We naturally took care to proceed with all the necessary preparatory work for implementing the treaty signed on 7 February, both in terms of the internal proceedings of the Council, of arrangements for the organization of the future committee of regions or of links with Parliament as regards the subjects with which it is specifically concerned. Here I should like to draw attention once more to the help we have received from this assembly throughout all the exploratory contacts made in this field.

We have been working on these subjects with one clear aim in view: the effective entry into force of all the machinery in question by 1 January 1993.

It was with this in view too that we followed the internal proceedings for ratification in each Member State. The situation created by the referendum in Denmark aroused immediate concern and is keeping us alert with regard to subsequent developments. However, the positive steps taken in the meantime give me grounds for remaining confident that the difficulty which has arisen may be overcome and that by the end of the year it may be possible to see all the Twelve moving forward together to a new stage of the building of Europe.

Here it is specially important to note the considerable progress made in carrying out the commitments previously undertaken by the Community.

For 1992, turning the Single Act full circle, and realizing the internal market is naturally a Council priority. And in this context the balance-sheet for the Portuguese Presidency, with roughly 90% of the legislative programme of the white paper completed, is significant.

Progress made in strategic areas, such as public contracts, insurance or company law, deserves a special mention. In the field of transport the liberalization of air transport made a noteworthy advance.

Council decisions were taken on the question of eliminating controls at internal frontiers and all the Member States confirmed that they intended to take the necessary measures to realize the internal market objective within the time envisaged. This is a critical aspect on the achievement of which Community credibility will to a considerable extent depend.

In the free movement of persons we made progress as regards the elimination of internal and external frontiers and asylum and immigration policies. This is a group of subjects which will necessarily have to receive more integrated treatment when the so-called third pillar of the union, the structure of which has to a large extent been outlined over the past six months, begins to operate.

Another requirement which could not be put off concerned reform of the common agricultural policy.

In this sphere the Portuguese Presidency realized one of the most ambitious aims proposed, by constantly seeking agreements and compromises between all the Member States and the Commission.

This is a historic reform, radically changing the approach followed for three decades, adapting one of the Community's most important policies to present circumstances – otherwise the progress of European union and international trade would be seriously hampered.

It is also a reform which meets the major concerns of our time in terms of economic rationality, environmental protection and the social outlook: the new CAP envisages adapting production to market indicators, and encourages the pursuit of environmental objectives and a better use of budgetary resources in supporting farm incomes instead of providing a constant incentive to pile up surpluses which it is impossible to use up.

I naturally hope that more favourable conditions have thus been created for solving the long-delayed problem of the Uruguay Round. This is an area in which results fall short of our expectations, but I do not think we can blame the Community or the Presidency. As the principal world trade partners in the import and export of an increased range of products, we are all keenly com-

mitted to [...] concluding these negotiations. We are also aware of their importance for maintaining a multilateral trade system, for world economic growth and, in this sphere, for the role reserved for the developing countries.

The Community has made substantial contributions and offers in various key-areas of negotiations, and it is also appropriate to point out how the reform of the CAP will help to stabilize world markets.

Madam President, ladies and gentlemen, one of the main tasks of any Presidency is to prepare for the future. In this light the chief responsibility under our mandate was to take the first step in the cycle of union.

We have therefore endeavoured to create conditions for a harmonious development of the process of integration in the 90s, in the light of internal and external challenges and taking as a basis the framework offered by the Maastricht Treaty.

First we encountered the problem of financial planning for the next few years. The difficulties which always arise in dealing with these subjects are well known, and we are also well aware that there are political and economic conditions in various Member States which will perhaps make it harder to consider them within the time-table proposed. However, the Community follows its own rhythms which leave the Presidency only a narrow margin of manoeuvre.

But we think that even in these circumstances the balance-sheet for the half year may serve to show how it has been possible in the brief space of four months to make an in-depth – I might almost say an exhaustive – technical analysis of the proposals of the Delors II package, so that it was possible at the Lisbon Summit to lay down specific guide-lines. The political nature of this dossier as a whole was highlighted by its being dealt with in the General Affairs Council, since what is in question here is not a mere question of figures and statistics but above all of giving practical expression to the commitment of all to provide the Community and the Union with the resources needed to realize the objectives laid down for integration.

Work will naturally continue with a time-limit constituted by the European Council in Edinburgh. But the guide-lines laid down have already established the salient points of the debate and will thus allow greater speed and clarity.

I do not intend to start commenting here on the substance of the agreement reached at Lisbon, since the President of the European Council has already had occasion to deal with that in detail. However, I should like to draw attention, because of the considerable consensus it reflects, to the agreement of all Twelve to strengthen the financial resources which will have to be allocated to economic and social cohesion and to external policy actions. We are all aware of the weight of the responsibilities of the Community, which it is impossible to avoid.

Madam President, ladies and gentlemen, in the past half year it was at Rio de Janeiro that the Community had one of the most significant opportunities to take a leading part in the debates on the great world questions of the environment and development. At the United Nations Rio Conference, the results were possibly not up to the level of the most ambitious expectations, but contain the germ of significant progress in the next few years.

I think that Community cohesion with regard to the position it adopted throughout the preparatory stage, during the conference itself and to the commitments entered into concerning implementation of the objectives laid down will greatly help to improve the environmental conditions we bequeath to future generations.

The Community has signed the conventions on climatic changes and on bio-diversity, and has also said that it intends to take practical steps to implement them as soon as possible. On the other hand, the Community and its Member States will increase their financial contributions to development in the developing countries up to a value of some MECU 3.000 during the next five years,

including new and additional resources for specific projects within the scope of Agenda XXI and the declaration on forests – which, moreover, we firmly believe should be binding.

I am convinced that, in spite of all criticisms, the Rio Conference will turn out to have been a fundamental turning point for the world and for the way in which mankind regards its common heritage. It is significant that it should have recognized, at the highest political level, the objective of long-term sustainable development on a world scale, and I am pleased to mention the contribution made by the Portuguese Presidency and the Community to the adoption of this objective. We hope that the fundamental change involved here will be continued in practice and we invite all other states in the world to embark upon the same path.

This is in fact a subject which shows how international society is becoming ever more closely linked together, so that we feel ever more keenly events in any part of the globe.

In view of this, and bearing in mind at the same time the Community's expanding role, it behoves the Presidency to try to strengthen external relations.

Here the action taken with regard to the former Soviet Union is a prime example. It fell to us to coordinate the Community's participation in the Washington conference in January on aid to those countries and to organize the follow-up in Lisbon. At this last meeting in May in the presence of all the donor countries, the international organizations and the recipient countries, it was possible to make a qualitative change in the objectives for aid, stressing the role of short and medium-term technical aid in creating essential conditions for economic and political reforms to succeed. Community aid was further strengthened and contractual links with the new independent states were readjusted. A decisive factor in international stability will certainly prove to be the setting up in Moscow of the International Centre for Science and Technology to promote projects of a civil nature to employ scientists, engineers and technicians who previously developed the former Soviet Union's aggressive nuclear capacity.

In Central and Eastern Europe, meanwhile, reform measures continued with the Community's active support for restructuring tasks, the network of cooperation agreements was completed and progress was made in strengthening relations by opening negotiations for the Europe agreements with Bulgaria and Romania.

The Portuguese Presidency also encouraged political dialogue with the countries of Central and Eastern Europe and arranged meetings in Lisbon at ministerial level; it thus organized two meetings of the troika – meetings of the heads of political departments and the foreign ministers with the members of the so-called 'Visegrad triangle', that is, Poland, Czecho-Slovakia and Hungary, which allowed a useful exchange of views on trends in Europe.

Appropriate efforts were made for the simultaneous recognition of the Commonwealth of Independent States, which was completed on 15 January when Tadjikistan and Kirghizia accepted the conditions for recognition laid down by the European Community. The Republic of Georgia also obtained recognition by accepting these conditions on 23 March.

The alarming conflicts which broke out between Azerbaijan and Armenia in Nagorno-Karabagh and those in Moldova and Georgia called for repeated steps by the Presidency both in the capitals of the states in question and in the framework of the CSCE, which I think is the most appropriate for resolving them. In this context I organized a meeting of the Council with the Russian Foreign Minister, Andrei Kozyrev, on 10 March, which gave an opportunity to go further into the outlook for developments in the former Soviet Union.

As we all know, the crisis in the former Yugoslavia was the most serious, and fortunately almost the only, case in which violence prevailed over political negotiation in developments in Europe.

The basic political approach which I instilled into the European Community's reactions consisted in a dual track approach based at one and the same time on pursuing the peace conference

chaired by Lord Carrington and on supporting the action of the United Nations Security Council allowing observers with a 'peace-keeping' role to be stationed in the territory whilst maintaining the European Community's observer mission.

Having ascertained that Slovenia and Croatia satisfied the conditions published by the Community for their recognition, I announced on 15 January that all the members would recognize those two republics, showing thus that the cohesion of the Twelve had prevailed in this controversial field. In the light of these conditions Bosnia-Herzegovina was also recognized as an independent state as from 7 April and the Portuguese Presidency took the responsibility of organizing the talks with a view to reaching constitutional arrangements which would guarantee equal rights to all parties in that new state.

Fighting also broke out in Bosnia, however, and, in the framework of the constant efforts we were making to persuade the warring parties to negotiate in good faith, I visited Sarajevo, the capital of Bosnia-Herzegovina, as well as Belgrade and Zagreb on 23 April with Lord Carrington to try to bring an end to the fighting and respect for the agreements reached.

The intervention of the United Nations Security Council in the Yugoslav crisis, as one of the essential components of the dual-track approach which I advocated, was the subject of numerous measures and of close contacts with the Secretary-General, Mr Boutros Ghali and with his personal representative for Yugoslavia, Mr Cyrus Vance. Approval of the resolution on the sending of a peace-keeping mission constituted important international support for the Community's action and a ratification of this dual-track approach proposed by us.

I should also like to stress that a meeting of the Council with the Secretary of State, Mr Baker, on 10 March, put the seal on coordinating our position with that of the United States and it was clearly stated that the initiative in the international approach to the Yugoslav problem lay with the European Community.

Finally, in view of the dominant part played in this conflict by the Serbian forces, I advised applying a tough list of economic and political sanctions against Serbia and Montenegro. A fortnight later that approach was actually embodied in Security Council Resolution No 757, showing once more how valuable the approaches made by the Community and its Member States are in the cruel and damaging conflict still ravaging that part of the former Yugoslavia.

Unfortunately, there is instability also in North Africa and the Middle East, regions which warrant special attention because of their direct influence on the security of Europe and the special nature of the political, economic and cultural links binding them to the continent of Europe. But this instability is now fortunately accompanied by good prospects of a deeper and more positive future relationship. I am especially pleased with the decisive step taken during the Portuguese Presidency in unfreezing the renewed Mediterranean policy.

I am convinced that this new integrated policy, involving important trade concessions and fresh financial instruments in support of the economic reforms and regional integration will help to build new foundations for relations between the two sides of the Mediterranean basin. Moreover all relations with the Maghreb will eventually be based on a new spirit of partnership and the exploratory contacts already made with Morocco may prove to be the forerunner to this.

On the other hand the Portuguese Presidency has played an active part in the peace-making process in the Middle East both by having a representative of the troika at the bilateral talks in Washington and by making sure that the Community took part in all the working groups for the multilateral talks, which many did not think was possible.

In this connection I maintained contacts with all my opposite numbers in the countries taking part in the peace process and in particular we arranged for the troika of senior officials to visit all the capitals of the region. Europe's essential interest in the peace and stability of the Middle East was therefore clearly demonstrated in all areas.

The developing countries' relations with the European Union will depend more and more upon acceptance of the principle of political democracy and human rights, as is shown by a series of statements culminating in the European Council in Lisbon. It is worth pointing out that there are no alternative politico-social models, that it is important to eliminate the profound disparities which still divide the peoples of the world and that the Community and its Member States play a leading role in this field.

One of the possible ways of furthering such a series of objectives is the development of regional integration, imparting to other regions of the world the positive experience provided by Community history in terms of seeking arrangements to mutual advantage and overcoming past differences. The Maghreb has been advancing even though slowly, along this path, and meanwhile we are now seeing a promising initiative in the southern part of Latin America.

We wished to demonstrate publicly our interest in the success of this initiative – the so-called Mercosul – and invited its representatives to meet the Community Foreign Ministers during the informal meeting in Guimarães, prompting the Commission to prepare proposals to intensify and institutionalize relations with that regional organization.

I should like to call attention too to the mutual links being forged between Europe and South America: in the past six months new framework cooperation agreements have been signed with the countries of that region, including the largest of them, Brazil, but also including Paraguay and in practice the countries of the Andean Pact as well.

Links have also been developed with the other regions of the world, and it is appropriate to mention here the importance we attach to the signing of the EEC/Macao Cooperation Agreement, to following developments in southern Africa, to developing ACP/EEC relations and to retaining the Community's Atlantic aspect by holding various meetings between the Community and the United States, the Community and Canada. Relations with Japan were the subject of in-depth debate in the Council, yielding important guide-lines for the future.

The new links established in the Oporto agreement between the Community and EFTA also look towards the future. The European Economic Area, which is increasingly viewed as an essential stage in bringing these countries closer to the European Union, will allow them to become progressively more integrated in the Community system.

But that agreement is not an end in itself, but is in the last resort also the basis for launching the process of enlargement of the European Community. Portugal being a country traditionally open to the world and a founder member of EFTA, I am proud to record how, during our mandate, a contribution was made to bringing about a decisive change in the Community's relations with that group of countries, first in the direction of a significant strengthening of the links with the Community, to be followed shortly by their full integration as Member States of the Union.

This process will depend on agreement being reached on own resources and related questions during this year and on ratification in the same period of the Treaty of Maastricht, without any other institutional conditions apart from those arising under the system embodied in the Treaty of Union.

Madam President, ladies and gentlemen, looking at this brief statement of developments during the Portuguese Presidency, I think it is permissible to conclude that specific prospects have been opened up for the Community to move towards a deeper and wider European Union.

Moreover, on the very important subject of the new course which European Union will open up in the Community's external relations, the Portuguese Presidency has drafted a working document which has been formally approved by the European Council in Lisbon, after approval by the Foreign Ministers of the Twelve, in which the bases of the future external and security policy are set out. This document identifies areas available for joint action, in particular as regards countries,

groups of countries and across-the-board questions in the field of security. It will be for the British Presidency to continue the task, but on the bases and within the parameters of the document I have mentioned.

The foundations of the process of integration have been laid, adapting the agricultural policy to the new realities, responding to the essential requirements of the environment, advancing towards the internal market and encouraging a greater citizen participation in European integration.

The frontiers of Community activity have been quietly but consistently redrawn and initiatives which were until now plans rather than realities have been given concrete form.

That is the summary of our Presidency, which we have been honoured to discharge.

[After the continuing debate, Mr Deus Pinheiro stated:] Mr President, I shall be extremely brief. I should like to begin by saying that I was able to agree with various of the speeches made here today. A good example is the speech just made by Ms Hermans, with all of which I could agree, because it seemed to me, like some others, extremely apt and objective.

But in asking to speak, Mr President, for the last time in connection with the Portuguese Presidency, I should also like to express my sincere thanks to the European Parliament, to the political groups, to the parliamentary committees, the enlarged Bureau and the President of Parliament. They were in all cases important partners in managing and even in orientating various dossiers during the Portuguese Presidency. We hope that the institutional dialogue, which in a way has turned into a new type of dialogue, may continue for the future.

Before ending, Mr President, I should also like to give my sincere thanks to the Commission, both to the Commissioners and their staff, to the Secretary-General of the Council and the officials who worked so hard in order that the Treaties of Maastricht might be signed and translated into all languages by 7 February and to see that translation and interpretation in the various Council meetings ran smoothly – for all that, Mr President, I should like to express publicly my thanks, to each and every individual.

1 *EPC Bulletin*, Doc. 92/257.

2 *EPC Bulletin*, Doc. 92/254.

3 *EPC Bulletin*, Doc. 92/255.

4 *EPC Bulletin*, Doc. 92/256.

92/261. Statement on the programme of the British Presidency

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Mr Hurd, President-in-Office of the Council: Thank you, Mr President. It is a great honour to be addressing Parliament under your Presidency. It is 11 years since I last did so and answered questions here. I am very glad to find that Parliament has lost none of its occasional liveliness or its occasional echoes of domestic politics. I am glad also to follow on from yesterday's account from the Portuguese Presidency of their achievements. They had a distinguished Presidency which was full of achievement. I do not regard myself as having done Parliament any courtesy by arriving on time or coming here myself. You are entitled not just to courtesies but to the full participation of the Presidency. That you will have under the British Presidency, I assure you.

Six months is not a very long time in the history of Europe, and yet the work of the Community is divided into sections like the Bayeux Tapestry – sections, in our case, of six months. Each section is short and many record rather matter-of-fact, humdrum episodes. But taken together they form a continuous and immense work. No one is claiming that our techniques and machinery in the Community are yet perfect. They are still defective. I sometimes feel that we have too many meetings, too many documents and too little real discussion. The work is laborious because we are together trying to do something which is unique in history. We are trying to weave together, as in a tapestry, for effective collaboration in common causes, the diverse nations of Europe.

Britain takes over for the next six months the responsibility for guiding the Community forward. We will develop the themes of recent Presidencies. We will carry forward some themes which stretch back for many Presidencies. But we will also set to work on one or two themes of our own. I would like to describe briefly our plans for the next six months and some of the ways in which our work will come together.

When foreign ministers in this position try to draw together all the main threads of what is bound to be a formidable work programme, there is a danger that priorities will disappear, overwhelmed by the large number of other issues which need to be tackled. That is why I have today laid before Parliament a memorandum setting out our priorities in detail. It will enable this particular speech to be somewhat shorter. It will therefore enable more Parliamentarians to join in this discussion. I hope that Members who find omissions in my speech will find them remedied in the memorandum, including, certainly, the social dimension.

The best-laid plans of a Presidency are often, of course, derailed by the unexpected. But I see seven main issues dominating the life of this Presidency: the future of the Maastricht Treaty, the completion of the Single Market, the future financing negotiations, GATT, preparations for enlargement, relations with Central Europe and the former Soviet Union, and Yugoslavia. I should like to say something about each, but to dwell particularly on the tragedy of Yugoslavia. 1992 is a pivot in the Community's development. It will, I hope, see the completion of the Single Market, the assured launching of the Treaty of Maastricht, that is to say, the end of one important phase of development and the beginning of another. Two watchwords should guide us: consolidation of what has been achieved, openness to outsiders and to new ideas in the times ahead. We must consolidate the achievement of the Single Market, the European economic area. We must put the Community's finances on a sound footing. We must be open to international trade through the GATT and we must be open to new members, new relationships with former adversaries in the East.

In undertaking this programme we will lay heavy emphasis on working closely with yourselves, with the European Parliament. We look to Parliament to ensure the timely adoption of the 1993 budget, consistent with budgetary discipline. Of course Parliament, like all the institutions of the Community, is developing. It is given new powers in the Single European Act and it will have new legislative, new scrutiny powers under the Treaty of Maastricht. It therefore becomes even more important for the Presidency, on behalf of the Council and for the national parliaments of individual Member States to work closely with the European Parliament. And so we have arranged a full programme of Presidency ministerial attendances before your committees during the next six months. British ministers wearing a Presidency hat will play a full part in all plenary sittings.

We have been considering new arrangements to improve contacts between the Presidency and the European Parliament's Committee on Foreign Affairs and Security. We need to be able to discuss EPC issues and give substance to the commitment in the Single European Act to associate Parliament closely with Political Cooperation. Close liaison would clearly be necessary to help implement the Treaty of Maastricht. My colleague, the Minister of State, Mr Garel Jones, will be working out new procedures with this in mind in consultation with the committee chairman, Mr Baron Crespo, your distinguished predecessor as President. I hear they met this morning and made a good start.

May I turn to the specific priorities which I have listed. As regards the Treaty of Maastricht, here we have to focus on work that has been agreed but not yet carried out. Last year the Community and its Member States spent much time locked in discussion about economic and monetary union and about political union. The British Presidency will do all it can to prepare for the implementation of that Maastricht agreement. At Lisbon the summit reaffirmed that 1 January 1993 remains the target for its entry into force. It is clear that our Danish friends and partners need time and freedom to reflect. Denmark's 11 partners have, of course, allowed them this while reaffirming our own commitment to Maastricht. This, it seems to us, is a time for quiet diplomacy and not for noisy exhortation. The Danes are well aware of the responsibility which they carry. There has been no suggestion in the Council of Ministers either of seeking to coerce Denmark or seeking to exclude Denmark. We will be working closely with the Danes and with other partners to find a way forward which is acceptable to all, allowing the Community to advance as twelve.

Meanwhile we have to carry forward work on the institutional issues which flow from Maastricht, notably those involving the European Parliament: the ombudsman and the committees of enquiry. I look forward to working with you on these issues of implementation. The Treaty of Maastricht also touched upon the relationship between this Parliament and national parliaments. But there is a need for balance here, which I think everybody now accepts, between yourselves, the Council and the national legislatures. This should be cooperative and not combative. We hope all Member States will take the declaration on scrutiny seriously. We expect discussions between national parliaments and the European Parliament through you, Mr President, to make a reality of the conference of parliaments. What is required here is cross-fertilization between all the democratic institutions of Europe.

I will say a word about subsidiarity because the debate on the handling of the Maastricht Treaty has focused on this principle. It is a clumsy word in the English language – I cannot speak for others. But it is a necessary principle. In the wide areas where the Community has no exclusive competence, the Community should ask two questions: is it necessary for the Community to act, and if so, to what extent? Even in the areas where national governments have, by treaty, given the Community exclusive competence, the institutions of the Community should ask: to what extent do we need to act to secure the full objectives of the treaties bearing in mind that excessive intrusion is one of the accusations most often brought against it? This is a debate which is going to develop. As it develops we shall hope to hear from Parliament about your ideas in the areas where the Treaty looks to you to take the lead like those I have just mentioned, the new ombudsman and the new committees of enquiry.

At Lisbon, the European Council concluded a few days ago that: 'The harmonious development of the union over the coming years depends to a considerable degree on the strict application to the existing and future legislation of the principle of subsidiarity by all the institutions'. We have, as the British Presidency, to take action to put that sentiment into practice. The Summit at Lisbon invited the Commission and Council to undertake urgent work on the procedural and practical steps to carry out this principle and the Commission to report to the next European Council in Edinburgh. This is vital. It is not only in Denmark, it is not only in Britain that one finds such a strong conviction that the Community must attempt less and accomplish better what it does attempt. That principle needs to be applied in all the institutions, including, I suggest, Parliament. That is for you and I hope that in the coming months you too may wish to consider how it can be realized in practice. We are not talking here about competence. That is an old debate which will continue. We are not talking about competence, we are talking in the first instance about the wisdom or otherwise of Community action.

As you have already discussed today, the year 1992 marks the culmination of the Single Market. Here, as in other areas, I would congratulate the Portuguese Presidency. They have made good progress on many subjects particularly on insurance, public procurement, animal and plant health and transport. At the start of the year it was estimated that just about 80% of the white pa-

per proposals had been agreed. In the six months of the Portuguese Presidency they have added a further 10% and we have to continue where they left off acknowledging that the last 10% is by definition almost the most difficult 10%. Transport and energy liberalization, medicines, animal and plant health, intellectual property strike us as particularly important.

But, of course, we need, as we close 1992 to look beyond this legislative phase and ensure that the Single Market works on the ground after its formal completion. We must keep burdens on business to the minimum necessary for proper compliance and enforcement and we must avoid unnecessary bureaucracy. In making this effort we need to review the scope for improving the operation of existing legislation according to liberal principles and ensuring that the costs of Community legislation are properly assessed.

One of our main tasks will be to carry forward – I hope to success – the negotiations on the future financing of the Community, the so-called Delors II package. I do not doubt, having already sat through several discussions on this in different fora, that this work will require a lot of energy and imagination. Much of the ground has already been covered under the Portuguese Presidency but it was clear from the discussions in Lisbon that we are some way off final agreement. To be acceptable – and this is becoming very clear – any agreement will have to take into account specific points agreed at Lisbon. It will need, of course, to provide for a new cohesion fund – that was agreed at Maastricht – and we look forward to the Commission bringing forward its draft regulation as soon as is possible for them.

For the poorest regions a settlement will also need to provide for cohesion spending which reflects the commitments at Maastricht. It will need to provide for substantially increased resources for external policy. But the final agreement will need to meet those commitments which are commitments within a framework which recognizes the budgetary pressures faced by all Member States. When the Community's finances are discussed we have to remember that the money in the Community budget is money contributed by the citizens of Europe.

So we have the task of working for an agreement at the end of the European Council, an agreement which allows the Community to meet its commitments but which is also consistent with principles laid down in Maastricht of budget discipline, sound public finances and open and competitive markets.

On the external side, we believe that the most important item will be the conclusion of the GATT Uruguay Round. Here is a test of openness, something we often talk about. A successful round will stimulate the world economy by providing a non-inflationary stimulus to growth. This is essential not just for the Community's own prosperity but also for our ability to provide the help needed by developing countries around the world including many of our closest neighbours. Most Member States, Mr President, and the Community as a whole have favourite schemes for helping the developing world. We have not been slow in bringing such schemes forward but let us acknowledge that almost all such schemes, perhaps all such schemes, are puny, are insignificant compared with the importance for the relief of poverty of opening up world trade.

I come today from the Summit in Munich of the seven industrialized countries where among the group of seven the matter was again discussed but again without a breakthrough.

Mr President, we have to persevere with this and we shall persevere because failure in the Uruguay Round would in effect confound our hopes for a more prosperous world and in particular would run counter to what we regard as the vital interests of Europe. So we must continue the tireless work of the Commission – I am thinking particularly of the work of Vice-President Andriessen and Mr Delors, the work of our negotiators in reaching an early agreement. They have to persevere and they have to succeed. We will be ready to set in train the procedures for implementation of the agreement by the Community.

Openness I have mentioned. I suppose the most obvious way in which the Community can prove its openness is by showing a willingness to widen its membership. Here too there has been

quite substantial progress. Seven countries have applied, more are likely to follow. New accessions will strengthen the Community and that no doubt is why the European Council of Lisbon agreed on early accession negotiations with the EFTA applicants and that they could join on the basis of the institutional arrangements in the Treaty of Maastricht.

We plan to complete the preparatory work so that once future financing is resolved, once the Treaty of Maastricht is ratified, the Community can immediately embark on these negotiations. We can with the help of the Commission which we know will be forthcoming lay the foundations this year and next year build this welcome addition to our Community. But it is not just a matter of the EFTA applicants. The European Council endorsed the need to develop relations with Turkey, Cyprus, Malta, building on the association agreements. All three are our friends. All three are applicants. All three have chosen a European destiny. Each has its special character. Each will have to be considered individually on its merits. We are clear – this emerged also from Lisbon – that the Community must respond imaginatively to strengthen our existing links with all three bearing in mind their applications for full membership. But then there are others also. At Lisbon we affirmed the importance of a union open to others. We agreed to develop partnership with the countries of Central and Eastern Europe to prepare them for the Community membership which is their stated goal. I am clear, Mr President, that here there is a major role for the European Parliament because you have the opportunity and the experience to make those closer contacts as democratic representatives of Western Europe which will help to strengthen and deepen the new democracies of the East.

But it goes further than that – this question of openness. During the next six months we aim to secure the ratification and the fleshing out of the association agreements signed last December with Czechoslovakia, Hungary and Poland. We want to take forward the dialogue begun under the Portuguese Presidency. We want to work for early, effective implementation of these association agreements even before they are ratified and in order to institute a lively political dialogue with these countries, Czechoslovakia, Hungary and Poland, we plan several meetings, including one at head of government level, with these so-called Visegrad partners. We also have to strengthen our relationships with all the countries of Central and Eastern Europe and this means concluding association agreements with Romania and Bulgaria, and making early progress on those enhanced trade and cooperation agreements with Russia and other republics of the former Soviet Union, which should include new and substantial trade liberalization as well as political dialogue.

We want to see a review of the PHARE programme of technical assistance. We want to see adoption of a new Council regulation to permit the technical assistance programme of the Community to continue with the new states of the former Soviet Union. We need increased effectiveness, we need quicker disbursement of the substantial Community programmes involved.

I said, Mr President, that I would dwell for a moment on the question of Yugoslavia because this is the stain on Eastern Europe: the tragedy still unfolding in what was Yugoslavia. The present suffering, as everybody here knows and as all our fellow citizens see, is fearful. But the dangers around the corner could be as dark or even darker. Now shootings in Sarajevo in 1992 will not launch Europe into a great war as they did in 1914. Too much has changed since then and for the better. Outside powers, the countries of Western Europe – we now cooperate with each other. We do not pursue rivalries by violent proxy and those who pour scorn on the concept of a common foreign policy should pause at this point. Do they really want to return to the era when the powers of Europe backed separate clients in the Balkans up to and over the edge of war?

[...]

But these new shootings and bombings which we see there day by day and night by night kill and maim as surely as in the past and are, we all feel this, a scandal and a reproach to all of us in Europe. We are capable of sorting out the problems of Western Europe at the negotiating table and

that is a huge advance in the history of Europe. Helping to find solutions to problems elsewhere in Europe of course proves more difficult. We cannot impose political solutions on our Eastern neighbours. We have no right, we have no power, we have no appetite to establish protectorates in Eastern Europe in the name of European order. So how do we proceed? Thoughts today concentrate on the humanitarian effort, on the need to help the refugees and to bring food and medicines to those who suffer. The Community and its Member States have played a leading role in this. I salute in particular the brave visit of President Mitterrand to Sarajevo some days ago. The Commission is now preparing further urgent proposals for Community help on top of what is already in hand. There are desperate men, women and children on our doorstep and we cannot desert them. But, Mr President, their desperation does not come from some act of God. Their desperation is the result of the dissolution of Yugoslavia and the failure of the leaders principally concerned to agree how the peoples of the former Yugoslavia should live together. So we have to exert ourselves not just to alleviate suffering but to help, and, where necessary, to press those leaders to remove the cause of that suffering. It will not be easy to restart peace in Bosnia-Herzegovina or to maintain it in Croatia. The will to peace among the parties in the former Yugoslavia is indispensable and too often lacking.

Other dangers, as I have said, are still in the making. They could be as explosive as anything we have seen so far. For example, over 90% of the population in Kosovo, a province within Serbia, is ethnic Albanian and in the last few years their rights have been brutally curtailed by the Government in Belgrade. They have not yet been drawn into the fighting. But there is no magical force which will preserve Kosovo from the trouble. That is why the Government in Belgrade has to apply the same principles to the Kosovars as they expect to be applied to their Serb ethnic groups in Croatia and Bosnia.

[...]

That is why the Albanians in Kosovo need to use the route of political dialogue to obtain full autonomy. This is one of several matters on which Lord Carrington's peace conference remains available as the machinery for negotiation. We have to aim in this and on other subjects at a durable settlement. That has to take into account the legitimate interests of all parties. That is the aim of Lord Carrington, acting on behalf of our Community, in the peace conference. He has been ably helped by officials from different countries and we owe a particular debt to certain ambassadors involved. What they have been trying to do is to put in place a new framework in which these new republics of the former Yugoslavia can co-exist, in which they can feel confident that the interests of their fellows across the border – who are minorities in a different state – are adequately protected. Lord Carrington will pursue this commitment vigorously. He is going to New York tomorrow to carry forward the necessary cooperation with the UN which might lead to the broader type of international conference which was envisaged yesterday in the declaration which came from Munich.

I am quite clear that although it is difficult – and I have stressed the difficulties because it is very important not to conjure up false hopes – we cannot abandon this effort as a Community. However often the stone seems to slide down to the bottom of the hill, we have to renew our effort to make peace possible. We have this twin-track approach which I am sure is right. We the Community offer political mediation and the facility of a peace conference under the EC and we support the peace-keeping efforts of the UN. We are offering the right mix. In the end I believe the warring parties will see that. When they realize – as, inevitably, they will, one day – that in order to achieve reasonable aspirations, they have to come back to the negotiating table, they will find there not only that they are welcome, not only that there is a chair for them, but that there on the table in front of them, are suggested answers which they will simply not be able to find by military force and mutual slaughter.

This Parliament has been engaged in this debate and last month you passed a resolution which well encapsulated the Community's acts. We all have to exert influence together. We must prevent ourselves becoming embroiled militarily in a conflict from which there could be no quick or easy escape. We must try to contain the fighting and help neighbouring states in their effort to stay out. But, guided by these objectives, we can offer help to all the peoples of Yugoslavia – humanitarian aid, which I have already mentioned, mediation and a conference ready and waiting when the leaders realize that violence offers no permanent and no just solution.

That, of course, is just the main example in the last year or so of how we try in the Twelve to work together in European political cooperation. Its development will continue and is further charted by the Treaty of Maastricht. There are many other subjects and some of them are of particular interest to Members of this Parliament: policy towards the Middle East, towards South Africa, towards Burma, towards any number of places and problems around the world and you will find suggestions on these fronts in the memorandum which I have circulated. We believe this is a very important part of the Community's work and we will carry forward all these activities to make sure that the Community does exercise its full influence in the world, promoting the values we stand for, and we shall carry forward the political dialogue with the United States, with Canada and with Japan, amongst others, to which we are committed.

I hope, as we stand here at the beginning of July and consider the programme of the Presidency, that we are clear-eyed about the prospects. I do not doubt that these six months will be difficult and testing and I do not myself believe in the kind of optimistic rhetoric which sometimes, we must admit, makes our Community suspect in the eyes of its citizens. We are not in the business of ignoring what is difficult or of chalking up headline or easy agreements. I hope that the approach which I have outlined, the seven priorities which I have sketched, the additional work outlined in the memorandum adds up to a programme of work which is realistic for six months, which responds to the Community's needs, whether one is talking about carrying forward the Treaty of Maastricht, of future financing, enlargement, pushing to complete the Single Market, clinching a GATT agreement or helping towards a solution to the Yugoslav crisis. We need dispassionate analysis, we need a thorough airing of the issues and we need a determined application of each policy once agreed. Consolidation of the achievements of the past, openness to the possibilities of the future. Debate, certainly. Our Community thrives on debate and we should never take disagreement in debate as a sign of weakness. We thrive on debate, we are all democracies and this is a democratic institution. Debate, agreement and commitment to agreements reached. That is the way forward and that is the path which, with your help, the British Presidency will trace. Mr President, you will not find us lacking either in energy or in determination.

[...]

[After the following debate, Mr Hurd stated:] I am most grateful for the constructive nature of the debate. There have been some criticisms. There have been more suggestions. That is all helpful from the point of view of the Presidency. I cannot, in the time available, answer all the points that have been raised but I will try my best to group them and answer one or two.

First of all, in answer to Mr Alavanos, of course, as regards Cyprus we have the full support of every Member of the Community for the efforts of the Secretary-General of the United Nations who is in the lead in trying to achieve a settlement there. The atmosphere there is better than for some time and it is the duty of us all to help complete that agreement. As regards Skopje, I shall be going there next week with the conclusions of the Lisbon Council. I count, as the Greek Government knows, on the support of Greece for the practical needs of those who live in the former Yugoslav republic of Macedonia because they have those needs and they look to their neighbours – in particular Greece – to help relieve them.

If I may now group a number of the questions which have come up over and over again. I salute Ms Ewing as a prize 'beater' of the system – any system that is devised she will certainly

beat. She made a very serious point, in addition to the more humorous ones, about Lomé and about the importance of not robbing Peter to pay Paul, not depriving old friends in the Lomé countries because of our needs to help Eastern Europe. That must be a central point of policy: that we do not intend to reduce the Lomé money to finance the needs of Eastern Europe. It has not happened. It will not happen. But of course the best way of helping the Lomé countries is not to argue about an extra MECU 1 or MECU 10. It is to settle the Uruguay round. That is what **they** say. They are quite right. We are not good enough at listening to what is their main priority.

Several speakers have commented on the question of enlargement. I know this whole question of widening and deepening has been one of the favourite themes of Parliament and other fora for many years. That is understandable. I do not believe that it is possible to draw a line around the Twelve and say to others – to the north, the east and even to the south – that we are too busy deepening our arrangements, that even though you are now qualified and now anxious and entirely entitled under the Treaty of Rome to apply, we are not going to give you the time of day, we are not going to consider your application. That is not a feasible response and I do not think it is a response that anyone here would want to give. Of course it is true that they have to assume the responsibilities and in particular the responsibilities which include the Treaty of Maastricht. That is the basis on which they are applying and on which their applications will have to be considered. So it is not a question of dilution. It is not a question of weakening. It is not a question of their being able to assume some lesser responsibilities. That is not the position. They are applying and their applications will fall to be considered on the basis of the obligations of Maastricht. I thought that Mr De Clercq, Mr De Giovanni, in a very thoughtful speech, and Mr Cheysson made that point. It is not a British problem as Mr Cheysson agreed, having suggested that it might conceivably be, he came to the conclusion that it was not. He is entirely correct. This is a point of view which has established itself clearly as just about a consensus in the Community.

As regards the future financing on which Mr Cot spoke – and others understandably concentrated on this point – I am thinking of Mr Lalor in particular, Lisbon agreed in principle to the renewal of the institutional agreement on terms 'of ensuring strict budgetary discipline and a smooth passage of the annual budgetary discussions'. That is what we want. There will be serious negotiations between the Council, the Commission and Parliament. The present Inter-institutional Agreement functions very well. I acknowledge that. That is one reason why in our view, in the view of the Council it makes sense to envisage a successor. Then Lisbon decided that the European Council will reach decisions at its Edinburgh meeting, and that we will attempt to do. There is not agreement at present on the content of the Delors package. Lisbon showed there is quite extensive disagreement, not because one country is isolated or two countries are isolated but because there are, down the middle of the Community, differing views as to the right ways of honouring the Maastricht decisions on cohesion which certainly have to be honoured, as our Spanish colleagues have rightly emphasized. The Presidency will ensure that full account is taken of the opinion of Parliament already available to us in the von der Vring resolution of 10 June. I do not know what the outcome will be, but we are charged with making an effort to reach an agreement and we will certainly do so.

I turn finally to subsidiarity, which I suppose has been once again the main theme picked up by speakers in this debate. It was a very striking feature of the discussions in Lisbon that speaker after speaker among the Heads of State or Government, including some who would not necessarily have said this before, analysed, in terms not unlike those which Ms Jepsen used just now, the difficulties caused by the occasional intrusiveness in the past of the Community's institutions. This is not because the Heads of State and Government are remote from an army of citizens who are pinning for more intrusion and for more regulation, but because they are actually listening to what is going on. There has been a change in the perception of our fellow citizens. It is a change articulated very clearly by Jacques Delors, as President of the Commission. It is a change of tide, the tide has turned. And at Lisbon the European Council showed that as the tide turns, it does not want to be left stranded on the beach like an exhausted whale, talking the old vocabulary, practising the

old style, when the perceptions of our fellow citizens – and not just Denmark – have changed. And I imagine that equally no group in this Parliament, Mr Cot, would wish to be in the position of an exhausted whale stranded on a beach. So that is the political impetus behind this emphasis on subsidiarity.

Of course, I entirely agree that it is not enough to toss it about by way of generalizations or even of legal texts. What matters is how it is interpreted in the daily life of the Community and of our citizens. And that is difficult, of course it is difficult, and the debate today illustrates the difficulty. Nor is it the wish or within the power of the British Presidency to impose – how could we? – some sort of British definition on this debate. Of course not. It has to be worked out in accordance with the remit given to the Presidency at Lisbon and the remit given to the Commission. Our first meeting – as Mr Bangemann will agree – on 1 July in London constituted a good start to that process. It was a good start. But I readily agree that there is more work to be done and it has to be accomplished by agreement.

So, we would look forward to this Presidency as a challenge in any case. But after the conclusions of Maastricht and the conclusions of Lisbon, we can see a number of ideas, to which the British have been traditionally sympathetic, which are now moving forward into the mainstream of Community thought. We are not – to use Mr Ford's words although he has left us – we are not feeling lonely in a crowd and, incidentally, if he had been here I would have said that there is no mystery as to why John Major is now the President-in-Office of the Council. It is not just an accident of the alphabet, it is because against Mr Ford's wishes, he recently won an election.

The Community is not just dependent on alphabetical order; it is also reliant on occasional electoral proofs and they also have their efforts. So, we do not feel lonely in a crowd because these are issues on which we feel in sympathy with what is increasingly the mainstream of Community thought. Of course there is much debate, much argument which lies ahead. I am not saying that the debates on these issues – subsidiarity, enlargement, financial budgetary strictness, minimum interference – are over. In some respects they have only begun. But the remits which we have from the summit and the priorities established for the Presidency will enable us, I hope, to edge these priorities forward, with the approval, help and support of Parliament for the benefit of Europe as a whole.

92/262. Question No H-613/92 by Mr Cushnahan on the situation in Yugoslavia

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Can the Foreign Ministers meeting in Political Cooperation report on the progress to date in efforts at achieving an end to the continuing conflict in Yugoslavia?

How would the Ministers assess the prospects of achieving a peaceful resolution of this situation?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: I apologize to the House for what will be a rather lengthy reply, but it is lengthy to reflect the importance of the question.

When my predecessor addressed the House last month, the Community and its Member States, endorsing United Nations Security Council Resolution 757, on sanctions against the so-called Fed-

eral Republic of Yugoslavia, Serbia and Montenegro, had themselves adopted measures against these republics to force them to abandon their destructive policy towards Bosnia and Herzegovina. Ever since, attention has remained firmly focused on the tragic events in that republic and the efforts made to realize the unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, in conformity with the aforementioned Security Council Resolution.

The Community and its Member States on 15 June welcomed and supported Security Council Resolution 758 and the steps taken by the Secretary-General to secure the re-opening of Sarajevo airport for humanitarian purposes under the exclusive authority of the United Nations and with the assistance of UNPROFOR. The Community and its Member States also welcomed the active participation of Member States in this operation and expressed their readiness to assist the Secretary-General in any manner which would facilitate the immediate delivery of urgently needed humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina. They furthermore called upon all parties concerned to cooperate fully with UNPROFOR and international humanitarian agencies in achieving their aim of helping the long-suffering people of Bosnia and Herzegovina. In this context, the Community and its Member States also supported the establishment of a security zone, encompassing Sarajevo and its airport, and expressed the hope that this would be the beginning of a process of normalization which would bring peace to Bosnia and Herzegovina in its entirety.

Repeating their earlier call, the Community and its Member States urged the leaders of the three main political parties in Bosnia and Herzegovina to resume the talks on future constitutional arrangements on the basis of the principles agreed by them on 18 March. In a further attempt to reactivate discussions on finding a comprehensive solution for the problems in this republic, the chairman of the conference on Yugoslavia, Lord Carrington, met President Tudjmann and Milosevic and Foreign Minister Silajic, representing President Izetbegovic, who was unable to attend, but no significant progress was achieved. Lord Carrington went to Sarajevo with Ambassador Cutilheiro on 3 July to resume the talks on future constitutional arrangements for Bosnia and Herzegovina. He was unable to reach agreement with the parties but hopes that it will be possible to do so soon.

At the request of the chairman of the conference, Vice-Chairman Debosey visited Kosovo, Vojvodina, Sandrak, Krajina and the former Yugoslav republic of Macedonia to assess in discussions with local leaders the prospect for negotiated settlements in the framework of the conference on the basis of chapter 2 of the draft treaty provisions on minorities. In this context, the Community and its Member States noted in their declaration on 15 June¹ the potentially dangerous situation in Kosovo, urging all parties to show the necessary restraint and sense of responsibility. They asked the Belgrade authorities to refrain from further oppression and engage in serious dialogue with representatives of Kosovo. They reminded the Belgrade authorities that failure to do so would impede prospects for the restoration of normal relations with the international community. The Community and its Member States, furthermore, recalled that frontiers could only be changed by peaceful means and pointed out that the legitimate quest of the inhabitants of Kosovo for autonomy should be dealt with in the framework of the conference on Yugoslavia. The Community and its Member States also called upon the Albanian Government to exercise restraint and to act constructively.

The European Community conference is continuing its efforts to facilitate a dialogue between Belgrade and the Kosovars. As part of the United Nations plan, the ECMM has taken up monitoring duties in [...] those parts of the pink areas where Serbs are living between the cease-fire line and the UN PA boundary in Krajina. ECMM and UNPROFOR coordinate and cooperate closely in trying to prevent outbursts of ethnic tension and rebuilding the nation's infrastructure. Although UNPROFOR development and the complementary role of the ECMM in the implementation of the UN plan will necessarily have a bearing on the activities of the ECMM, the principles which

have so far guided its work, such as monitoring the cease-fire and mediation, remain the basis of its involvement.

Mr Cushnahan (PPE): I thank the President-in-Office for his detailed reply and would like to take the opportunity of applauding Lord Carrington for his patience and commitment in trying to find a peaceful resolution to this very difficult tragedy. I would like to ask the President-in-Office, firstly, if he would not agree that a significant contributory factor to the disastrous situation in Yugoslavia was the rather disorganized and non-coordinated approach on the part of the Community, and in particular the rather premature action of some individual Member States in recognizing some of the component parts of Yugoslavia?

Would he give an assurance that under the British Presidency there certainly will not be the same sort of unilateral action and that EPC will mean everything in terms of the spirit and precise letter of that term?

I would also ask the President-in-Office if he and his colleagues have discussed, or if he is prepared to proffer an opinion on, the recent resolution passed at the Munich summit by the G7 countries in terms of a broad international conference to discuss the Yugoslavian situation, not excluding the possible use of military measures if all humanitarian measures are thwarted?

Mr Garel Jones: I am grateful to the honourable Member for his opening remarks. Perhaps he is less than kind to the Community, however. We all have to bear in mind that the problems that are being faced in Yugoslavia are deep-rooted, historical problems and they are extremely difficult. They have not proved capable of resolution for a very long time indeed and I think the Community can claim – albeit with difficulty – to have held the ring so far and to be providing the negotiating platform through which, eventually, discussions will have to take place and through which eventually a settlement will have to be achieved. I can give him this assurance that the British Presidency will seek to take a very active interest in this matter. My right honourable friend, the Secretary of State will be visiting Yugoslavia between 15 and 19 July in preparation for a report to the Council and it will be his intention, I know, to give as strong a lead as possible to the Community in the coming months in this matter.

Finally, so far as military engagement is concerned, there is a consensus in the Community that no Member State would wish to commit ground troops to a war. What the Community is seeking to do, through the United Nations and backed by United Nations resolutions, is to provide whatever cover is necessary in order to ensure that humanitarian aid reaches the places it should reach. We need to be careful not to criticize the Community in this matter too much. It is a difficult problem and anyone who believed that it was capable of resolution in a very short period of time would be setting his hopes too high.

Mr Alavanos (CG): I would like to ask the President-in-Office the following: already the report by the Secretary-General of the UNO, which came after the Security Council's decision on sanctions against Serbia, apportioned some responsibility to the Croatian side. Today that responsibility is before our eyes and proven, reaching its peak with the proclamation of an independent statelet of Hercebosnia by the Croatian powers, with full support from President Tudjmann and Croatia. Is the Council thinking of applying sanctions against Croatia analogous to those against Serbia? Because unless it is, there is a danger that the Community and the international community will lack credibility and impartiality when they intervene in the crisis, and that they might be thought to be applying double standards, with one rule for Serbia and another for Croatia.

Mr Garel Jones: The honourable Member will be aware that United Nations Security Council Resolution 757 is the most comprehensive and draconian package of sanctions ever imposed by

the United Nations in a single resolution. They are already having a disruptive effect on the Serbian economy but must be given time to work. So far as the Croatian position is concerned and the interference of Croatia in Bosnia, we are very concerned about Croatia's military action in Bosnia and around the United Nations' protected areas in Croatia. We welcome Security Council Resolution 762 which urges all parties to honour their commitments to the United Nations peace-keeping plan in Croatia, calling on the Government of Croatia to cease to attack territory and strengthening UNPROFOR by 60 military observers and 120 UN civilian police. There is at present no intention to impose sanctions on Croatia, but the same standards must apply and we will press all sides to be reasonable and cooperative with Lord Carrington in his efforts to bring about a peaceful resolution.

Mr Newens (S): Has the Minister seen the reports which suggest that plans are afoot actually for Croatia and Serbia to divide Bosnia and Herzegovina between them and could he say what attitude European political cooperation would take to any such plans? Does he agree, furthermore, that as the recognition of the independence of the Yugoslav Republics has immediately triggered off hostilities, because the position of minorities was not guaranteed, political cooperation will refrain from any precipitate action over Macedonia which could lead to a similar outbreak of hostilities there?

Mr Garel Jones: I can confirm to the honourable Member that the attitude of the Community in this matter, as he would expect, is that we are not prepared to countenance the change of any border by violence, less still the dismemberment of a country by violence. That is not something that the European Community through European political cooperation is prepared to accept. I am afraid I cannot recall the second part of the honourable Member's question.

Mr Newens (S): I was asking in the second part whether, in view of the fact that recognition of the independence of republics led to an immediate outbreak of hostilities, Political Cooperation will be very careful indeed about the situation which exists in Macedonia and which could spread hostilities, bringing in other countries not yet involved?

Mr Garel Jones: Yes, I certainly understand the honourable Member's point and I can give him the assurance he seeks.

Mr Oostlander (PPE): The honourable representative of the Presidency of EPC has put forward a riveting argument. It seemed for a moment that he assumed that in Bosnia-Herzegovina we were in fact dealing with three parties of equal standing. Does he not agree with us that we must first and foremost emphasize that the European Community has recognized the real authority of Bosnia-Herzegovina, an authority which certainly resides on two-thirds or more of the population, and that we must constantly show this in our attitude particularly because the extremist groups supporting Karadzic and Mate Boban have other foreign powers behind them and which, moreover, represent a line of political thought which all too closely resembles that which we fought and defeated in the 40s?

Mr Garel Jones: Yes, I think I can agree with the main thrust of the honourable Member's remarks. The Community has recognized independent States in the former Yugoslavia, and the violation of the borders of those Member States or their dismemberment is not something that I think the Twelve would be able to condone.

¹ EPC Bulletin, Doc. 92/226.

92/263. Questions No H-623/92 by Mr van der Waal and H-704/92 by Mr Arbeloa Muru on discrimination against non-Muslims in various countries by the introduction of Islamic law (Sharia) and on religious freedom in Islamic countries

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral questions in the European Parliament

Question No H-623/92:

In a wave of Muslim fundamentalism, many countries have now introduced or are about to introduce legislation based on Koranic law (Sharia). The Sharia is extremely discriminatory and threatening to non-Muslims and in particular to ex-Muslims. By their efforts to create a more Islamic society, the following countries are attempting to convert those with other beliefs to Islam by force.

In Saudi Arabia, migrant workers of other faiths are hindered from practising their religion. In Iran and Pakistan non-Muslims are systematically discriminated against and threatened, and ex-Muslims are imprisoned or murdered. In countries with large Christian minorities the situation is in danger of running out of control. In Sudan, for example, the introduction of the Sharia has already led to a bloody civil war in which millions have died. Finally, Nigeria is threatening to introduce the Sharia for non-Muslims, at the risk of civil war.

Are the Foreign Ministers meeting in European political cooperation (EPC) aware of the situations in these countries? What are they doing to put an end to the systematic violations of human rights occurring there, partly as a result of the introduction of Islamic law?

Question No H-704/92:

What role does the lack of religious freedom and the frequent existence of religious persecution in certain Islamic countries such as Sudan, Saudi Arabia, etc., play in relations between such countries and the EC?

Answer:

If the honourable Members will permit, I propose to reply to Questions 623 and 704 together, as they touch on the same issues.

The root causes of the spread of Islamic fundamentalism and perceptions in the West of Islam as a political force have been the subject of considerable analysis within the framework of EPC in recent months. In formulating a coherent policy response to this phenomenon, the Community and its Member States are guided by the perception that the Islamic countries concerned each have their own cultural and historical heritages and traditions which are often different from those of the West. They therefore seek to appraise the records of these countries individually as states rather than as parts of a greater 'Islamic entity'. While being sensitive to the cultural and other differences which exist, the Community and its Member States seek, in dialogue with these countries, to promote universally accepted norms of behaviour in the field of human rights both at governmental level, with NGOs and with influential social and professional groups. The countries concerned are well aware of the importance which the Community and its Member States attach to strict respect for human rights, the rights of minorities and freedom of religion in formulating the EC's policies towards them.

92/264. Question No H-628/92 by Mr Kostopoulos on the situation in Kosovo

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The USA is incensed at Serbian repression in Kosovo, according to statements made by the American Assistant Secretary of State, Mr Lawrence Eagleburger, at a recent press conference in Tirana. When asked about Kosovo, Mr Eagleburger said that the amendment of the 1974 constitution, which regarded the province of Kosovo as autonomous, had been a serious error. He stressed, however, that the USA was against any change in the borders. Does EPC share this US view on Kosovo? If not, what is its own view?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: May I refer the honourable Member to my comprehensive reply to oral question H-613¹ by Mr Cushman on the involvement of the Community and its Member States in the conflict in Yugoslavia.

Mr Kostopoulos (NI): I tabled this question because the Community's critical common external political stance was mistaken, in other words a downward path, because of the prevailing view that Yugoslavia ought to be split up, a view that has been proved wrong now that the bloodbath, as much in Slovenia and Croatia as in Bosnia-Herzegovina, has demonstrated how vast are the responsibilities of the Twelve in relation to their common external policy.

I therefore tabled the question about Kosovo because I wanted to find out in that way whether there really is a desire for Serbia to be divided permanently, because from what I understand, Serbia is the target and we have not grasped that without Serbia there can be no peace in the region.

I ask the Minister to tell me what strategy the Twelve have in this connection.

Mr Garel Jones: The strategy of the Twelve can be described in the following way: the first obligation we have is to provide, as we have provided, a platform and a mechanism through Lord Carington, assisted by Ambassador Cutilheiro, which will enable the parties involved in the various disputes in the former Republic of Yugoslavia to come together and discuss their differences in a way that will lead to a peaceful solution not based upon violence. That is our first priority and I think that the Community has done.

Secondly, the Community's responsibility must be a humanitarian one to ensure that the suffering that is being caused at the present time to the civilian population in the former Republic of Yugoslavia is assuaged to the greatest degree possible by humanitarian aid from the Community. But as I answered in a question earlier on to another honourable Member, it cannot be part of the Community's responsibility to impose a peace on Yugoslavia that we cannot achieve. We can have the two objectives that I have just described, plus of course a number of principles which I have referred to in the course of earlier questioning, for example, no changing of borders by violent means and so on. But I think those two basic objectives – to provide a platform and a facility that enables the warring parties in Yugoslavia to discuss their differences in a peaceful way and to ensure that humanitarian aid is made available – those are the two pillars on which the Community's policy rests, and I think they are correct.

¹ EPC Bulletin, Doc. 92/262.

92/265. Question No H-638/92 by Mr Hughes on the Sahara air disaster – UTA flight 772

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Further to the reply to Question H-574/90¹ what further consideration have the relevant EPC bodies given to the terrorist incident involving flight UTA 772?

Answer:

The Community and its Member States continue to take a most serious view of accusations against Libyan nationals in connection with the bombing of flight Pan Am 103 in December 1988 and of flight UTA 772 in September 1989. This was underlined in their declaration on 2 December 1991² on the enquiries into Libyan involvement in the bombings, and reaffirmed by the EC in Maastricht which repeated its unequivocal condemnation of all acts of terrorism, wherever and by whomever committed. On that occasion the EC noted and endorsed the demands made of the Libyan authorities by two Member States and the US and called upon the Libyan authorities to comply promptly and in full.

In their declaration on air terrorism on 17 February 1992,³ the Community and its Member States welcomed the unanimous adoption by the UN Security Council of Resolution 731 imposing sanctions on Libya. They underlined the great importance they attach to compliance by Libya with Security Council Resolution 731 and urged this country to fulfil the requests to which the resolution refers without delay.

¹ EPC Bulletin, Doc. 90/215.

² EPC Bulletin, Doc. 91/426.

³ EPC Bulletin, Doc. 92/063.

92/266. Questions No H-696/92 by Mr Papoutsis and H-707/92 by Mr Pasmazoglou on violations of Greek airspace by Turkish fighter planes and the loss of a Greek fighter during interception and on challenges to, and violations of internationally recognized rights of Greek sovereignty

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral questions in the European Parliament

Question No H-696/92

What action do the Foreign Ministers meeting in EPC intend to take in view of the continual violations of Greek airspace by Turkish fighter planes (the last such incident occurred on 18 June 1992 and resulted in the loss of a Greek fighter and the death of the pilot during attempted interception)?

Question No H-707/92:

A recent meeting of the Council of the WEU discussed the likely enlargement of the WEU to include Greece as a full member, in view of its membership of the Community, and the expected de-

cision to confer association status on Turkey. It was also announced that Article 5 of the Treaty which provides for the automatic joint defence of a Member State would not apply if the attack came from a country linked by association.

How can the EC governments propose or accept a measure which, instead of dissuading, will actually encourage continuing Turkish challenges to, and violations of, internationally recognized rights of Greek sovereignty?

In this connection it was reported in the international press that a Greek airforce pilot was killed on 18 June 1992 when he attempted to intercept Turkish fighters which were again violating Greek airspace.

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: Mr President, may I be permitted to answer jointly Questions 35 by Mr Papoutsis and 36 by Mr Pesmazoglou which both concern relations between Greece and Turkey. Neither the issue of reported violations of Greek airspace by Turkish fighter planes nor the loss of a Greek fighter has been discussed within the framework of European political cooperation. The same applies to membership and associated membership of the Western European Union, which are matters which fall outside the scope of European political cooperation. The Turkish Government has, through the Charter of the United Nations, the Final Act of Helsinki and the Paris Charter, committed itself to full respect for the sovereignty of other states.

Mr Papoutsis (S): I thank the Council's President-in-Office for the answer he has just given. I would like to put a supplementary question, granted that as we already know from Guimarães, agreement has been reached on the basic lines for improving EEC/Turkey relations, while at the same time the President-in-Office of the Council, Foreign Minister Hurd, is preparing to present his proposals on the upgrading of those relations at the first Council of Foreign Ministers.

I would therefore like to ask how it is possible for the Community's relations to be upgraded, indeed to a very important level including for example that of customs union, while at the same time a Member State is suffering continual incursions into its national sovereign territory by Turkish aircraft? Does the Council show no sensitivity about that? Is it about to show any such sensitivity? Will it take this serious problem into account in the talks due to take place next month, or rather in a few days' time?

Mr Garel Jones: Can I say first to the honourable Member that no guide-lines have yet been approved and naturally it would be for Greece to raise the matter he referred to about a violation of airspace. It would be a matter for the Greek Government to raise in European political cooperation if they thought it appropriate to do so. It is the case, whilst I say that no guide-lines have been approved, that the presidency has circulated to partners and to the Commission a paper on EC/Turkey relations and I think it is also the case that all twelve Member States do wish to see an enhanced and improved relationship with Turkey and I know that is a view that the Greek Government also shares. So we would be planning for a full discussion of the ideas that we have circulated to Member States at the Foreign Affairs Council on 20 July.

Mr Pesmazoglou (PPE): I too would like to thank the Council's President-in-Office for his answers, but would like to ask this: does EPC not grasp the seriousness of those violations which as the Minister himself said, constitute infringements of international law, which every country should respect? These violations have been going on for a long time, and they still are. I take it that EPC is aware of this anomaly. And the question is: what attitude will it adopt, what policy is it going to implement so that this anomaly between a Member State of the European Community and a country associated with it can cease violating international law, both in the context of these questions and where Cyprus is concerned.

Mr Garel Jones: I can only repeat to the honourable Member the answer I gave earlier to his honourable friend. This question has not been raised at a European political cooperation meeting by Greece. If Greece wished to raise it then I have no doubt it would be discussed.

92/267. Question No H-698/92 by Mr Alavanos on the problem of the Republic of Skopje

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

How do the Twelve meeting in European political cooperation view the problem of the Republic of Skopje and what position are they taking following the Lisbon summit? What initiatives is the United Kingdom Presidency considering? Is it going to adhere to the principle of Community solidarity?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The European Council in Lisbon on 26 and 27 June 1992,¹ reiterating the position taken by the Community and its Member States at their meeting in Guimarães on the request that the former Yugoslav Republic of Macedonia be recognized as an independent state expressed its readiness to recognize that republic within its existing borders according to their declaration on 16 December 1991.²

Mr Alavanos (CG): I thank the President-in-Office, even though he answered by reading an already known decision by the Summit Conference, and indeed selecting extracts from it and suppressing others. I would like to remind the President-in-Office that the decision also says something about the specific name of that republic in relation to the term 'Macedonia', a point which he avoided reading us and I do not understand why. Furthermore, I would like to ask the following: in this new phase and after the Lisbon decision, which all of us here know, what initiatives is the British Presidency considering, to be implemented of course during Mr Hurd's visit which we know is taking place next week?

Mr Garel Jones: Yes, I can confirm to the honourable Member that the position of the Twelve remains as stated after the European Council. Our objective is to recognize Macedonia as swiftly as possible so that we can give it urgently needed help and a voice in international fora. The question of a name had reached a stalemate. The Twelve have, therefore, expressed readiness to recognize it under a name which does not include the term 'Macedonia'. But the honourable Member will be pleased to know that one of the first acts that the President will be taking during our Presidency will be to pay a visit to that part of the world in order to seek a solution that is acceptable to all parties.

Mr Balfe (S): I think the President-in-Office has come very near to answering my question. But I should like to ask specifically, is the name now the only remaining obstacle to recognition by the Twelve? Can the Council confirm that assistance packages will be made available to this republic with the same spirit of generosity as to other parts of the former state of Yugoslavia?

Mr Garel Jones: Yes, the former Yugoslav republic of Macedonia is, as I think the honourable Member knows, already entitled to assistance from the Community and indeed to certain trade facilities. I think it is true to say that the name is the remaining difficulty that is holding up recogni-

tion. But I think it would be better to await the visit that the Foreign Secretary is to make very shortly to that part of the world to try and find a way forward.

Mr Oostlander (PPE): I would also just like to ask exactly why the EPC took such a clear step beyond the Parliament's resolution which, as the name suggests, left the possibility open for some measure of compromise so that the parties involved are still left some degree of credit. Surely it is not our intention to sweep such a small republic part and parcel under the carpet, or does the whole matter reside in the behaviour of the Athens republic?

Mr Garel Jones: What the Community is seeking to do is to find a compromise position that would be acceptable to all parties. At present we have a position that we have agreed at Lisbon. All twelve Member States will need to remain solidly behind that position. On the basis of that position we shall need to see whether a resolution can be found. If a resolution cannot be found on the basis of that position then clearly we will need to have a further discussion amongst the Twelve to see how we take the matter further forward.

¹ EPC Bulletin, Doc. 92/254.

² EPC Bulletin, Doc. 91/465.

92/268. Question No H-712/92 by Mr Bandrés Molet on US entry ban for HIV carriers

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The United States of America is imposing entry restrictions on travellers, including EEC citizens, who are carriers of HIV or AIDS. Practically all the US and international public health authorities have declared that HIV should not be taken as a criterion for restricting the freedom of movement of carriers.

What view do the Ministers meeting in Political Cooperation take of this US practice? Do they intend to take any measures against the US to remedy this situation?

Answer:

The Community and its Member States have consistently opposed short term travel restrictions which seek to restrict the freedom of movement of those with HIV and AIDS. HIV cannot be transmitted by casual contact and there is no public health justification for such restrictions which are ineffective in combating the spread of HIV, and discriminate unnecessarily against those with HIV and AIDS. This view is shared by the World Health Organization and other expert opinion.

The Community and its Member States have made their views known to the US authorities both individually and collectively on a number of occasions. Unfortunately the decision of the US Health and Human Services Department to remove HIV and AIDS from the list of diseases subject to US immigration control was suspended in June 1991. The Community and its Member States will continue to take suitable opportunities to persuade the US authorities to put into practice the principles to which they have themselves subscribed in international fora.

92/269. Question No H-723/92 by Mr Nianias on human rights in Turkey

Date of issue: 8 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

In their latest report, Amnesty International and Helsinki Watch once again draw the attention of governments and international opinion to the dismal human rights situation in Turkey. The report reveals that the Turkish Government is persecuting a large number of its citizens for political reasons and using torture, including electric shocks, beatings and subjecting prisoners to low temperatures. Helsinki Watch particularly accuses the European and American media for misleading reports about Turkey's so-called armed struggle against Kurdish rebels whereas in fact it is a case of the government's political opponents being persecuted.

Is the Community and those responsible for its foreign policy still seeking to improve relations with Turkey and, if so, am I to conclude that the persons concerned have gone back on their decisions regarding human rights in Turkey and why?

Answer:

At the meeting in Lisbon on 26 and 27 June, the European Council agreed on the need for the development of the Community's relations with Turkey on the basis of the 1994 Association Agreement.¹

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to international conventions on human rights, including the rights of minorities, as provided for in the Charter of Paris, the document of the Moscow meeting of the CSCE, the document of the Copenhagen meeting of the CSCE and the document of the Geneva meeting. The declaration on human rights adopted by the Luxembourg European Council in 1991² stated that: 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ EPC Bulletin, Doc. 92/253.

² EPC Bulletin, Doc. 91/194.

92/270. Statement at the CSCE Helsinki Summit

Date of issue: 10 July 1992

Place of issue: Helsinki

Country of Presidency: Portugal

Status of document: Statement in international forum

Mr Chairman, I have the honour to speak not just in my national capacity, but also as current President of the European Council.

On behalf of the European Community and its Member States, may I say a warm 'thank you' to the government and people of Finland. The arrangements made by the Finnish Government for our meetings here since March have been excellent. You and the people of Finland have made us very welcome.

Since its beginnings here in Helsinki the CSCE has held out the prospect of freedom to all Europe's citizens.

It was established when the borders and attitudes of Europe were frozen by the Cold War.

We now have a very different Europe. People oppressed for decades now have a new voice, new aspirations. But it does not seem as simple as it did two years ago. National identities and ambitions have been rediscovered – and with them old quarrels and tensions.

The Europe of the late 20th century looks suspiciously like the Europe of the early 20th century. More countries, more national identities, each jostling for position.

The liberation of so many peoples from communism is a gain for European civilization.

But we must not allow the new diversity to resemble the old chaos.

We have institutions to help us manage the problems which our very diversity brings. We must use them. Not least the CSCE itself.

The CSCE provides a framework in which difficult, historic rivalries can be tackled peacefully and reasonably. It sets standards for international behaviour, and for the democratic treatment of minorities.

We look to the CSCE to play a crucial part in binding our new Europe together.

The Community and its Member States support wholeheartedly the Summit documents which we shall sign today.

The documents represent a challenge for us all – to settle disputes peacefully. We subscribed to this principle in the Helsinki Final Act in 1975. When trouble threatens, new means must be found to encourage or compel recourse to peaceful settlement.

The dissolution of Yugoslavia brings home to us the need for peaceful negotiation of this sort. All parties have contributed, in their own way, to the state of affairs that now exists. But the greater share of responsibility falls on the Serbian leadership.

Since violent conflict began last year, the European Community – acting under the remit of CSCE – has done what it can to bring about a solution. The Conference chaired by Lord Carrington has established a framework for a settlement. The Presidency will strive to make progress, working in close cooperation with the UN.

Our monitor mission has rebuilt confidence in some of the worst afflicted areas. Some monitors have been killed. Those responsible must be brought to account. Those monitors who remain continue to risk their lives for European ideals, for CSCE principles. I pay tribute to them.

As we said at the European Council in Lisbon on 29 June, the Community and its Member States believe that the immediate despatch of observers to Kosovo and to neighbouring states would contribute to the restoration of confidence.

The conflict in and around Nagorno-Karabagh is another tragedy which threatens wider instability. The European Community and its Member States urge all parties to negotiate in good faith for a peaceful settlement. We call for the early convocation, after the discussions in Rome, of the Minsk Peace Conference. The issue cannot be determined by force of arms. The same holds true of the conflicts in Georgia and Moldova.

Drawing on the lessons of these crises, the Community and its Member States have put forward proposals for resolving disputes and preventing conflicts. The CSCE should not be a watching by-stander, a hand-wringing onlooker to Europe's quarrels. The CSCE must develop the means and the will to act before fighting begins. We welcome the important decision to establish a High Commissioner on National Minorities. We welcome the agreement that the CSCE may request organizations such as NATO, the WEU and the European Community to help in peace-keeping.

With these decisions the CSCE has come of age as a regional organization, capable of acting in the framework of the UN Charter to maintain stability.

But the task of keeping the peace begins at home. The essence of democracy is to debate issues peacefully and to accept decisions fairly reached. Free and fair elections, open government, respect for human rights are not a fleeting novelty: they are an integral part of what 'Europe' means today.

The Community and its Member States will press for action in the CSCE against any CSCE governments which commit clear, gross, and uncorrected human rights violations. Such governments cannot expect to benefit from Community assistance.

Democratic principles and practices lie at the heart of the problems of minorities. As the events of recent months have shown, governments of states with national minorities on their territory must enable members of these minorities to participate freely and effectively in their country's public life.

To achieve our ambitions for the CSCE, the CSCE must use its different institutions effectively. We welcome the provisions in the Summit documents for support for the chairman in office in the exercise of his responsibilities, and for decision making in some circumstances by ad hoc groups of states.

The European Community was created to make war impossible among its members and to underpin democracy. It achieved that through close knit economic cooperation. You will not be surprised to hear therefore that, 35 years on, the Community is also committed to helping the new democracies in their historic transition to market economies and in tackling their formidable environmental problems. The relationship between thriving market economies and successful democracies is not an accidental one.

I would like also to make a few remarks in my national capacity. It is one thing to proclaim democracy another to maintain it.

To this end, I want to propose six ways to make the CSCE more effective.

First, the keynote for the future should be the 'Citizen's Europe'. Not a Europe for bureaucrats and politicians – a Europe for all its individual citizens. An integral part of modern democracy is the right of the citizen to challenge the State. Individuals need to know their rights and be able to obtain redress – whether in the matter of law or of essential services.

Second, we need thorough scrutiny of the record of States in putting Helsinki standards into practice. I am glad that the UK proposals in this area have been accepted.

Third, more effort in monitoring standards should serve to prevent conflict. But where this fails the CSCE has to face up to rising tensions, even outright conflict. CSCE member States must be willing not only to submit problems for investigation but also to adopt and implement the outcome.

The CSCE should be ready to assist at the early stages of ethnic rivalry. One feature of our new Europe is the fact that the dissolution of the former Soviet Union has left some 25 million Rus-

sian-speakers living beyond the borders of the Russian Federation. Other delicate and complex minority issues have emerged. The High Commissioner for Minorities can perform an historic task in helping all the states concerned come to terms with these realities.

Fourth, we need a politically binding Code of Conduct on security relations between states. This should cover the subordination of armed forces to democratic government, and the circumstances in which a state's armed forces might support the civil power. The UK will work hard in this area.

Fifth, this summit will increase the range and depth of CSCE activities. But this does not require a large new bureaucracy. The CSCE's administrative core needs to remain small. And the CSCE should not take on tasks tackled satisfactorily elsewhere. It can and should call on the resources of existing bodies. It has done so today, by accepting the principle of recourse to international organizations for peace-keeping.

Sixth, the CSCE should appoint a Secretary-General to assist the chairman in office.

Such an office would provide continuity in our work and represent the CSCE internationally, adding to its authority.

At this summit we have the new Europe assembled. It is a momentous occasion. The CSCE not only helped end the Cold War. It enabled it to end peacefully, in a spirit of democracy and cooperation.

If CSCE membership is only a formality, then this organization will be a sham. What counts is not what we have said, not even what we have signed. What counts is what we now do to give our commitments real meaning in the lives of the citizens of the new Europe.

92/271. Question No 536/92 by Ms Ewing (ARC) on East Timor – massacre at Dili

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 March 1992)

Given that the Indonesian Commission of Inquiry into the mass shootings on 12 November 1991 in Dili, East Timor, in which 50 people were killed, admitted that 'it finds fault with the actions of a number of security personnel which exceeded acceptable norms', will the Foreign Ministers send a clear message to the Indonesian ambassadors to all of the EC Member States stating that the EC is not prepared to accept this or any future armed repression of the East Timorese people?

Answer:

As the honourable parliamentarian will be aware from the reply to her Oral Question No H-206/92¹ the Community and its Member States are following with deep concern the human rights situation in East Timor.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991² and the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991. This concern has furthermore been the object of a great number of common statements and *démarches* to the Indonesian authorities.

The Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in November 1991, causing the death of many innocent and defenceless citizens. In their statement on 3 December 1991³ they have further called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

The Community and its Member States have on 13 February 1992⁴ issued a new statement expressing their position on this problem, namely that those developments be followed by concrete and effective steps to improve significantly the human rights situation in East Timor. The Community and its Member States welcomed the involvement of the UN in this process and are now looking forward to a report from the visit to Indonesia and East Timor of the personal representative of the UN Secretary-General.

1 *EPC Bulletin*, Doc. 92/135.

2 *EPC Bulletin*, Doc. 91/194.

3 *EPC Bulletin*, Doc. 91/429.

4 *EPC Bulletin*, Doc. 92/062.

92/272. Question No 608/92 by Mr de Vries (LDR) on human rights violations in Egypt

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 23 March 1992)

In recent months, Amnesty International has twice called attention to cases of torture, indefinite detention, and 'disappearances' in Egypt ('Egypt. Ten years of torture', October 1991; 'Egypt: Security police detentions undermine the rule of Law', January 1992).

What specific action have the Twelve undertaken in recent months to urge the Egyptian Government to end these violations of the International Covenant on Civil and Political Rights?

Answer:

The Community and its Member States have taken note of reports of human rights violations in Egypt, although the Amnesty International reports have not specifically been discussed in the framework of EPC. The Egyptian authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Egypt has subscribed by her adherence to international conventions on human rights.

The Declaration on Human Rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community and its Member State take account of the actions of third countries in respecting human rights and democracy when they formulate their policies towards the country concerned.

1 *EPC Bulletin*, Doc. 91/194.

92/273. Question No 677/92 by Mr Penders (PPE) on boycott of Dutch goods and services

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 26 March 1992)

1. Is European political cooperation aware that radio stations and other media in Greece are calling for a boycott of Dutch goods and services?
2. What is the position of the Greek Government with regard to this boycott?
3. To what extent has the Dutch economy suffered and what further damage is expected?
4. Is European political cooperation able to contribute to ending the boycott and, if so, is it prepared to do so?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/274. Question No 696/92 by Ms Oddy (S) on a prisoner of conscience in Greece (Timotheos)

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 23 March 1992)

What action will the Foreign Ministers meeting in Political Cooperation take to persuade the Greek Government to introduce a right of conscientious objection in Greek law and to provide alternative civilian service to military service? Will pressure be placed on the Greek authorities to release prisoners of conscience such as the above-named person?

Answer:

The question raised by the honourable parliamentarian does not fall within EPC competence.

92/275. Question No 962/92 by Mr Papoutsis (S) on Turkish annexation of the occupied territories of Cyprus

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 15 April 1992)

What steps do the Foreign Ministers meeting in EPC intend to take in response to the provocative action by the self-styled 'State' proclaimed by Denktash which is, utterly illegally, going ahead with the full annexation of the occupied territories of Cyprus and the expropriation of the property of the Greek Cypriot refugees, issuing bogus certificates of ownership to the settlers?

Answer:

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the efforts of the UN Secretary-General aimed at finding a just and viable

solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions and high level agreements.

The Community and its Member States support Security Council Resolution 750/92, and welcome the forthcoming proximity talks between the communities in Cyprus, to be chaired by the UN Secretary-General in New York from 18 June 1992. They continue to urge all concerned to cooperate fully with the Secretary-General and his representatives to resolve outstanding issues.

92/276. Question No 1001/92 by Mr Arbeloa Muru (S) on death sentences in Pakistan

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 27 April 1992)

Can the Ministers meeting in European political cooperation protest to the Government of Pakistan at the death sentences imposed by the Special Courts for Speedy Trials following trials which barely last three days? Can they question the very existence of such courts, which do not comply with internationally recognized standards of impartiality?

Answer:

The European Community and its Member States are concerned to ensure that in countries where the death penalty still exists, the rights of those facing the death penalty should be safeguarded in line with legal guarantees laid down in the International Covenant on Civil and Political Rights and other international instruments.

During the 44th General Assembly in 1989, the Community and its Member States supported the adoption of a second optional protocol to the International Covenant on Civil and Political Rights providing an international mechanism for the abolition of the death penalty. The optional nature of the second protocol means that its impact depends upon the political will of states parties to the covenant to decide upon ratification or accession.

The Community and its Member States encourage all states who have not yet done so, including Pakistan, to accede to the International Covenant on Civil and Political Rights and other relevant international human rights treaties.

In the wider context of human rights, the Pakistani authorities are well aware of the importance that the Community and its Member States attach to the scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹, and the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991.

¹ *EPC Bulletin*, Doc. 91/194.

92/277. Question No 1002/92 by Mr Arbeloa Muru (S) on missing persons in Mauritania

Date of issue: 10 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 27 April 1992)

Can the Ministers meeting in European political cooperation inquire into the fate of Sow Abou Mahadou, a 33-year-old sailor from Djeol in the south of Mauritania, who 'disappeared' some months ago after being arrested in December 1990 and held incommunicado in Nouakchott? Can they also inquire into the situation of hundreds of political prisoners who have not been released and about whose fate nothing is known?

Answer:

The Community and its Member States continue to follow closely the situation of human rights in Mauritania. Reports on human rights violations refer mainly to the period that followed the alleged *coup* attempt in November 1990, during which about 300 people died as a result of those violations. One Sow Abou Mamadou is reported to be among those whom eyewitnesses say died in detention, but is not yet clear whether this is the same man as the one mentioned in the honourable Member's question.

Following the general amnesty granted in March 1991 there is no evidence, however, of political prisoners still being held in detention. It should be underlined that important progress has been made in the human rights field as a result of the democratization process launched by the Mauritanian authorities. This process has also been accompanied by the improvement of inter-ethnic relations, the source of many of the human rights violations since 1989. Furthermore, it might be expected that the victims of the events of 1990/91 receive an indemnity.

The Mauritanian authorities are fully aware of the importance which the Community and its Member States attach to respect for human rights. The Community and its Member States have repeatedly stressed that the protection of human rights is the legitimate concern of the world community and of states individually and that respect for human rights will continue to be an important element in their relations with third countries.

92/278. Question No 371/91 by Ms Piermont (ARC) on the hunger strike in Spanish prisons

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 7 March 1992)

For over a year approximately 40 prisoners in Spanish prisons have been on hunger strike. Having been kept in groups until 1987, they were then separated and transferred to different prisons, clearly as a result of the decisions of the Trevi Group. The prisoners demand to be returned to their groups. One prisoner has already died as a result of the hunger strike. The others are extremely ill and further deaths are to be feared.

1. Were the prisoners transferred as a result of the decisions of the Trevi Group on the harmonization of internal security policy? Was the Spanish Government requested to disperse the groups of prisoners?
2. What measures has EPC taken, or what measures will it take, to prevent further deaths?
3. Would EPC support mediation by the Red Cross, whose intervention has already proved successful in a previous case?
4. Would EPC support the sending of a delegation of Members of the European Parliament, doctors and lawyers to Spain in an endeavour to solve the problem?

Answer:

The subject raised by the honourable Member is not of EPC competence.

92/279. Question No 727/91 by Mr Colajanni (GUE) on the clandestine 'Gladio' network

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 23 April 1991)

There have been many reports, including those based on official sources, on the existence of a clandestine parallel intelligence and armed operations organization.

The European Parliament adopted a resolution on 22 November 1990¹ calling for a full investigation into the activities of this organization.

Having regard to paragraphs 5 and 6 in particular of the above resolution:

1. Can EPC provide the European Parliament with information on the activities of these secret intelligence and operational services?
2. Can it report on any action which these services have taken to destabilize the democratic structures of the Member States and on their involvement in subversive and terrorist plots which have led to various unexplained violent events in recent years?

Answer:

The question raised by the honourable Member has not been discussed within the EPC framework.

¹ Minutes of proceedings of the sitting of 22 November 1990.

92/280. Question No 839/91 by Mr Arbeloa Muru (S) on combating illegal employment

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 3 May 1991)

What does EPC consider to be the best way of combating 'illegal employment' as discussed at the last Vienna Conference in January 1991?

Answer:

The question raised by the honourable Member does not fall within the scope of European political cooperation.

92/281. Question No 1219/91 by Mr Robles Piquer (PPE) on Iranian attire law

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 June 1992)

Can the Ministers meeting in European political cooperation give details concerning the new Attire Law promulgated by the Iranian authorities, which forbids men from wearing ties or short

sleeved shirts and obliges women to wear a black veil, a 'chador', that covers them from head to foot?

Answer:

This subject has not been discussed within the EPC framework. According to recent information provided by the Iranian Embassy in Brussels men are not forbidden to wear ties or short sleeved shirts in Iran and women are not obliged to wear the 'chador'.

92/282. Question No 1227/91 by Mr Arbeloa Muru (S) on unfair trials in Rwanda

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Have the Foreign Ministers meeting in European political cooperation taken any steps to ensure that trials of rebels held in Rwanda are conducted by independent and impartial judges, in line with the recommendations of Amnesty International following the trials held in January?

Answer:

The Community and its Member States have carried out several *démarches* on the human rights situation in Rwanda since the date mentioned by the honourable Member and beforehand. The authorities of Rwanda are in no doubt about the importance the Community and its Member States attach to the full respect of human rights and the rule of Law, which implies that trials be conducted by independent and impartial judges. The Community and its Member States take note of the steps taken recently by the new transitional government in Kigali towards democratization and hope that further measures will follow soon, namely constitutional reforms, the acceptance of responsibilities regarding Rwandan refugees and the starting of formal negotiations with the RPF. The Community and its Member States will continue to follow developments in Rwanda closely.

92/283. Question No 1228/91 by Mr Arbeloa Muru (S) on murders in Uganda

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Have the Foreign Ministers meeting in European political cooperation investigated allegations concerning the extra-judicial execution of civilians by soldiers in recent months in rural areas of Uganda in which the army is combating insurgency, particularly in Pallisa, Bugondo and Soroti? Have they requested that the committee created by the Minister of State makes public its findings on incidents which occurred in rural areas in 1988 and at Makerere University in December 1990?

Answer:

The situation of human rights in Uganda as a whole is under permanent review in the EPC framework. Allegations like the ones mentioned by the honourable Member are addressed in that context and action is eventually decided. For example, at the Consultative Group meeting of donors in

Paris [on] 18 and 19 May, the Commission and Member States expressed their concern over a number of human rights issues in Uganda. Therefore, I can assure the honourable Member that the authorities of Uganda are in no doubt as to how closely the Commission and its Member States are following developments in this field and of the implications of their behaviour for future relations between the Community and its Member States and Uganda.

92/284. Question No 1230/91 by Mr Fernández-Albor (PPE) on meetings of Heads of State of Community countries

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 June 1991)

Meetings of the European Council have accustomed public opinion in the Community to the 'family portrait' of the Heads of State or Government, who meet three times a year and whose summits determine the main Community issues.

However, a large sector of public opinion in the Community often wonders why all of the Heads of State of the Community countries do not also meet on some occasions, in what would come to be a truly representative summit.

Do the Ministers thus consider that, in certain circumstances, meetings of the Heads of State of the Community countries should be organized, in order to authenticate their status as national representatives?

Answer:

Meetings of the European Council gather Heads of State or Government of the Member States to discuss both Community and inter-governmental matters. In conformity with the Declaration of Stuttgart of 19 June 1983 they may convene as Council of the European Community or as national representatives on a governmental level.

92/285. Question No 1261/91 by Ms Izquierdo Rojo, Mr Cano Pinto, Mr de la Cámara Martínez, Mr Bofill Abeilhe, Mr Arbeloa Muru, Mr Álvarez de Paz, Mr Cabezón Alonso, Ms Díez de Rivera Icaza, Ms García Arias, Mr Sanz Fernández, Mr Sapena Granell, Mr Sierra Bardají, Mr Vazquez Fouz and Mr Duarte Cendan (S) on moves to launch the Conference on Security and Cooperation in the Mediterranean (CSCM)

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 14 June 1991)

In view of the favourable position adopted by the Council concerning the launching of a Conference on Security and Cooperation in the Mediterranean does European political cooperation envisage the troika will draw up a programme of action to encourage progress with this conference? What moves in this direction are being envisaged?

Answer:

The honourable Members are kindly referred to the reply given on 15 May 1991 to Oral Question No H-255/91,¹ which reflects the position of the Community and its Member States.

The Community and its Member States continue to attach great importance to the enhancement of security and cooperation in the Mediterranean and are ready to support and promote efforts in that direction.

¹ *EPC Bulletin*, Doc. 91/134.

92/286. Question No 1318/91 by Mr de Vries (LDR) on the troika

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 24 June 1991)

What visits have been made by the troika to third countries since 1 January 1985? What countries were visited? Which ministers or secretaries of state made up the troika on each of these occasions?

Answer:

The honourable parliamentarian will find an answer to his question in the enclosed document on 'political dialogue with third countries and groups of countries in the framework of the European political cooperation'.

92/287. Question No 2242/91 by Mr De Rossa (CG) on racism and xenophobia

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 4 October 1991)

Will EPC state, with regard to the report of the Committee of Inquiry into Racism and Xenophobia (1990 (A3-0195/90)) which of the recommendations, Nos 75-77, which fall within the competence of EPC, have been implemented and what consideration has been given to recommendations which await implementation?

Answer:

In response to the issue raised by the honourable Member, the Presidency intends to address the three recommendations formulated by the Committee of Inquiry into Racism and Xenophobia and directed to European political cooperation one by one.

When it is recommended in the aforementioned report 'that the growth of racism, antisemitism and xenophobia in many countries of Eastern Europe be discussed in the light of the Community's relation with them' (recommendation No 75), the Presidency, on behalf of the Community and its Member States, wishes to draw the honourable Member's attention to the position endorsed at the highest level in Maastricht on 10 December 1991,¹ following the Declaration against Racism and Xenophobia by the European Parliament, Council and Commission of 11 June 1986² and its own declaration issued in Dublin on 26 June 1990.³ The European Council indeed noted that, in connection with the upheavals in Eastern Europe, sentiments of intolerance and xenophobia were

manifesting themselves in extreme forms of nationalism and ethnocentrism. It accordingly indicated that the policies of the Community and its Member States towards the countries concerned would aim to discourage strongly such manifestations.

Reacting to the Committee of Inquiry's recommendation 'that problems faced by non-Community nationals of ACP States and other states resident in the Community be examined in the light of the Community's relations with the ACP States (paying particular attention to the procedure for dialogue provided for in Lomé IV) and other states' (recommendation No 76), the Presidency would stress the fact that Heads of State and Government, in their Declaration on Racism and Xenophobia of 10 December 1991, asked 'Ministers and the Commission to combat discrimination and xenophobia, and to strengthen the legal protection for third country nationals in the territories of the Member States'. In this connection, they furthermore expressed revulsion at racist sentiments and manifestations, including expressions of prejudice and violence against foreign immigrants and exploitation of them and underlined their unacceptable character.

In the light of recommendation No 77 which states that 'the Foreign Ministers meeting in Political Cooperation should fully discuss the implications of recommendation No 49 which calls upon the Council to make a declaration that any country seeking to join the European Community must be committed to the European democratic traditions of tolerance, the elimination of all forms of discrimination connected with belonging or not belonging to an ethnic group, nation, race or religion, and be a signatory to the appropriate international and European Conventions, and take steps to combat xenophobia and antisemitism with, if necessary, denazification measures, enabling that country to meet Community standards for the prevention and repression of racism and xenophobia', the Presidency wishes to make the following considerations:

- (a) The Maastricht Declaration on Racism and Xenophobia clearly indicates the European Council's conviction 'that respect for human dignity is essential to the Europe of the Community and that combating discriminations in all its forms is therefore vital to the European Community as a community of states governed by the rule of law. The European Council therefore considers it necessary that the Governments and Parliaments of the Member States should act clearly and unambiguously to counter the growth of sentiments and manifestations of racism and xenophobia'.
- (b) On 10 December 1991, Heads of State and Government stressed again the undiminished validity of international obligations with regard to combating discrimination and racism to which the Member States of the Community have committed themselves within the framework of the United Nations, the Council of Europe and the CSCE.

It may be assumed that candidates for accession to the EC are fully aware of the importance the Community and its Member States attach to the principles of democratic representation, the primacy of law, social justice and the protection and promotion of human rights which form an integral part of the European identity defined and progressively refined by the Member States and the institutions.

In the light of the preceding and considering that the European Council, as the highest decision-making body of the European Community, is setting out the future orientations of the EC while being the guardian of the Community *acquis*, the Presidency feels that the principles contained in the report by the Commission of Inquiry into Racism and Xenophobia are addressed in an adequate way by Heads of State and Government. The honourable Member may be assured that the European Council's standard setting is borne in mind when the Community and its Member States define their positions with regard to the issue of racism and xenophobia.

¹ *EPC Bulletin*, Doc. 91/434.

² *EPC Bulletin*, Doc. 86/164.

³ *EPC Bulletin*, Doc. 90/264.

92/288. Question No 1004/92 by Mr Arbeloa Muru (S) on prisoners of conscience in Tibet

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 27 April 1992)

The Amnesty International report of January 1992 refers to dozens of prisoners of conscience detained in the Autonomous Region of Tibet and states that the Chinese authorities have made no response whatever to Amnesty's appeals concerning human rights violations in the region. How has the Chinese Government responded to the Community's recent statements on this issue?

Answer:

The Community and its Member States remain concerned over the human rights situation in Tibet.

The Chinese authorities are well aware of the importance that the Community and its Member States attach to the scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991,¹ and the resolution and the regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991.

During the 48th Session of the Commission on Human Rights in Geneva on 27 January to 6 March 1992 the Community and its Member States engaged themselves on an initiative to promote a draft resolution on Tibet. The scope of the draft resolution was eventually widened to become a draft on China/Tibet, thus opening the way for a co-sponsorship by practically all Western group members. Despite the negative result in the voting, where a no-action motion presented by Pakistan was adopted, the effort underlined the consistent approach of the Community and its Member States to human rights violations world-wide.

The response by the Chinese authorities in the field of human rights issues has so far been unsatisfactory.

The Community and its Member States will continue to monitor developments in Tibet.

¹ *EPC Bulletin*, Doc. 91/194.

92/289. Question No 1105/92 by Mr Pierros (PPE) on educational problems experienced by the Greek minority in Istanbul

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 May 1992)

There are now only 11 primary schools, with 200 pupils, and four secondary schools, with 190 pupils, for Greeks in Istanbul and they are facing serious problems owing to the shortage mainly of teachers but also of pupils.

The Turkish State has appointed only one head teacher of Greek origin to one of the secondary schools and four head teachers of Greek origin to four of the primary schools. The Turkish authorities have entrusted the running of the 10 remaining schools to Turkish deputy head teachers after removing head teachers of Greek origin either by dismissing them or forcing them to resign – a tactic also used in respect of various other teachers of Greek origin.

It should also be pointed out that this unacceptable situation reflects the Turkish authorities' whole approach to the Greek minority, whereas all the head teachers of the Muslim schools in Thrace (there are over 150 such schools) are Muslim.

The Turkish authorities' refusal to appoint head teachers of Greek origin proposed by the school boards and their slowness appointing their own hand-picked nominees is also a provocation.

Lastly, the few Greek books authorized by the Turkish Education Ministry are battered and out-of-date. What specific representations do the Foreign Ministers meeting in EPC intend to make to the Turkish authorities to lift these restrictions and enhance the educational status of the Greek minority in Istanbul as provided for in the Treaty of Lausanne?

Answer:

The Community and its Member States are aware of reports about educational problems experienced by the Greek minority in Istanbul, whose numbers have declined significantly. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to the Lausanne Treaty and to international conventions on human rights, including the rights of minorities, as it is provided for in the Charter of Paris, the document of the Copenhagen meeting of the CSCE, the document of the Geneva meeting on national minorities and the document of the Moscow meeting of the CSCE. The declaration on human rights adopted by the Luxembourg European Council in 1991¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/290. Question No 1159/92 by Mr Nianias (RDE) on respect for human rights of Greek minority by the Turkish Government

Date of issue: 13 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 15 May 1992)

In Greece the Muslim minority enjoys full rights and is even represented in the Greek Parliament by two Muslim MPs, who have never ceased to criticize the Greek State and Government both inside and outside Greece without hindrance. In Turkey, however, the freedoms of the Greek minority are being flouted. In 1923, when the Treaty of Lausanne was signed, they numbered 110.000. Now, however, their numbers have been reduced to less than 3.000. This is the result of the continuous and flagrant violation of their human rights and the violent persecution of the Greeks of Istanbul, Imvros and Tenedos by the Turkish Government, as recorded in the recent report by the international human rights organization, Helsinki Watch.

Given the Community's concern for human rights, which it has repeatedly expressed to the Turkish authorities, how will EPC use its influence to ensure that the Turkish Government complies with its obligations under international law and the conventions to which it is a signatory?

Answer:

The Community and its Member States are aware of the recent Helsinki Watch report on the situation of the Greek minority communities in Istanbul and on the islands of Imvros and Tenedos. The issue has been the subject of discussion in the House on numerous previous occasions. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to the Lausanne Treaty, especially Article 14, and to international conventions on human rights, including the rights of minorities, as it is provided for in the Charter of Paris, the document of the Copenhagen meeting of the CSCE, the document of the Geneva meeting on national minorities and the document of the Moscow meeting of the CSCE. The declaration on human rights adopted by the Luxembourg European Council in 1991¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/291. Statement on the bombardment of Gorazde

Date of issue: 14 July 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The European Community and its Member States make clear their condemnation of the bombardment by Serb forces of the city of Gorazde and other cities in Bosnia. These brutal and indiscriminate attacks upon defenceless civilians are wholly contrary to the basic humanitarian precepts of international law.

They call for an immediate end to these attacks, urgent measures to relieve the suffering and deprivation of the population, and for a resumption, without preconditions and in good faith by all parties concerned, of serious negotiations in Lord Carrington's Conference.

92/292. Statement on the detention of Ms Aung San Suu Kyi

Date of issue: 20 July 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States, recalling that 20 July is the third anniversary of Ms Aung San Suu Kyi's detention in Rangoon, call on the State Law and Order Restoration Council immediately to lift the restrictions imposed on Ms Aung San Suu Kyi to enable her to travel to and from Burma as she wishes and to allow her the opportunity to participate in the political process. We believe that this will open the way to national reconciliation in Burma and the early establishment of a democratically elected civilian government, reflecting the wishes of the Burmese people as expressed in the elections of May 1990.

92/293. Statement on Rwanda

Date of issue: 20 July 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States noted with satisfaction the signing by the Rwandan Government and the RPF of the Arusha Agreement on the establishment of a cease-fire, paving the way towards political negotiations and to the conclusion of a peace agreement.

The Community and its Member States welcome the desire for peace on the part of all those who have contributed to this agreement.

The Community and its Member States request all parties concerned to take advantage of this spirit of conciliation, to do all they can to ensure that the commitments in the Arusha Agreement are respected and implemented, so that peace can be restored in Rwanda.

92/294. Statement on Yugoslavia

Date of issue: 20 July 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States express their deep concern that the agreement between the parties in Bosnia and Herzegovina, signed [in] London on 17 July under the aegis of the EC Conference on Yugoslavia, has not yet come into effect. All parties must comply fully and immediately with it and scrupulously observe the cease-fire throughout Bosnia and Herzegovina. They welcome the prompt action by the UN Security Council, working in close cooperation with the EC Conference on Yugoslavia, to put into effect the supervision of the heavy weaponry specified in the London agreement.

The Community and its Member States reaffirm their full commitment to the work of the EC Conference, chaired by Lord Carrington. It has the central role in the search for a fair and lasting political solution to the problems of the former Yugoslavia, including constitutional arrangements for Bosnia and Herzegovina. They favour close consultation between the EC conference, the CSCE and the UN in support of the continuing efforts of the international community on the Yugoslav crisis. These consultations could lead to the broadening and intensification of the present conference.

The Community and its Member States condemn all policies of ethnic cleansing and forced expulsions. Attacks on unarmed civilians, such as those by Serb forces at Sarajevo and Gorazde, are wholly contrary to the basic precepts of international humanitarian law. The Community and its Member States intend to pursue vigorously in the CSCE the possibility of sending rapporteur missions to places where attacks have been reported.

Considerable resources are urgently needed for refugee relief, preferably in areas closest to the original place of residence. An additional MECU 120 package of emergency assistance provided by the Community is being made available immediately. All aid of this kind and a corresponding effort to be organized in the G24 context must be directed to wherever and for whatever purpose it is most urgently needed in the former Yugoslavia. The Community and its Member States warmly welcome the UNHCR's decision to convene a conference in the immediate future on the flood of refugees in and from the former Yugoslavia, which will need to consider urgently an equitable so-

lution to the problems caused by the potential in-flow of refugees into neighbouring countries. They commit themselves to cooperate wholeheartedly with this conference, to assume their responsibilities in this context and to call upon Interior and Justice Ministers to give their urgent attention to this issue. They call on all parties to facilitate the provision of humanitarian aid in particular to areas of Bosnia and Herzegovina which remain in desperate need of assistance, including through the establishment of humanitarian corridors.

The Community and its Member States welcome the advice of the Arbitration Commission of the Conference on Yugoslavia, chaired by Mr Badinter. It is for Serbia and Montenegro to decide whether they wish to form a new federation. But this new federation cannot be accepted as the sole successor to the former Socialist Federal Republic of Yugoslavia. In the light of this, the Community and its Member States will oppose the participation of Yugoslavia in international bodies. The Presidency will make early arrangements for the missions of the Community and its Member States to the international organizations to prepare proposals to implement this policy. The UN sanctions against Serbia and Montenegro and all UN resolutions should be maintained and strictly implemented. In this respect, the Community and its Member States welcome the decisions taken by WEU and NATO to monitor the implementation of the UN sanctions at sea.

The Community and its Member States are impressed by the courageous performance and the practical achievements of their monitoring mission. They are willing to reinforce these activities in close cooperation with UNPROFOR. The Monitoring Mission, acting under its remit from CSCE, would also be ready to monitor in particularly sensitive border areas in the region. Discussions on this with the various parties will be taken forward by the Presidency.

The Community and its Member States express their sadness at the recent death on duty of two French members of UNPROFOR. They send their condolences to the men's families and to the Government and people of France.

92/295. Opening Statement at the ASEAN post ministerial conference in Manila, held on 24 to 26 July 1992 (6+7 meeting)

Date of issue: 28 July 1992

Place of issue: Manila

Country of Presidency: United Kingdom

Status of document: Statement in international forum

Mr Chairman, Your Excellencies, Ladies and Gentlemen, I should first like to thank you, Mr Chairman, for the very warm welcome you have extended to all of us.

Last year in Kuala Lumpur my Dutch colleague, Hans van den Broek, referred to the far-reaching developments which had transformed the international scene. That process has continued in a way which few if any of us could have predicted a year ago. They are affecting all our lives. Your region has fortunately escaped the great upheavals we have seen in Europe, particularly in Yugoslavia.

I congratulate our ASEAN hosts and colleagues on the 25th anniversary of the foundation of ASEAN, when the five original member States came together on August 1967 in Bangkok. ASEAN is an intriguing and possibly unique organization. It is not the creature of a formal treaty, but rather flows from a solemn declaration of a commitment based on the spirit of togetherness. Another nine years passed before a more formal international agreement – the Treaty of Amity and Cooperation signed at Bali in 1976 came into being – when ASEAN Heads of Government pledged themselves to close cooperation with each other and began tentatively on the first steps towards creating an economic community.

In the last few years, the world has woken up to the truth that the future of all regions is closely interlocked. The recognition of inter-dependence was best demonstrated at the UN Conference on Environment and Development at Rio de Janeiro last month. More than 100 Heads of State and Government did not agree on everything; but they did agree to work together to protect the environment, on the importance of sustainable development and the husbanding of irreplaceable resources. It was a success but only a beginning. It will be important to implement the commitments made at Rio.

The regions now also work together elsewhere at a global level. You see this teamwork in action in the European Community delegation here, where I am flanked by my fellow members of the troika from Portugal, Denmark and the Commission. The Community is the only grouping, I understand, with whom ASEAN conducts formal and regular exchanges at ministerial level, in addition to contact at this Post Ministerial Conference. That demonstrates the importance you and we attach to our relations. We have established a robust and valuable relationship. We can do business with each other. We benefit from each other's strengths and outlook.

Our principal strengths are those of economic partners. Our direct involvement is diverse, but is mostly through our companies and businessmen, and through our investment. We believe in working for freer and more open markets. We also recognize that we are dealing with one of the fastest growing regions of the world with a year-on-year growth rate of an average of 7% in 1990/91. Our trade is still expanding; business is expected to grow fast between now and the end of the century, having risen from 8 billion pounds to 27 billion pounds between 1980 and 1990.

Our economic links are our strengths, and we all must avoid a growing threat from economic and trade frictions. In this context, I want to stress the Community's continuing commitment to concluding the GATT Uruguay round successfully. Early conclusion of the negotiations will boost the world economy, giving new opportunities to expand international trade. The Community recognizes how important this is for developing countries and will continue to work for early progress.

We welcomed your suggestion at the ASEAN Singapore Summit that ASEAN should intensify its dialogue with others on political and security matters, particularly through the Post Ministerial Conference. The collapse of the Soviet Union, the end of super-power rivalry and reduction of international tension has also affected this region. But problems remain and we look forward to addressing them in more detail later in our discussions. On the positive side we particularly welcome the active role which ASEAN plays in bringing peace to Cambodia. The Paris agreements and the UN operation are the only way forward. We are concerned that the Khmer Rouge have so far failed to comply with their obligations under the Paris agreements particularly in cooperating with UNTAC over implementation of phase 2 of the cease-fire. We need to continue to work together to ensure that the UN timetable, leading to elections in April/May next year. This has been reconfirmed earlier this week in an unanimous resolution at the Security Council. Determination in the face of Khmer Rouge obduracy is the best way of convincing the Khmer Rouge that the international will is not going to bend and that we are determined to find a way of legitimizing a government in that country through free and fair elections. To fail would undermine the credibility of the United Nations in an operation which is the largest and most expensive ever in its history.

This year, we warmly welcome the accession of Vietnam and Laos to the Bali Treaty on Amity and Cooperation. This marks a turning point in the history of the region. We welcome the fact that countries which once posed a serious threat to the stability of the region are now ready to work with their neighbours. We look forward to discussing these regional developments with you, and considering the further changes – for example in Burma – that might help this process forward.

The United Kingdom took over the Presidency of the Community at the beginning of the month. We have a heavy agenda: the future of the Maastricht Treaty, the completion of what we call the Single Market in Europe, GATT, and preparation for enlargement of the European Com-

munity are among the challenges. We will be working closely with the Danes and our other European partners to find a way forward from Maastricht acceptable to all, allowing the Community to advance as twelve. On the Single Market, about 10% of the original proposals remain to be agreed – inevitably the most difficult 10%, but we intend to complete the task under our Presidency.

Conclusion of the GATT Uruguay Round is the most important external item. But we also look forward to the eventual expansion of the Community. Seven countries have applied so far for membership and more are likely. We believe strongly that new accessions will strengthen the Community. We will also be strengthening our relations with other European countries. From outside, it may seem that Europe is preoccupied with its internal problems and those of its near neighbours. But we are not, and I want to emphasize this, building a wall around what we are constructing. The Community will remain a committed player on the international stage, developing its links with a wide range of countries. ASEAN is important to us, and we will continue to develop our dialogue, to our mutual benefit.

Before concluding, I must turn to a matter which I know is a sensitive one for ASEAN and on which we must continue to work – the issue of human rights. This issue will not go away. It is an integral part of the understanding between peoples and their governments within societies, and between states. An understanding of this ensures the stability of a society and creates the circumstances for economic prosperity. I underline the word ‘understanding’. We are not talking of the imposition of the values of one section of the world on another section with different values. We are talking about an understanding of shared values and agreement on how they can be applied. The significance of this discussion has been reflected in the statements, resolutions and decisions which the Community has adopted since we last met including the November 1991 Council Decisions, and explains why respect for human rights is now recognized as an essential element in international relations. I take some encouragement from the fact that our dialogue over the past year on these matters has intensified.

Meanwhile during the past year, the Community has not been idle. One chapter in Maastricht has passed almost unnoticed. Development cooperation was brought for the first time into the Treaty. For the first time in a programme which has run for over 30 years, the Community has agreed on its objectives. They focus on the sustainable economic and social development of developing countries, particularly the most disadvantaged, on their integration into the world economy, and on the campaign against poverty in developing countries. Community policy will contribute to developing and consolidating democracy and the rule of law, and the respect of human rights and fundamental freedoms. We believe that encouragement of good government should be a basic aim of development policy, with funds directed towards those countries which demonstrate that they are committed to achieving it. Community programmes have begun to move in that direction and will develop over the next few years.

I have touched briefly on a number of themes. We will want to explore them in more depth during our discussions. I look forward to them.

92/296. Opening Statement at the ASEAN post ministerial conference in Manila held on 24 to 26 July 1992 (6+1 meeting)

Date of issue: 28 July 1992

Place of issue: Manila

Country of Presidency: United Kingdom

Status of document: Statement in international forum

Mr Chairman, Your Excellencies, Ladies and Gentlemen, our talks yesterday and this morning together with ASEAN's other dialogue partners were stimulating and rewarding. They showed how far-reaching the changes in this region have been and confirmed how much we have to share. We realize the importance of responding positively and flexibly to the new challenges we face. This

opportunity for constructive dialogue on a wide range of issues – economic and trade cooperation, political and regional matters, including human rights on which I set out clearly the Community's position yesterday – is a valuable contribution of improving mutual understanding in a fast-changing world.

The EC's relationship with ASEAN has many facets. Our dialogue on political and regional issues is one central element. But the Community and ASEAN are also linked in practical ways, within the framework of the EC/ASEAN Cooperation Agreement signed in 1980. ASEAN and Community Foreign Ministers, at their meeting in Luxembourg last year, welcomed the progress that had been made since the signature of that agreement and decided that the agreement should be revised in order to take account of the changed circumstances and priorities in both regions.

We do not have to look far for evidence of these changes. The ASEAN countries have sustained impressive economic growth. Your industrial and commercial sectors have become increasingly sophisticated and diversified. Your trade and investment patterns are shifting. Now you have taken important first steps towards an ASEAN Free Trade Area. There have been very significant increases in the trade flows between us.

Developments in Europe have been equally striking; I spoke about some of them earlier: the Community's development and future enlargement; the challenge presented by the changes in Eastern and Central Europe and the former Soviet Union; the tragedy of the former Yugoslavia; the 1992 project to create a Single Market of some 340 million people.

Since we last met, the Community has approved a number of statements and resolutions, including the November 1991 Council decision.

Also since our ministerial meeting in May last year and the discussions at the 1991 Post Ministerial Conference in Kuala Lumpur, much preparatory work has been done on both sides to revise the agreement in order to reflect the increasing range of issues which inform our evolving relationship.

But despite this hard work and the high expectations on both sides, we are not today at the stage where formal negotiations can start. Community Foreign Ministers on 20 July exchanged views on the draft negotiating mandate for a new EC/ASEAN Cooperation Agreement. The issue of the respect of human rights in East Timor was raised in this context; the Council agreed to come back later to the matter.

Meanwhile, the Community and its Member States look forward to continuing our discussions today and to the EC/ASEAN ministerial meeting scheduled for late October in Manila.

92/297. Question No 775/92 by Mr Pierros (PPE) on the exodus of nuclear scientists from the former USSR

Date of issue: 31 July 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 April 1992)

It is reported that, on 17 February, the Foreign Ministers meeting in European political cooperation in Lisbon adopted a proposal for the creation of an international centre to redeploy approximately 4.000 nuclear scientists previously engaged on military programmes on peaceful research activities. The press officer of the Portuguese Presidency has already announced that the Community will contribute MECU 50 (USD 65 million) to set up this international centre. Can European political cooperation provide more detailed information (timetable for setting up the centre, technical backup, participation in Community research programmes etc.) on this matter which is gen-

erally considered worthy of support since it would prevent the mass exodus of Soviet nuclear experts to undesirable destinations?

*Answer*¹:

Acting on the Council's directives, the Commission negotiated with the United States, Japan and Russia an agreement setting up an International Science and Technology Centre in Russia. That agreement was initialed in Lisbon on 24 May. Signature is scheduled for the end of July and for the Community will be subject to conclusion, pending receipt of the Parliament's opinion under Article 235 of the EEC Treaty.

The ISTC will develop, approve, finance and monitor science and technology projects for peaceful purposes, which will be carried out primarily at institutions and facilities located in the Russian Federation and other interested states of the CIS and Georgia.

The objectives of the ISTC will be:

- to give weapons scientists and engineers (particularly those working with weapons of mass destruction or missile launching systems) opportunities to direct their talents towards peaceful activities, and thereby
- to contribute, through projects and activities, to the solution of national or international technical problems and to wider goals, such as consolidating the transition to a market-based economy, supporting technological research and development (e.g. in the fields of environmental protection, energy production and nuclear safety) and promoting the further integration of scientists into the international scientific community.

The Community will contribute MECU 20 to the Centre, the United States USD 25 million and Japan USD 20 million. Russia will finance the Centre's facilities and various items of local expenditure.

¹ This reply has been given by the Council of the European Communities, within whose province the question came.

92/298. Statement on Yugoslavia

Date of issue: 6 August 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States view with deep concern recent press reports alleging that a large number of Bosnian civilians are being detained in camps against their will by the local Serbian authorities in eastern and northern Bosnia-Herzegovina and subjected to ill-treatment. The Community and its Member States wholeheartedly endorse the UN Security Council statement of 4 August and insist that the authorities in Belgrade use their influence with the Serbs in Bosnia-Herzegovina to allow international observers, above all members of the ICRC, immediate and unconditional access to the sites of all camps, prisons and detention centres being used for the detention of prisoners in order to investigate the allegations of ill-treatment. The Community and its Member States condemn the existence of such camps which it finds repulsive and despicable and expect that the ICRC will be allowed free and continuous access to all camps, prisons and detention centres in Bosnia-Herzegovina.

The Community and its Member States are appalled by the blatant disregard for humanitarian principles shown by some parties to the conflict. They have repeatedly made clear that they con-

demn all forced expulsions on the grounds of ethnic background and all attacks on civilians, whoever is the perpetrator. Attacks on unarmed civilians are wholly contrary to the basic precepts of international humanitarian law.

The Community and its Member States recall that the UN Security Council has made clear that all parties to the conflict in former Yugoslavia are bound to comply with obligations under international humanitarian law and in particular the Geneva Conventions. Persons who commit or order the commission of grave breaches of the conventions bear individual responsibility for such breaches.

92/299. Statement on Côte d'Ivoire

Date of issue: 7 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States have noted with satisfaction the Government of Côte d'Ivoire's decision to release those detained following the regrettable events of February 1992. They sincerely hope that this will prove a significant step towards reconciling the government and opposition parties, which in turn will contribute to the democratic and stable evolution of the country.

92/300. Statement on Georgia

Date of issue: 7 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States welcome the release of those arrested in connection with the failed *coup* attempt in Tbilisi in June.

The Community and its Member States also welcome the lifting of the state of emergency and the restoration of rights of assembly. They see these positive measures and the hitherto largely successful implementation of the peace accord in South Ossetia as important steps towards national reconciliation.

The continued determination to hold free elections open to political groupings of all persuasions is another sign of the State Council's intention to lead Georgia towards respect for human rights, democracy and the rule of law. Such elections should result in a government regarded as legitimate by all Georgians, and thereby contribute to the resolution of internal disputes.

92/301. Statement on Mozambique

Date of issue: 12 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States welcome [the] signature on 7 August by President Chissano of Mozambique and Afonso Dhlakama, President of Renamo, of a joint declaration com-

mitting them to the signing of a general peace agreement by 1 October. They recognize the intensive preparatory efforts of both the Government of Mozambique and Renamo parties in reaching this agreement, and pay particular tribute to the mediating role played by President Mugabe of Zimbabwe. The Community and its Member States urge both sides to maintain the goodwill brought about by this breakthrough and to refrain from further armed confrontation so as to prevent additional loss of life before the general peace agreement is reached by 1 October. They hope that negotiations will be conducted in earnest to achieve agreement on the outstanding issues, as agreed, by 1 October. Those Member States currently involved in the peace talks, either as mediators or observers, will continue to provide all necessary advice and assistance to the negotiating parties in Rome to reach the earliest possible agreement.

The Community and its Member States urge that, in the spirit of this agreement, the parties now implement as quickly as possible the agreement of 16 July regarding access for humanitarian relief to those areas of Mozambique most seriously affected by the drought.

92/302. Statement on Afghanistan

Date of issue: 14 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status: Press statement

The Community and its Member States, recalling their statements on Afghanistan on 16 and 30 April, express their deep concern over the resurgence in fighting and condemn the loss of life, particularly among the unarmed civilian population.

The Community and its Member States call on all those involved to put an immediate end to the fighting and to enter into negotiation in order to seek a consensus, which can provide for a return to peace and the conditions for economic and social reconstruction.

The Community and its Member States appeal to the friends of Afghanistan to use whatever means of influence may be available to them to encourage all sides to the conflict to cease hostilities.

The Community and its Member States call on all those involved to respect the security and safety of all diplomatic missions and international organizations so as not to inhibit their efforts to assist the Afghan people affected by the fighting and not to prevent those wishing to leave Kabul from doing so.

92/303. Statement on the elections in Lebanon

Date of issue: 18 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States reaffirm their support for the independence, sovereignty, unity and territorial integrity of Lebanon. They welcome the prospect of a renewal of the democratic process in Lebanon. They recognize the importance of the elections for the future of Lebanon. They call for the elections to be conducted according to democratic principles and in the spirit of national reconciliation which characterized the Ta'if Accord. The Community and its Member States believe that only through fair and free elections, resulting in fully representative institutions, can national and international confidence in Lebanon be fully restored.

92/304. Question No 897/91 by Ms Dury (S) on international control of arms sales

Date of issue: 25 August 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 8 May 1991)

The Commission has announced its intention of promoting controls on arms sales at Community level. Its announcement was approved by the Council and the European Parliament.

However, it appears that the United States does not intend to impose restrictions on its own arms sales in the world, thereby undermining efforts to contain the risk of armed conflict.

What view does European political cooperation take of this and of the proposal by the Canadian Prime Minister, Mr Mulroney, to hold an international summit on measures to limit or possibly halt arms sales?

Answer:

In the declaration on non-proliferation and arms export adopted by the European Council in Luxembourg on 28 and 29 June 1991,¹ Heads of State and Government expressed their belief in the need for immediate and far-reaching international action to promote restraint and transparency in the transfer of conventional weapons and of technologies for military use, in particular towards regions of tension.

At an internal level, the Community and its Member States have since the Luxembourg European Council intensified their efforts to identify steps which could make possible a common approach to arms transfers. This has been done by examining possibilities for a common approach on the basis of the seven criteria approved by the Luxembourg European Council, when implementing their respective policies on arms exports, and by proposing appropriate measures to attune national export controls of military goods beginning with a comparison of national policies and the identification of common elements and differences in national regulations.

As a result of these efforts an eighth criteria has recently been approved concerning arms export controls. In addition, considerable progress has been made on finalization of lists of conventional arms to be controlled by all Member States.

The European Council in Maastricht on 9 and 10 December 1991² identified four areas related to security as areas which could be the subject of joint action. One of these was 'the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports'. The European Council requested the Ministers for Foreign Affairs to begin preparatory work with a view to defining the necessary basic elements for a policy of the Union by the date of the entry into force of the Treaty.

The Community and its Member States believe that, as expressed in the UNGA Resolution 43/75 I, 'arms transfers in all their aspects deserve particular serious consideration by international community *inter alia* because of:

- (a) their potential effects in further destabilizing areas where tension and regional conflict threaten international peace and security and national security;
- (b) their potentially negative effects on the progress of the peaceful social and economic development of all peoples;
- (c) the danger of increasing illicit and covert arms trafficking.'

The Community and its Member States consider that an increased level of openness and transparency in the field of armaments is therefore absolutely necessary to enhance confidence, pro-

mote stability, help states to exercise restraint in military production and the transfer of arms, ease tensions and strengthen regional and international peace and security. They are convinced that effective efforts in this field will have to be based on concerted international action.

In that spirit and as a first step, the Twelve and Japan tabled a draft resolution at the 46th UNGA which, in particular:

- requests the Secretary-General to establish and maintain a universal and non-discriminatory Register of Conventional Arms, to include data on international arms transfers as well as information provided by Member States on military holdings, procurement through national production and relevant policies, aims at achieving restraint and transparency in the transfers of weapons by means of a univer[s]al and non-discriminatory Register;
- requests the Conference on Disarmament to address, as soon as possible, the question of the interrelated aspects of the excessive and destabilizing accumulation of arms, including military holdings and procurement through national production, and to elaborate universal and non-discriminatory practical means to increase openness and transparency in these fields;
- requests the Conference on Disarmament to address the problems of, and the elaboration of practical means to increase openness and transparency related to the transfer of high technology with military applications and to weapons of mass destruction, in accordance with existing legal instruments.

This resolution has been approved with an overwhelming majority by the UN General Assembly and a panel of governmental experts is currently examining the modalities of its implementation. The result of its work is to be considered at the next UN General Assembly. The United States and Canada have strongly supported the adoption of this resolution and are involved with all work related to its rapid implementation.

¹ *EPC Bulletin*, Doc. 91/196.

² *EPC Bulletin*, Doc. 91/431.

92/305. Question No 1257/91 by Ms Oddy (S) on Guyana

Date of issue: 25 August 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 14 June 1991)

When did the Foreign Ministers meeting in European political cooperation last consider the situation in Guyana?

What steps will the Foreign Ministers take to send international observers to ensure that the forthcoming elections are observed by international observers?

Answer:

The Community and its Member States regularly exchange views, within the competent EPC Working Group, on Latin America and Caribbean developments likely to foster democratic government, including elections.

The Community and its Member States for instance discussed the decision taken by President Hoyte in late autumn last year to have the elections scheduled for 16 December 1991 postponed in what he qualified 'the absence of adequate electoral lists'. They are furthermore, through individual Member States, keeping contact with various candidates to the elections in order to be in a po-

sition to make an appropriate assessment of the pre-electoral situation in Guyana. The honourable Member may be assured that should there be evidence that the elections were not only postponed, but indeed jeopardized, the Community and its Member States would coordinate their views in order to take a common course of action in support of the respect for democratic procedures.

The Guyanese Government has invited the Carter Center and Commonwealth Secretariat to send observer teams to monitor forthcoming elections. The invitation to send observers has not been extended to other international groups or organizations but accredited diplomats in Guyana will be permitted access to all stages of the electoral process. On 8 June, the Guyanese electoral Commission published a provisional voters list for examination and correction by all political parties as a next step towards holding general elections.

92/306. Question No 316/92 by Mr Cravinho (S) on the situation in East Timor

Date of issue: 25 August 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 27 February 1992)

In connection with the trial of three survivors of the Dili massacre, which started on 20 January 1992, the Portuguese Ministry of Foreign Affairs made the following statement, 'the imminent trials indicate that the excuses and promises made by the Indonesian Government to try to calm the protests at the behaviour of the army in East Timor are without substance. Dozens of young people from East Timor were arrested in Dili, Bali and Jakarta following the massacre of 12 November 1991. Reliable sources claim that a number of them were severely mistreated and tortured. Some of them are accused of 'subversion' and may face the death penalty. It went on to say

'there is every indication that during the trials the accused will be deprived of even the most elementary form of defence and there will be no guarantees whatsoever that their behaviour will be judged at all impartially'.

In view of the serious nature of the statements made by the Foreign Minister of the Member State which at present holds the Presidency of the Community, can EPC say:

1. Whether it recognizes the validity of the claims made by the Portuguese Foreign Ministry and whether it is willing to accept fully the responsibilities deriving from such recognition?
2. What measures it has taken and what credible guarantees Indonesia will give as a consequence?
3. If it does not accept the above statements, whether it intends to take to its logical conclusion the Community's principles on the subject, set out in the European Council's declaration of 25 and 26 June 1991¹ and the resolution adopted by the Council of Development Ministers in 1991?

Answer:

The Community and its Member States are following with deep concern the human rights situation in East Timor.

The Indonesian authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991 and the resolution and the Regulation adopted by the Development Council on human rights, democracy and development on 28 November 1991. This concern has furthermore been the object of a great number of common statements and *démarches* to the Indonesian authorities.

The Community and its Member States have expressed their strong condemnation of the unjustifiable actions by the armed forces of Indonesia with regard to the violent incidents of Dili in

November 1991, causing the death of many innocent and defenceless citizens. In their statement on 3 December 1991² they have further called upon the Indonesian authorities to respond to the serious concerns expressed by the international community and supported the demands for a thorough and credible investigation by impartial and independent experts.

The Community and its Member States have on 13 February 1992³ issued a new statement expressing their position on this problem, namely that those developments be followed by concrete and effective steps to improve significantly the human rights situation in East Timor. The Community and its Member States welcomed the involvement of the UN in this process and are now looking forward to a report from the visit to Indonesia and East Timor of the personal representative of the UN Secretary-General.

Moreover, they reiterated their support to the efforts of the Secretary-General of the United Nations to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese. In this context, they stated also that they favour the start of a dialogue without preconditions between Portugal and Indonesia under the Secretary-General's auspices, as contained in the constructive proposal recently put forward by Portugal.

The Community and its Member States will continue to monitor closely the developments in the field of human rights in East Timor and to consider the appropriate measures to be taken in the light of these developments.

Statements made by the Foreign Ministries of the Member States are not discussed in the EPC framework.

¹ *EPC Bulletin*, Doc. 91/194.

² *EPC Bulletin*, Doc. 91/429.

³ *EPC Bulletin*, Doc. 92/062.

92/307. Question No 537/92 by Ms Ewing (ARC) on non-voluntary repatriation of Vietnamese refugees from Hong Kong

Date of issue: 25 August 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 March 1992)

Will the Foreign Ministers meeting in Political Cooperation give their support to the relaunching of the plan to set up an 'International Managed Centre' to deal with the plight of Vietnamese refugees in a humane, just and practical way?

Answer:

As the honourable parliamentarian will be aware, the Community and its Member States welcomed in a statement dated 4 November 1991¹ the agreement of 29 October 1991 reached by the Governments of the United Kingdom, Hong Kong and Vietnam on the return to Vietnam under procedures agreed with the UN High Commissioner for refugees of Vietnamese migrants in Hong Kong determined not to be refugees. This agreement was considered a major step forward in the full implementation of the comprehensive plan of action (CPA) for Indochinese refugees. This breakthrough overtook the earlier discussions with the Vietnamese on internationally managed centres.

Of particular importance in the agreement reached was the confirmation by the Vietnamese Government that no illegal immigrant who returns to Vietnam will face persecution and that the Government will continue to facilitate the monitoring of those who return by the United Nations High Commissioner for refugees and others, to ensure that these guarantees are fully respected.

The Community and its Member States make use of every relevant opportunity to remind the Vietnamese authorities about the importance they attach to the strict fulfilment of this agreement and reaffirm their commitment to the international assistance programme designed to facilitate this social and economic reintegration of returning asylum seekers.

The main activity of the Community and its Member States is presently to support the Vietnamese Boat People Reintegration Programme, now established as an international programme including humanitarian as well as development elements. This important programme has made good progress and has resulted in an increasing net return of Vietnamese refugees.

¹ *EPC Bulletin*, Doc. 91/335.

92/308. Statement on Rwanda

Date of issue: 27 August 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States noted with satisfaction the signing in Arusha on 18 August 1992 of a Protocol agreement on the rule of law by the Rwandan Government and the 'FPR'.

This measure is the first stage in the political negotiations foreseen in the cease-fire agreement of 12 July 1992 which should lead to the conclusion of a peace agreement.

The Community and its Member States congratulate the two parties on their obvious commitment to achieving peace in the country and urge them to persevere.

92/309. Question No 227/91 by Mr Robles Piquer (PPE) on Community Member States with observer status in the WEU

Date of issue: 6 September 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Answer to written question in the European Parliament (from 18 February 1991)

The principle of establishing a common security policy has been underpinned by the prospect of political union and the need for the Community Member States to structure their defence policies accordingly.

Under the recent Italian Presidency, the Commission considered the possibility of including in the Treaty of Rome Article V of the amended Treaty of Brussels. However, any moves to bring together the WEU and the European Community must take account of the fact that three Community Member States, Greece, Denmark and Ireland, have not yet signed the Treaty of Brussels.

Assuming that the principle of a common security policy gains sufficient acceptance to bring about the integration of the WEU with the European Community, does European political cooperation consider that the above three countries should be granted observer status by the Member

States of the European Community signatory to the Treaty of Brussels for the purposes of their meetings and activities in this particular framework?

Answer:

Any relationships that may exist between a future common foreign and security policy of the Union and the WEU are currently under examination by the Inter-governmental Conference on Political Union. The Presidency therefore finds it inappropriate to attempt to prejudge the outcome of the discussions in progress within that forum.

92/310. Question No 444/91 by Mr McMillan-Scott (ED) on the Community's relations with Romania

Date of issue: 6 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 11 March 1991)

Do the Foreign Ministers agree that aid provided by the Community to Romania must depend on the extent of political and economic reform judged by the following:

- respect for human rights
- establishment of a multi-party system
- holding of free and fair elections
- establishment of the rule of law
- economic liberalization with a view to introducing market economies
- freedom of the press.

In the case of Romania, will the Foreign Ministers state precisely which of the foregoing benchmarks of political reform have been satisfied?

How many of the foregoing benchmarks must be satisfied before the Foreign Ministers agreed aid other than humanitarian aid?

Do the Foreign Ministers agree that the same benchmarks of political reform must be rigorously applied to each of the states of Central and Eastern Europe without exception?

Answer:

In the reply to the specific point raised by the honourable Member, the Community and its Member States agree with the honourable Member that the criteria he mentions in his question are at the centre of political and economic conditionality which underlies the assistance granted to the countries of Central and Eastern Europe. Aid to Romania should accordingly take these criteria into account.

The Community and its Member States accept that Romania has embarked on a process of reforms moving in the desired direction. But they are convinced that the situation in the country is still a delicate one and that it is for the European Community as well as the international community as a whole to remain vigilant in regard to developments in Romania.

On the more general subject of the policy of the Community and its Member States *vis-à-vis* Romania, the honourable Member should refer to the replies which have been given to a number of questions, and in particular to his Oral Questions Nos H-1294/90, H-1314/90, H-151/91 and H-274/91.¹

¹ EPC Bulletin, Docs 91/031, 91/055, 91/075 and 91/111.

92/311. Question No 838/91 by Mr Muru (S) on economic cooperation: asylum

Date of issue: 6 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 3 May 1991)

What does EPC understand by economic cooperation to prevent 'massive waves of applications for asylum' from the countries of Eastern Europe, as discussed at the conference held in Vienna on 24 and 25 January 1991?

Answer:

The question raised by the honourable Member has not been discussed within European political cooperation.

92/312. Statement on South Africa

Date of issue: 8 September 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States strongly condemn the killing and wounding of numerous ANC supporters in Ciskei on 7 September and other recent violent incidents, including the deaths of 10 people in Natal on 4 September. Violence and intolerance have again claimed innocent lives; democratic change has again been threatened. They understand that Judge Goldstone's Commission is investigating the events in Natal. They call on all parties to agree to the extension of the National Peace Accord to cover the so-called 'independent' homelands, and the South African Government to exercise firm control over the security forces throughout South Africa.

During last week's visit to South Africa by the EC Ministerial troika, the Community and its Member States were invited by all parties to send observers to reinforce the National Peace Accord, as envisaged by UN Security Council Resolution 772. They are responding urgently to this invitation, and stand ready to respond to any further request for help from all parties.

But the future ultimately lies in the hands of South Africans themselves: the peaceful transition to a non-racial democracy needs their wholehearted support. Time is short. The Community and its Member States call on all parties to show restraint, to tackle the violence which threatens their common future through the National Peace Accord, and to build a democratic South Africa through an early and determined return to constitutional negotiations and the establishment of an interim government.

92/313. Statement on Zaire

Date of issue: 10 September 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States note with satisfaction the election of Prime Minister Tshisekedi by the National Conference and the acceptance of his government by both the confer-

ence and the President. This represents a further step towards democracy in Zaire. The Community and its Member States wish the government success in working towards creating a climate which will allow peaceful progress towards free and fair elections and social and economic recovery.

92/314. Statement on the elections in Lebanon

Date of issue: 11 September 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

In their statement of 18 August the Community and its Member States welcomed the prospect of a renewal of the democratic process in Lebanon and called for the elections to be conducted according to democratic principles and in the spirit of national reconciliation which characterized the Ta'if Accord.

They regret that the low turn-out, alleged irregularities and interference and denial of access to voting booths in the south has impeded the democratic process and produced a parliament which does not fully reflect the political will of the Lebanese people. They reaffirm their support for the Ta'if Accord as the best basis for achieving Lebanese independence, sovereignty, unity and territorial integrity, free of all foreign troops.

92/315. Statement on the International Court of Justice ruling on the Honduras/El Salvador border dispute

Date of issue: 11 September 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States welcome the commitment of the Governments of Honduras and El Salvador to accept and implement the ruling of the International Court of Justice, handed down on 11 September 1992, on the land, island, and maritime border dispute between them. This ruling provides an opportunity for lasting peace between the two states, bringing to an end a dispute more than 100 years old. This will, at the same time, contribute to the transformation of Central America into a zone of peace, freedom, democracy and development.

92/316. Statement on Somalia

Date of issue: 13 September 1992
Place of issue: Brussels, London, Brocket Hall (Hertfordshire)
Country of Presidency: United Kingdom
Status of document: Press statement

Following the visits to Mogadishu of the troika Foreign Ministers on 4 September, and of other EC Ministers, Ministers reviewed the situation in Somalia. The collapse of Government in Somalia and the resulting tragedy for its people require the most committed response on the part of the international community.

Ministers paid tribute to the courageous humanitarian work being carried out in Somalia by a number of non-governmental agencies in collaboration with devoted local personnel.

A first requirement now is that the level of outside aid to Somalia be commensurate with the gravity of the situation. In addition to the efforts made by individual member States, the Community has collectively made available 185,000 tonnes of food and MECU 15 of non-food humanitarian assistance this year. The Community has recently committed additional funds to the protection of humanitarian convoys, under UN auspices.

The Community and its Member States appeal to other members of the international community to join with them in increasing the volume of international aid to Somalia.

Priority also attaches to the protection of humanitarian convoys and the distribution of food and medicines in conditions of civil order.

The Community and its Member States call on all political groupings in Somalia to contribute to this end, in accordance with the resolutions of the UN Security Council. They are convinced that a cease-fire in all areas and the deployment of UN armed guards in adequate numbers will facilitate emergency relief work.

The Community and its Member States confirmed their full support for the United Nations role in Somalia, and in particular the admirable work of the Secretary-General's representative Ambassador Sahnoun. It is through Ambassador Sahnoun's consultations that legitimate government can be re-established in Somalia.

In the view of the Community and its Member States, none of the Somali factions can lay claim to speak as the legitimate authority in Somalia. They call on the factions to restore legitimate authority through a process of national reconciliation.

Ministers invited the Commission to restore a permanent EC presence in Somalia as a focal point for the Community's humanitarian efforts and the efforts to support long-term development in the area.

A troika of Development Ministers is visiting Kenya and Somalia to assess further how the Community can contribute to the provision and distribution of humanitarian aid within Somalia.

92/317. Statement on the Helsinki Conference

Date of issue: 15 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: Madam President. since the beginning of the Helsinki process, the European Community and its Member States have played a central role in the work of the Conference on Security and Cooperation in Europe. This was also the case at the fourth follow-up meeting in Helsinki from 24 March to 10 July 1992 during the Presidencies of Portugal and the United Kingdom. The CSCE has been the means by which the values of parliamentary democracy, human rights, the rule of law and economic liberty and prosperity have been proclaimed across our continent. The Charter of Paris for a New Europe, adopted by the Heads of State and Government in November 1990, vividly affirms the determination of the CSCE participating States to live in a Community of free and democratic states founded on common values.

When the fourth follow-up meeting opened on 24 March, the CSCE had already undergone a radical transformation since Paris. Instead of 34 participating States, there were 48 following the participation of Albania, the return to independence of Estonia, Latvia and Lithuania and the break up of the Soviet Union. Yugoslavia was in the process of dissolution. During the follow-up meeting, Croatia, Georgia, Slovenia and Bosnia-Herzegovina were admitted as full participants to the CSCE. As a consequence of the continued gross violations of CSCE commitments in the former

Yugoslavia, it was decided that the delegation of Yugoslavia should not take part in CSCE meetings. This decision is to be reviewed in the autumn but the Community and its Member States intend that the situation should remain as it is until decisions on the status of the former Yugoslavia are taken by the appropriate UN fora.

His Excellency the Foreign Minister of Portugal, speaking on behalf of the European Community and its Member States, said at the opening session of the follow-up meeting that the CSCE must be capable of engaging adequately in the identification and prevention of crisis and conflict situations. He promised that we would develop ideas and proposals to this effect. Our delegation at Helsinki worked together in the framework of European political cooperation to meet the objectives listed in the Presidency's opening statement, and I quote:

... to render the CSCE more effective, its institutions and structures more operational and its role more decisive.

They agreed on a number of common proposals which were tabled by the Presidency in the name of the Community and its Member States. The following common proposals were tabled: conflict prevention, crisis management and dispute resolution, dialogue with non-participating States, further development of CSCE institutions and agreement on their status, trans-frontier cooperation, updating the human dimension mechanism, enhancing the role of the Office for Democratic Institutions and Human Rights, the role of international organizations, science and technology, the economic forum, economic cooperation, the environment and Mediterranean issues.

I am pleased to be able to report that these joint proposals are reflected in the Helsinki document entitled 'The challenges of Change' which was adopted by the Heads of State and Government on 10 July.

Europe is facing severe new challenges in the post cold war period. The Summit agreed to improve the CSCE's capacity for early warning of situations which may develop into crises. The committee of senior officials is to have overall responsibility for managing crisis with a view to their resolution.

The CSCE will make greater use of fact-finding and rapporteur missions as an instrument of conflict prevention and crisis management. CSCE peace-keeping has been provided for according to agreed modalities which include the possibility for international institutions and organizations such as the European Community, the Western European Union and NATO to play a role in support of CSCE peace-keeping activities. We believe that it will be important in these fields that the CSCE works in coordination with the United Nations and other international agencies.

The summit approved the establishment of a High Commissioner on national minorities. The High Commissioner will be an instrument of conflict prevention in tensions involving national minority issues which may develop into conflict. The Community and its Member States attach high importance to the early appointment of the High Commissioner. The summit strengthened the CSCE's institutions and structures. In future the chairman-in-office may be assisted by a CSCE troika, *ad hoc* steering groups or a personal representative. The Community and its Member States are ready to give their support to the chairman-in-office in his responsibilities.

We hope that these new developments will prove effective but much depends on the political will of all Europeans to order their societies humanely and to settle their disputes peacefully. A forum for security and cooperation has been established in Vienna and will play a central role in the negotiation of further arms control measures, the enhancement of consultation and cooperation on security matters and in conflict prevention. The Community and its Member States will make every effort to strengthen norms of behaviour within and between states.

In the human dimension, the role of the office for democratic institutions and human rights has been enhanced. It will provide for the exchange of expertise needed to help states strengthen their CSCE commitments. There will be an annual review of states' implementation of commitments in

this field. The Community and its Member States intend to use this opportunity for constructive debate to identify areas of priority action and to support human rights in all parts of the CSCE area.

It was noted that the changes which have taken place in Europe are relevant to the Mediterranean region. In this context the CSCE committee of senior officials will seek to relate issues regarding cooperation in the Mediterranean to the goals of the CSCE process. Contacts with non-participating Mediterranean states will be fostered by the chairman-in-office and relations with other non-participating states and international organizations will be developed. The Community and its Member States welcome the opportunity for greater contributions from parliamentarians and non-governmental organizations to the CSCE process.

Speaking at the Helsinki Summit on behalf of the Community and its Member States, Mr Major, the British Prime Minister, said: 'The CSCE should not be a watching bystander or a hand-wringing onlooker to Europe's quarrels. The Community and its Member States are committed to helping the new democracies in their historic transition'. The CSCE Helsinki follow-up meeting and Summit has provided the framework for a strengthened and effective CSCE. The Community and its Member States are expected to play a leading role in the development of the CSCE. They will endeavour to strengthen their coordination in the context of European political cooperation and the common foreign and security policy.

[After the following debate, Mr Garel Jones stated:] I will try to reply briefly to this interesting little debate. It is apparent, I think, that virtually all Members support the CSCE. I will concentrate quite a few of my remarks on the speech made by Mr Poettering who referred to the Helsinki final act. He is right to say that this was, although much criticized by many when set up, and to the surprise of many, a decisive element in the events that we have subsequently lived through. I think he is right to say that the CSCE must have a future, not least because it is the European organization that has the broadest membership of all and is therefore capable of having considerable political authority to lend to the institutional structure. A number of Members who have spoken – Mr Romeos and others including Mr Christensen – have referred to the relationship between the CSCE and the United Nations. Helsinki declared the CSCE to be a regional arrangement under Chapter 8 of the UN Charter. We believe that this should lead to better coordination of CSCE activities with those of the United Nations. We think it is very important that the CSCE should develop good cooperation with the United Nations to share the burden of solving problems within its own area.

A number of Members who spoke – Mr Romeos, Mr Bertens and Mr Langer – expressed interest and support for the role of a High Commissioner on national minorities. The Commissioner is, I think we can agree, a valuable addition to the range of conflict prevention instruments. Almost all current European problems that are concerning us stem from some kind of minority conflict. The Commissioner has a rather wide mandate. I think the first task he will have is to draw international attention to minority problems before crises actually arise. But clearly we are feeling our way in this matter. The Member raised a number of points about terrorism. I am sure that the High Commissioner will want to consider that aspect as well.

The other point that a number of Members including again Mr Romeos, Mr Poettering and others who spoke raised was the involvement of the European Parliament in the CSCE assembly. As Members will know, the CSCE – Mr Poettering reminded us of this in his speech – is made up of nation states and therefore comes to its decisions by consensus. The historical objection of other delegations to that proposition is well known and I can see no easy way of overcoming them. The European Community participates in the inter-governmental process, of course, through national delegations and notably through the Presidency. It may well be possible to have an analogous system for the European Parliament. But that, of course, would be a matter for the European Parliament in discussion with other national parliaments.

Mr Dillen, in his remarks, expressed what I can only say in the end is impatience with the democratic process. It is of course true that the democratic process consists of lots and lots of meetings and quite often compromise decisions. He seems to be calling for fewer and fewer meetings and more decisive decisions. I think the only anxiety that produces in me is that we could end up with no meetings at all and all decisions taken by one person!

92/318. Statement and debate of oral questions on arms exports and armaments industry

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: I should like to begin by congratulating and thanking Mr Ford, the rapporteur, for the report and the way in which he introduced it. I very much welcome this opportunity to take part in this debate on the report dealing with arms exports and the armaments industry which Parliament has produced.

I should explain what the Twelve are doing to prevent arms reaching the worst trouble spots, and our support for wider arms control, disarmament and non-proliferation activities. I will also, in the course of my remarks try to deal with the oral questions tabled by Mr Cot, Mr Colajanni, Mr Vandemeulebroucke, Mr Langer, Mr Ribeiro and Mr Herman, some of which were addressed to the European political cooperation and some to the Council. I shall be replying in my joint capacities as representative of the President-in-Office of both the Council and EPC.

When the committee started work on this report in November 1989, as Mr Ford has just reminded us, we were feeling only the first shocks of the earthquake that was to shake Europe. And now, nearly three years on, we face a substantial number of new challenges. We need to be able to respond rapidly and flexibly to the re-emergence of old antagonisms such as those that we are experiencing in the former Yugoslavia. That is why we endorse the recommendation in paragraph 1 of the resolution calling for a new, pan-European approach to security policy. For the first time in 40 years I think it is possible to contemplate such an approach as a possibility. The institutions which have served us so well over that period need to be developed now so that they can reach out to the East and tie those countries into a stable security system. In their different ways NATO, the Western European Union and the CSCE, as well as the Community and its Member States are all seeking to do just that. The Presidency regards this as a major priority.

Mr Ford referred to Article 223 and arms export policies. I should like to turn to that first. The Community and Member States have long recognized the need for responsibility in transparency in arms exports and military technology transfers. That is why we played a leading role in securing the adoption at last year's UN General Assembly of the resolution which established the United Nations register of arms transfers. At the European Council in Luxembourg in June 1991, we identified seven common criteria, later increased to eight, against which national exports of military equipment should be judged. We are pressing ahead with efforts to achieve a common approach towards arms export policies. We have made progress in exchanging information on our national policies and we are all committed to ensuring that arms exports do not make the world's trouble spots worse or undermine human rights. So can I, placing on my British Government hat for a moment, not only say that I totally reject the assertion in paragraph 20 of the resolution that the United Kingdom exports such equipment for torture and for the repression of human rights. I notice that Mr Ford discreetly did not himself refer to that particular aspect. I hope I can infer from that that it may be possible for this absurd allegation to be removed from the resolution before the House passes it.

What does the future hold then? First, foreign ministers have begun to work on possible areas for joint action in the security field. As honourable Members will know, one of these concerns is the economic aspect of security in particular, the control of the transfer of military technology to third countries and control of arms exports. Second, Member States are studying the Commission's proposal for a regulation to control exports of dual-use goods outside the Community. Discussions will continue during the autumn with a view to its coming into effect in January 1993.

Turning to Article 223 which was mentioned by the rapporteur and is, of course, included in the committee's report and in Mr Colajanni's and Mr Cot's questions, defence policy and defence activities as such are not included in the Treaty of Rome. The question of amendment of Article 223 was rejected in the negotiations leading up to the Maastricht Treaty. The common foreign and security policy pillar of the Treaty on European Union will be implemented through political cooperation between the Member States.

Let me now move on to defence conversion which Mr Ford also mentioned in his remarks and try to tackle the question of the effects of the changes in the security situation on European defence industries. This was also raised in questions put by Mr Langer and Mr Colajanni. As far as the Community is concerned, the Commission set out in March some thoughts on how to address the industrial dimensions of the changes taking place in defence-related industries. This included the question of whether the impact on employment would justify common action to support conversion and retraining. In the United Kingdom view the Community is not necessarily best placed to take a leading role in this area. Defence firms themselves must use their commercial judgement to organize any restructuring that may be necessary.

The situation in Eastern Europe and the former Soviet Union is, of course, far more serious. For too long these countries' economies were hostage to the military-industrial complex with serious economic consequences. They are now trying [to] mobilize their considerable resources in favour of normal civilian activities as part of wider economic reform. We wish them every success but we must face facts. The huge resources devoted to the military cannot be reduced overnight and it is the governments of those countries which have the primary responsibility to produce change. They need to set their enterprises free from central state control to establish a stable business environment and to allow normal commercial freedoms. Then the Western private sector will be able to help them seize the great commercial opportunities that are undoubtedly available.

I want now to move on to wider arms control matters which figured in many of the questions put to the Presidency. The Council and the Twelve see three priorities: effective implementation of agreements, further disarmament measures and arrangements to prevent further proliferation. We particularly welcome the firm commitments made by all CIS leaders to implement fully the arms control arrangements of the former Soviet Union. We also welcome the agreement reached in Geneva on the text of a chemical weapons convention. A global ban on chemical weapons has been a major arms control objective for the Twelve for many years. We urge all states to accept the draft convention and to sign it as soon as possible.

Nuclear proliferation is perhaps the gravest danger facing mankind. The Community and its Member States actively support all international efforts to halt it. We attach the highest importance to a successful outcome of the 1995 non-proliferation treaty extension conference. We shall continue to work to expand NPT membership. In particular the newly independent republics of the former Soviet Union must accede to the non-proliferation treaty as non-nuclear weapons states as quickly as possible.

Worrying shortcomings in the International Atomic Energy Agency safeguards regime were revealed by Iraq's clandestine nuclear programme. The Community and its Member States have made specific proposals to encourage the IAEA's efforts to remedy this. We welcome the reaffirmation by the board of the IAEA, of the agency's right to conduct special inspections of suspect but undeclared nuclear facilities. In the area of supplier controls, the Community and its Member

States have worked together in the reactivated nuclear suppliers' group to tighten up conditions governing the supply of nuclear materials and equipment and to agree a new regime controlling the export of nuclear dual-use items. We also need to control the spread of delivery systems, in particular ballistic missile technology. I am pleased to say that all Member States are now members of the missile technology control regime. We welcome the recent agreement among members of the regime to extend its scope to cover missiles suitable for delivering chemical and biological warheads.

In conclusion, Madam President, let me say this: despite all the dangers on the horizon, it is worth recalling that we are living in fortunate times. The climate has never been so favourable for effective, lasting and verifiable measures of arms control. We now have a real chance to prevent the accumulation of weapons in the world's trouble spots and to reinforce the effort to stop the spread of nuclear weapons around the globe. The Community and its Member States will continue to be at the forefront of efforts to make these aims a reality.

[After the following debate, Mr Garel Jones stated:] Mr President, I hope the House will bear with me if I reply very quickly to a few points which were raised by honourable Members in the course of the debate.

I can confirm to Mr Penders that Spain, Portugal and Greece have joined the missile technology control regime. Mr Vandemeulebroucke asked the Presidency to disclose which Member States had blocked the amendment of Article 223. In my earlier remarks I reminded Parliament that there had not been consensus in the inter-governmental conference to amend Article 223 and Commissioner Bangemann has confirmed that a majority of Member States were not prepared to do so. I do not think it would be appropriate or customary to discuss the positions taken up by individual Member States on particular issues.

Ms de la Graete asked a specific question about the budgetary aspects and I suggest that this be taken up during Parliament's consideration of the Council's draft budget. Finally, Mr Morris raised a question touched on by a number of honourable Members – and I hope the House will bear with me as a fellow Welshman if I respond to him. He raised the point about declining defence industries in South and Central Wales. All I would say to him is that he will know that Wales has shown in the past decade a remarkable turnaround and a substantial part of that turnaround is built on the United Kingdom's membership of the Community. Wales has built up strong links with other regions in Europe. It receives a very high proportion of inward investment from Japan and elsewhere, based in part on its membership of the Community, and it is of course a beneficiary of Objective 2 support. It is as good an example as you would find anywhere in the Community of a region coping with the decline of its traditional industries, coal, steel and indeed the defence industry to which the honourable Member referred. But like everything else in the Community its success ultimately depends on the ingenuity and skill of the Welsh people themselves.

92/319. Statement on the situation in Bosnia-Herzegovina

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Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of European political cooperation: Madam President, the conflict in the former Yugoslavia continues to spawn further horrors each day. Thousands have already been killed, millions have been driven from their homes and the danger of the conflict spreading still persists. The prison and refugee camps, the mortar bombs on funerals, the ethnic

cleansing; such outrages challenge the principles of international law and, indeed, are a challenge to all of us who claim to defend these principles.

It was in order to seek to help end this bloodshed and to seek a lasting peace with justice that the British Prime Minister and Boutros Boutros Ghali jointly convened the International Conference on Yugoslavia in London on 26 and 27 August. The Conference drew in all the parties to the conflict and a broad range of representatives of the international community, including, of course, all the EC Member States. As John Major said in opening the conference, the aim of the meeting was threefold: to ensure humanitarian help, to restore respect for human rights and to set in hand a process which we hope will lead to a just, lasting and enduring peace. On each of these points the conference reached substantial agreement on a very wide range of issues which are now being pursued in an intensive programme of work overseen by Lord Owen and Mr Cyrus Vance. Let me deal with all three.

First, humanitarian help. Even if peace were achieved tomorrow hundreds of thousands of people would still be afflicted by hunger, sickness and desperation. Their plight will deepen as the winter approaches. The UNHCR estimates that some 2.5 million people have been displaced from their homes by the conflict. About half a million have found refuge outside the former Yugoslavia. Of the remainder over 1.3 million will depend on outside help to see them through this coming winter. We firmly support the UNHCR view that the best solution is for the displaced persons to remain in the nearest safe area to their homes, preferably within the former Yugoslavia. This will make eventual repatriation much easier. In particular, we welcome Croatia's agreement to accept detainees in transit from camps in Bosnia and in UNHCR care.

EC Member States have been giving full support to the International Red Cross and the UNHCR who are coordinating the international relief effort. The United Nations has rightly put extra pressure behind the winterization programme and launched a fresh appeal for 467 million dollar in Geneva on 10 September. The Commission is to work with the UNHCR to examine ways of ensuring the most effective use of winterization aid. MECU 120 of European Community funds was made available for humanitarian assistance in July and the Council is now urgently considering a further EC contribution of MECU 120 to meet needs from October to December. A dialogue is taking place this week and we hope that final agreement on the proposal will be reached the week after. So there should be no break in Community assistance. Member States are also, of course, providing additional relief bilaterally.

We need urgently to increase the scale and scope of UN operations and to get relief to all areas where it is needed, including the camps. The humanitarian agencies continue to do an outstanding job but too often their efforts are hampered by lawlessness. We have unreservedly condemned the recent outrageous attacks which led to the deaths of four Italian air crew on a relief flight to Sarajevo and of two French soldiers with UNPROFOR while escorting an aid convoy. We have insisted that all the concerned parties must take every possible measure to identify and punish those responsible for these criminal acts and to guarantee the safety of the relief operations particularly so that the aid flights can be resumed as soon as possible. To help ensure the safe delivery of relief, the UN Security Council has just agreed a resolution for the expansion of the UNPROFOR mandate to include escorting relief convoys. This also includes the possibility of UNPROFOR providing a protective presence for convoys of detainees released from camps *en route* for Croatia. Several European Community countries have offered troops, vehicles and aircraft to operate under UN auspices for this purpose. EC Member States will also support proposals in the UN for a no-fly zone over Bosnia, reinforced by the deployment of monitors at airfields in Serbia and in Bosnia.

Secondly, Madam President, the London conference tackled respect for human rights. Participants in the conference were appalled by the reported abuses and called on all parties to respect human rights, regardless of nationality or religion, and in particular for the detention camps to be

shut. While they exist, humanitarian agencies should have immediate, unimpeded and constant access to them.

The International Red Cross has now successfully evacuated a group of critically ill detainees from detention camps in Bosnia; they are now receiving treatment in the United Kingdom. We hope that this will be only the first of a series of such operations. Two missions to investigate human rights have already visited the region. Sir John Thompson led a CSCE mission to inspect the camps and places of detention. Professor Mazowiecki was appointed as special rapporteur by the UN Commission on Human Rights to investigate allegations of human rights abuses, in particular within Bosnia. Follow-up of their reports is under urgent consideration. Community Member States will be supporting at the United Nations further work by the International Law Commission on the possible creation of an international criminal court.

But humanitarian help, Madam President, and greater respect for human rights, however desperately needed, does not cure, though it may ease, the basic problem. Thirdly, therefore, the conference worked for peace with justice, to establish a peace process coupled with the necessary international pressure to bring success. The conference agreed that a negotiated settlement had to be based on certain fundamental principles. The first is that frontiers cannot be altered by force. The international community will not accept that Bosnia can be partitioned by conquest. The second principle is that within those fixed frontiers minorities are entitled to full protection and respect for their civil rights. These two principles go together: neither can be effective without the other.

The peace process established by the conference to be led in partnership with the United Nations and the European Community will build on and intensify the excellent work done by Lord Carrington's peace conference in the UN. Lord Owen and Mr Vance have already set to work with immense energy. The steering committee of the international conference met for the first time in Geneva on 3 September and made good progress. Lord Owen and Mr Vance visited Zagreb, Sarajevo and Belgrade last week, and Lord Owen reported on his visit to the informal foreign ministers' meeting in Brocket Hall last weekend. Lord Owen and Mr Vance have as their immediate focus the problem of Bosnia, establishing the basis for a sustainable cease-fire and restarting negotiations. Fundamental to both will be progress in following up the London conference agreements on the grouping of heavy weapons. At their recommendation, the President of the European Council has written to Prime Minister Pöhl and Presidents Tudjman and Izetbegovic to urge full and immediate implementation of the London agreements, both on heavy weapons and on the safe, conduct of humanitarian aid. Lord Owen and Mr Vance have also successfully persuaded the three Bosnian parties to resume negotiations on a constitutional settlement in Geneva this week.

The London conference also considered means by which to bring pressure to bear on governments or factions which do not abide by the principles established by the conference. A comprehensive sanctions regime is already in place against Serbia and Montenegro. The conference was determined that Belgrade must understand that the international, political and economic penalties would be continued and intensified unless there was decisive action to reverse unacceptable policies. It is already clear that sanctions are having a marked effect on the economy of Serbia. To maintain pressure and tighten implementation two new Community regulations came into force last week, tightening the arrangements for transit traffic and introducing a dual licensing regime.

We are also following up concerns about leakage over the borders, particularly on the Danube. EC/CSCE missions have already visited Romania, Hungary, Bulgaria, Slovenia and Croatia to identify the scope of the problems and options for tightening the regime. Further missions to the remaining neighbouring countries are planned. The CSCE will this week discuss proposals to send follow-up missions of customs experts to assist the local authorities in enforcing sanctions effectively. Member States will also be supporting a Security Council resolution recommending that the General Assembly should decide that the Federal Republic of Yugoslavia should not be allowed to participate in the work of UN bodies. To inhibit the spread of conflict to new regions and

to help prevent it re-igniting in areas where a cease-fire has been achieved, monitoring activity is being stepped up both in its intensity and in its geographical scope. The EC monitoring mission continues to conduct valuable work in Croatia in close cooperation with UNPROFOR. Agreement is likely to be reached within the next few days with the Hungarian and Bulgarian Governments for EC monitors to be established on their borders with the former Yugoslavia to prevent any spill over of potential conflict. Negotiations with Albania are also in progress. The CSCE is also pursuing the establishment of long-term observers in regions of particular tension – Kosovo, Vojvodina and Sanjak.

To conclude, Madam President, the London Conference has put in place the principles to form the basis of a negotiated settlement. It reached agreement on steps to be taken to help ensure the delivery of humanitarian aid and the observance of human rights and it established a process, actively led by Lord Owen and Mr Vance, to focus and intensify international efforts towards a lasting and just peace for the former Yugoslavia. The Community will continue to exercise a leading role in this essential work in all its aspects.

92/320. Statement on the situation in Somalia

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Mr Garel Jones, President-in-Office of European political cooperation: Mr President, we are all of us very deeply concerned about the tragedy of Somalia. No one who has seen or read reports from that country could fail to be moved by the desperate plight of the people there. Much of the coverage that we have seen here in Europe has been confined to Mogadishu and its environs but many other areas of Somalia are severely affected including Baidao, some 100 miles north-west of Mogadishu, where there are now scenes of mass starvation.

As you know, the troika of the Community Foreign Ministers were able to visit Mogadishu on 4 September to see the humanitarian situation there for themselves. They found Mogadishu in a dire condition – a city divided, its buildings damaged by bitter factional fighting and its streets filled with rubble and rubbish. It is a city of 1.5 million people without electricity and without running water. There were makeshift graves in open areas and more being prepared. Ministers were able to see the relief centres run with such dedication and courage by the non-governmental organizations such as the SCF and the ICRC as well as by UNICEF. These provide the only feeding and health support to a community whose government has long ceased to function. In Mogadishu, even the traditional social disciplines of Somali society have effectively broken down and the threat of armed violence has severely restricted the distribution of food beyond Mogadishu port.

The visit of the Development Ministers of the troika last week to Oddur and Mogadishu confirmed the tragic reports.

Reports of conditions in other parts of the country vary. In some parts, notably in the north and north-east, a modicum of order has been preserved and the situation is less critical. Even so, there are acute shortages of water, shelter and medical treatment throughout Somalia and urgent need for assistance. The conditions in the south, where there is widespread starvation, give the greatest cause for concern. The troika of Community Development Ministers visited north-east Kenya on 12 September. There they saw Somali refugees side by side in camps with refugees from the drought in north-east Kenya. The troika of EEC development ministers urge all donors to keep sight of the way in which the crisis in Somalia reaches beyond that country's borders.

The United Nations has undertaken the difficult task of increasing humanitarian aid in a violent situation as well as seeking reconciliation between the various factions disputing control of the

country. The troika met in Mogadishu with Ambassador Sahnoun, the UN special representative who has negotiated with local factions for the deployment of 500 UN armed guards in Mogadishu. Their first priority will be to secure the port and port area. A further UN resolution provides for the deployment of 3,000 UN armed guards at various points in Somalia to help protect humanitarian supplies. The deployment of these additional guards will need sensitive handling. But they undoubtedly have an invaluable role to play in ensuring the safe distribution of humanitarian assistance. The Community Foreign Ministers confirmed in the statement they issued at their informal meeting at Bocket Hall on 13 September their full support for the UN role in Somalia, especially the admirable work of the Secretary-General's special representative which has achieved so much in such trying conditions.

The EC Development Ministers will do whatever is necessary to support the new UN 100-day relief plan to bring vaccines, shelter and food to the victims of war-torn Somalia. The Presidency will use its good offices to convene preparatory meetings before the Geneva meeting early next month so that UN agencies and non-governmental organizations can develop the closest possible coordination in getting relief aid to the people of Somalia.

The Ministers also paid tribute to the courageous humanitarian work being carried out in Somalia by a number of non-governmental agencies in collaboration with devoted Somali local personnel. In Oddur and Mogadishu they saw at first hand the extraordinary efforts of individual members of international organizations and non-governmental organizations to deliver humanitarian aid at great personal risk in strife-torn cities.

As the Community Foreign Ministers pointed out, the first requirement now is that the level of outside aid to Somalia should be commensurate with the gravity of the situation. For its part the European Community is at the forefront of the efforts to bring relief to Somalia. In addition to the efforts made by individual Member States the Community collectively is making available over 200,000 tonnes of food aid this year. 150,000 tonnes have been shipped and about 100,000 tonnes distributed. EC pledges of non-food assistance had reached MECU 15 by the end of August. Both the Community and Member States have recently committed additional funds for the protection of humanitarian convoys under UN auspices.

In the longer term, Mr President, reconciliation among the Somali factions is essential. Without peace the humanitarian effort cannot succeed. The statement issued at Bocket Hall last weekend reiterated the Community's call in August last year for all parties concerned to work for national reconciliation. At present, in the view of the Community and its Member States, none of the factions can be regarded as a legitimate authority in Somalia. We call on all Somali factions to comply with the UN Security Council resolutions and in particular with those measures designed to facilitate emergency relief work such as a cease-fire in all areas and the deployment of UN armed guards. The collapse of government in Somalia and the resulting tragedy for its people require a most committed response on the part of the international community. The European Community will continue to play a leading role in coping with this crisis and in ensuring that the international community responds to the human tragedy which it represents.

92/321. Question No H-527/92 by Mr Alavanos on the meeting of Foreign Ministers at Guimarães and relations between the Community and Turkey

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

At their meeting in Guimarães on 4 May 1992 the EEC Foreign Ministers decided to strengthen ties between the Community and Turkey – a new political initiative – and the UK Foreign Secre-

tary agreed to draw up a discussion paper on this matter. Do the twelve Foreign Ministers meeting in Political Cooperation agree that the Turkish forces of occupation must be withdrawn from the territory of the Republic of Cyprus – which has also applied for accession to the European Community – before such a rapprochement can go ahead?

Answer:

At their meeting in Guimarães on 4 May 1992 the Foreign Ministers initiated a discussion on the increasing importance [of] relations between Turkey and the Community and its Member States. This discussion was continued at the 20 July Foreign Affairs Council and was followed up at the informal Ministerial meeting at Bocket Hall on 12 and 13 September 1992.

The Community and its Member States continue to follow developments in Cyprus with concern. They strongly support the efforts of the UN Secretary-General in the framework of his Mission of Good Offices, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions, including UNSCR 774, and high level agreements.

92/322. Question No H-629/92 by Mr Kostopoulos on Israeli incursions into Lebanon

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Israeli aircraft have recently made fresh incursions into southern Lebanon, dropping bombs, according to the Israeli military authorities, on Hezbollah bases. According to the Israeli police, these air attacks have killed at least 25 people and injured 63. The correspondent of a French news agency reported that Syrian forces answered with artillery fire against Israeli planes which had previously attacked five villages in the Bekaa valley. Does EPC intend to appeal to the authorities concerned not to endanger peace in the Middle East or to undermine the current Arab-Israeli dialogue?

Answer:

Following the Israeli incursions into southern Lebanon in May, the Community and its Member States expressed their grave concern at the worsening situation there. They strongly condemned all acts of violence in the region which threatened to undermine the Middle East peace process, as well as the authority of the then newly installed Lebanese Government. The Community and its Member States appealed to all those concerned to respect the sovereignty, independence and territorial integrity of Lebanon, in accordance with United Nations Security Council Resolution 425, which should be fully implemented.

92/323. Question No H-721/92 by Ms van Putten on the situation in Togo

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Is the EPC informed on the stalled democratization process in Togo and the increasing danger of a *coup d'état*? Does the EPC consider the possibility of concerted action of the international community to buttress the democratic developments in the country? Is the EPC willing to initiate – in the context of a joint exercise by the Twelve – a *démarche* with the government and President Eyadema to discuss the impending danger of a *coup d'état* and the isolation of the country in case of a return to authoritarian rule?

Answer:

The situation in Togo is a source of concern to the Community and its Member States. As the honourable Member is aware, in December 1991, they expressed publicly their concern about the situation following the violent clashes in November in Togo and deplored the fact that confrontations had caused loss of human life. Following these negative developments, the Commission temporarily suspended aid to Togo.

After the violent events in May and the increase in political tensions the Community and its Member States made representation to President Eyadema and to the heads of the political parties, urging them once again to resume dialogue and preserve army neutrality.

Tension in Togo has now reduced following the welcome agreement reached on 27 August to extend the transition period to 31 December and the setting of a new electoral timetable.

The Community and its Member States welcome these developments and hope that the elections will take place in an atmosphere of calm.

I can assure the honourable Member that the Community and its Member States will continue to monitor the situation in Togo very closely.

92/324. Question No H-724/92 by Mr Nianias on Iraq one year on

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

According to a report published in the New York Times on 15 and 16 June 1992, the Iraqi President Saddam Hussein is in a stronger position today than he was a year ago in spite of economic sanctions and international isolation.

Does the Community still uphold its involvement in the Gulf War, which was waged in the name of safeguarding the international principle of respect for frontiers, now that the same principle has been violated in the case of Yugoslavia?

Answer:

In the Gulf crisis, the Community and its Member States as well as other members of the international community, took concerted action in response to a wholly unjustifiable and unacceptable act of aggression against Kuwait. This action was undertaken with the full sanction of the United Nations Security Council and in conformity with the UN Charter and with principles of international law, including those relating to the inviolability of borders, which can only be changed by peaceful means and by common agreement. The Twelve made every effort to find a peaceful solution to the conflict, compatible with respect for the relevant UN Security Council resolutions. As the honourable Member is aware these efforts came to nought in the face of the refusal of the Iraqi author-

ities to respect international law and to withdraw from Kuwait. The principles which led the international community to take action against Saddam Hussein remain as valid today as they did at the start of the crisis.

The Community and its Member States continue to urge Iraq to comply with all UN resolutions pertaining to Iraq. They urge Iraq to act in conformity with its obligations under UN Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations. The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. Early and effective implementation of Security Council Resolutions 706 and 712 would contribute to improving the living conditions of the civilian population in the whole country.

As for the former Yugoslavia, the Community and its Member States made clear in their declaration on Yugoslavia of December 1991¹ and their guide-lines on the recognition of new states in Eastern Europe and the Soviet Union² of the same date that they were not prepared to recognize entities which were the result of aggression and that one of the criterion for recognition would be respect for the inviolability of all frontiers, which could only be changed by peaceful means and by common agreement.

¹ *EPC Bulletin*, Doc. 91/465.

² *EPC Bulletin*, Doc. 91/464.

92/325. Question No H-761/92 by Mr Robles Piquer on the avoiding of ambiguities with regard to an EC military force

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Following the setting-up of the Franco/German corps intended to provide the European Union with a military force of its own, repeated statements have been made with a view to allaying the worries of 'our American friends and even some of our European friends', as the new German Foreign Minister puts it. Can the Ministers meeting in EPC describe what means are to be used to allay the fears of our 'American friends' so as to avoid the kind of negative reaction on their part which we have already seen at European level in the results of the Danish referendum, and state, in particular, what role a lack of proper information may have played or could play in both cases?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The subject to which the honourable Member refers does not fall within EPC competence.

Mr Robles Piquer (PPE): Mr President of the Council, you will understand my amazement at such a statement, since I think that everything that affects the defence system and particularly European security must be the concern of the Council, and above all of European political cooperation.

The political aspects of security, expressly mentioned as such following the Single European Act, are clearly within the framework of European political cooperation and I should like to know whether or [not] the steps which have been taken with regard to the setting up of supranational defence units – and I quote as an example the famous Franco/German corps – give our North American allies, for instance, the impression of insecurity or lack of conformity, which obviously detracts from that very aim of security.

Mr Garel Jones: I appreciate the honourable Member's concern and I understand exactly what he is saying. He will have read with great care, I know, the exact wording in the Maastricht Treaty which we are all seeking to ratify, which discusses the perspective of defence and the relationship that ought to exist between the Western European Union and NATO. The proper place for those sorts of questions to be pursued is through national governments because these are essentially matters for national governments.

Mr Balfé (S): I can see the President-in-Office's difficulty. Earlier today we had a debate on the arms industry in Europe. We have within this Parliament a Subcommittee on Security and Disarmament of which I have the honour to be the second vice-chairman and there is attached to the Maastricht Treaty a protocol dealing with the development of defence relationships particularly with the WEU. We will not get to Question No 49 but I wonder if EPC can indicate the correct method to be followed by Members seeking to table questions in the areas covered by that particular protocol. Surely there must be a way in which we can seek to engage in dialogue with the Council since we have a structure for that purpose.

Mr Garel Jones: The honourable Member will be aware that the Western European Union has nine members. It is therefore the case – it will not have escaped the honourable Member's perceptive eye – that three Members of the European Community are not members of the Western European Union. Therefore, as I said to the other honourable Member earlier on, the topic of European defence is not a matter that comes within the European Union or within the competence either of the Commission or of this House. Of course common foreign and security policy in an inter-governmental matter has a read-through into defence, but if the honourable Member wishes to pursue these very interesting and important questions the place to pursue them is in the Member States involved.

92/326. Question No H-777/92 by Ms Oddy on street children in Guatemala

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Are the Foreign Ministers meeting in Political Cooperation aware that Bruce Harris of Casa Alianza, an NGO which receives Community funding for a street children programme, has received death threats? What steps will the Foreign Ministers take to ensure the protection of Bruce Harris?

Answer:

Mr Garel Jones, President-in-Office of the European political cooperation: I would be very happy to answer the important question that the honourable Member has raised. The honourable Member will be aware that the Community and its Member States are very worried about the human rights situation in Guatemala, and in particular the plight of street children. They are also concerned about the safety of foreign aid workers. The specific case of Mr Harris has not been discussed in European political cooperation, but the Community and its Member States monitor security conditions closely. They have made their concerns known to the Guatemalan authorities and requested that appropriate measures be taken to ensure the safety of these workers. The problem of street children will be discussed at the next meeting of the EPC Latin American working group on 17 September. I can assure the honourable Member that I will myself take a personal interest in this. I have visited the Casa Alianza, I have met Mr Harris and I hope to meet him again this autumn and I can assure the honourable Member that the Presidency will follow this matter extremely closely.

Ms Oddy (S): I have a fax here which I received two days ago from Casa Alianza telling me that three of its staff members had to flee to Canada. They have received six bomb threats. The brother of a counsellor was kidnapped. The counsellor himself has received death threats. Two family members of a key witness were kidnapped, one of them was raped three times. The husband of the same witness, along with a staff member from our legal aid office, was almost sprayed with machine gun fire. I consider this a very serious matter. This, remember, is a body funded in part by the European Community.

92/327. Question No H-779/92 by Mr Alex Smith on the peace process in El Salvador

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Is EPC aware that there has been a delay in recognizing the [FMLN] as a legal political party in contravention of the agreed timetable in the peace agreements?

Will EPC exert pressure to ensure that the [FMLN] is recognized as a legal political party as the peace agreements require?

Answer:

The Community and its Member States, welcomed the peace agreement between the Government of El Salvador and the FMLN guerrillas signed on 16 January 1992, expressing the hope that effective implementation would lead to reconciliation, reconstruction, and peace in that country. The Community and its Member States have continued to call upon both parties to implement fully all provisions.

The Community and its Member States while acknowledging the difficulties in implementing a complex set of accords, are concerned that implementation has fallen seriously behind schedule, and take available opportunities to encourage both parties to adhere to the new timetable agreed during the recent visit to El Salvador of Murrack Goulding, UN Under-Secretary-General for Peace-keeping Operations.

On 1 September, the FMLN established itself as a political party. The formal recognition of the new party now depends on the decision of the electoral tribunal. Since, on 30 July 1992, the Salvadorean Parliament approved a decree which facilitates the foundation of political parties, we anticipate that the FMLN will be officially recognized as a political party in due course.

92/328. Question No H-780/92 by Mr Bandrés Molet on the observance of human rights in Morocco

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Mr Noubir El Amaoui, General Secretary of the CDT, was arrested in Casablanca in March because of public statements in the Spanish newspaper *El País* without any form of legal or procedural safeguards.

This arrest reflects the continued failure to observe human rights in that country.

Some months have passed since the trade union leader was arrested. What measures has EPC adopted to ensure observance of human rights in Morocco and, in particular, in the El Amaoui case?

Answer:

I would refer the honourable Member to the reply given to his Oral Question No H-409/92 on this same subject.¹

¹ *EPC Bulletin*, Doc. 92/180.

92/329. Question No H-793/92 by Ms Jackson on human rights abuses in India

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Amnesty International has recently produced a report on the widespread phenomenon of custodial violence in India, including instances of rape, torture and deaths in custody.

In the light of this, can EPC give an assurance that it will include a human rights clause in the new EC/India cooperation agreement, and make human rights a fixed agenda item in any future dialogue?

Answer:

The Community and its Member States share the concerns of the honourable Member about reports on the human rights situation in India.

It is a well established practice of the Community and its Member States to include references to human rights in cooperation agreements with third countries. This will also be the case with any new cooperation agreement with India.

The issue of human rights is already on the agenda in the political dialogue between India and the Community and its Member States, and will continue to be so. The most recent occasion for this dialogue was the visit of the Ministerial troika to New Delhi in March 1992.

The Indian authorities are therefore well aware of the importance which the Community and its Member States attach to respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the Resolution adopted by the Development Council on Human Rights, Democracy and Development on 28 November 1991.

¹ *EPC Bulletin*, Doc. 91/194.

92/330. Question No H-809/92 by Mr Hindley on the Organization of American States' (OAS) embargo on Haiti

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

What steps have the Foreign Ministers discussed regarding support for the OAS embargo on Haiti?

Answer:

As the honourable Member will be aware, the Community and its Member States expressed support for the efforts of the Organization of American States to promote a dialogue between the Haitian parties in order to resolve the political crisis.

At the General Affairs Council meeting on 20 July Ministers discussed the attitude to be adopted in regard to the OAS embargo. While confirming the Community's continued support for the embargo the Ministers noted that in the absence of a resolution of the UN Security Council there were legal problems, *inter alia*, in regard to overriding the trade provisions of the Lomé IV Convention. The Presidency and the Commission are continuing the examination of this issue and other ways of supporting the OAS action. The honourable Member will have noted that immediately following the *coup* all Community development aid other than humanitarian was suspended.

92/331. Question No H-811/92 by Mr Balfe on the Maastricht declaration

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Can EPC indicate the correct method to be followed by Members seeking to table questions arising from the Maastricht declaration relating to the WEU and would the Council make a statement on the latest situation regarding the implementation of this declaration?

Answer:

The implementation of the WEU declaration falls to the competence of the WEU and is not discussed within the EPC framework.

92/332. Question No H-814/92 by Ms von Alemann on the failure to provide Lord Carrington with an EC office

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

By organizing the peace conference the European Community is making an important contribution towards resolving the conflict in the former Yugoslav Republics. We attach great importance to the work undertaken by Lord Carrington as chairman of this conference and on his visits abroad.

Will EPC say why Lord Carrington has not been provided with a fully equipped office at his place of residence or with official letter paper?

Answer:

As the honourable Member will be aware, the role of the EC Conference has evolved following the recent conference in London on the situation in the former Yugoslavia.

In London, tribute was paid to the important contribution the outgoing chairman, Lord Carrington, made to the EC Peace Conference ever since it began its work in September 1991. The Carrington Conference, as it became known, has now become an integral part of the international

conference agreed upon in London. Lord Carrington will continue to be associated with the work of this conference as member of its steering committee.

As before, a fully equipped secretariat, now to be based in Geneva, will assist the conference in carrying out its functions.

92/333. Question No H-818/92 by Mr Newman on arms supplies to Turkey

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Given the Turkish Government's continued abuse of human rights and armed repression, especially of Kurdish people, will the Foreign Ministers in the near future consider banning the export of arms to Turkey from all European Community countries?

Answer:

The question raised by the honourable Member has not been discussed in the framework of European political cooperation.

92/334. Question No H-852/92 by Mr Cushnahan on refugees from the states of the former Yugoslavia

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Has EPC developed a Community policy with regard to refugees from the war-torn independent states of the former Yugoslavia?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: Mr President, humanitarian assistance to the victims of the conflict is being provided by a variety of donors including the Community and its Member States. The European Council in London considered that in spite of actions already undertaken, in particular by UNHCR, further financial help would be needed. The Commission would coordinate these efforts with the other G24 countries. On 20 July, it was decided to make available an additional MECU 120 for humanitarian relief for the refugees and displaced persons. Member States on a national basis have also made considerable contributions for humanitarian assistance through multilateral channels, national and international NGOs, and also in the framework of United Nations Security Council Resolution No 758.

The Community and its Member States welcomed UNHCR's decision to convene a conference on the refugee problem. This Conference endorsed UNHCR's recommendation for a comprehensive humanitarian strategy including the principle to provide assistance as close to the place of origin as possible, and agreed to the setting up of a follow-up committee to oversee its effective implementation. At its first meeting on 30 July, the follow-up committee endorsed the UN inter-agency standing committee's decision to dispatch two needs – assessment missions to the former Yugoslavia and UNHCR presented its plan for road convoys in Bosnia and Herzegovina and accommodation in Croatia.

The meeting of the follow-up committee on 4 September discussed the findings of the recent inter-agency mission visit to former Yugoslavia. The UN launched a revised consolidated appeal for USD 467 million to cover urgent needs in food, health and shelter sectors. The meeting recognized the release of detainees from Bosnian camps as a priority. Croatia offered to accept released detainees in transit pending a decision on their final destination. In the field, the ECMM deploys a special team charged with monitoring and reporting violations of the second additional protocol to the Geneva Conventions. The ECMM coordinates its activities with UNHCR among others, which has been asked by the UN Secretary-General to lead the humanitarian relief, and the International Red Cross. In this context, arrangements were made during the siege of Vukovar to evacuate the sick and wounded from the local hospital. Under the same heading the ECMM is involved in monitoring the exchange of prisoners. Quadri-partite meetings also take place regularly on humanitarian issues between representatives from Croatia, the JNA, ECMM and the International Red Cross.

On the initiative of the Presidents of Croatia, Bosnia and Herzegovina and Slovenia, international emergency meetings on assistance to displaced persons and refugees were held in Vienna on 21 May, in Zagreb on 9 June and in Ljubljana on 29 June. The Presidency and the Commission represented the Community and several Member States attended. The London Conference on Yugoslavia on 26 and 27 August also paid particular attention to the many pressing humanitarian issues. The Statement of Principles and the Work Programme, both consensus documents of the Conference, are clear on the need to promote humanitarian relief in all its aspects including refugees. To this end an humanitarian issues working group has been established by the conference.

Mr Cushnahan (PPE): First of all I would like to thank the President-in-Office for his detailed reply on basically two issues: one, the question of assistance in humanitarian terms; and secondly, the issue of whether or not Member States are prepared physically to admit refugees into their own particular country. Has the President-in-Office any comment to make on the rather differing attitudes of Member States to admitting refugees, and does EPC intend to discuss this matter further to ensure that all Member States act in as humanitarian a way as possible to admit the largest possible number of refugees? In particular, what does he intend to do to persuade those Member States who have been rather dragging their feet on this particular issue and have not, in my view, made the generous response that they should have done?

Mr Garel Jones: The first thing I would say to the honourable Member is that the great majority of EC Member States support the United Nations High Commissioner for Refugees in believing that the best solution is for displaced persons to remain as close as is possible to their homes, preferably within the former Yugoslav republics. Of course, we recognize that a number of EC countries, notably Germany and those other European countries, that are former neighbours of Yugoslavia have had to bear a very substantial burden, and I think there is wide appreciation both of their efforts and of the care that they are giving. The Community recognizes that the burden of financing relief activity should be shared more equitably by the international community and that the key to alleviating migrant flows is to provide sufficient assistance to allow displaced persons to be cared for and protected within the former Yugoslavia.

92/335. Question No H-867/92 by Mr Pierros on the recognition of Skopje by Russia

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

At the last European Council in Lisbon, the EC decided not to recognize Skopje while it in any way uses the term 'Macedonia'. This is the official position of the European Community. Moreover, this position is compatible with and at the same time dictated by the fundamental principles of international law and the UN Charter, under which any action implying expansionist intentions is deemed unlawful. Given that Russia is in serious need of economic, humanitarian and other aid from the EC, what does EPC think of Russia's unilateral and arbitrary recognition of Skopje under the name of 'Macedonia', and how does it propose to implement the Lisbon decision?

Answer:

The recognition of States is an act under international law which concerns first and foremost the States directly concerned.

92/336. Question No H-872/92 by Ms Banotti on Afghanistan

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Could EPC inform me what is the present status of negotiations towards recognizing a national Afghan Government? Does EPC intend that the EC become involved in repatriating Afghan refugees presently in camps in Pakistan and does it advocate the use of EC humanitarian aid for this purpose?

Answer:

Garel Jones, President-in-Office of European political cooperation: In their statement of 30 April, the Community and its Member States welcomed the transfer of power from General Najibullah to the interim administration in Afghanistan and expressed the hope that this would lead to the formation of a broad-based Afghan Government. Since then, the Community and its Member States have been closely following the situation in Afghanistan. They have repeatedly urged, most recently in their statement of 14 August, all parties to the Afghan conflict to put an immediate end to their fighting and to enter into negotiations aimed at a return to peace, economic and social reconstruction and the establishment of a permanent representative government.

The Community and its Member States have contributed with humanitarian aid to Afghan refugee programmes in Pakistan; they fully support the efforts of the United Nations to address the urgent need in Afghanistan for internal reconciliation reconstruction and refugee return and rehabilitation. Some Member States have contributed to international programmes supporting the return of refugees to their homes in Afghanistan.

Ms Banotti (PPE): May I just take a brief moment before my supplementary to offer my condolences to the Minister because he, Mr Jones Parry and myself are the only people in the House who have been here for the last eight hours. He must be getting very tired.

I thank the President-in-Office for his answer. It is conclusive, but would he care to comment on the fact that, further to the debate we had this afternoon on Somalia at which he was present, Afghanistan now has the highest number of refugees in the world? More than 6% of the pre-war population of Afghanistan have been killed in the last 12 years. 30% of the pre-war population of Afghanistan are now refugees either in Iran or Pakistan. I know that the President-in-Office mentioned aid being sent to the Afghanistan refugees in Pakistan but he did not mention those in Iran. I would be interested if he has anything going there as well.

Mr Garel Jones: I am grateful to the honourable Member for her remarks about my stamina. I would just say to her that, as she and all honourable Members are aware, the strains that we subject ourselves to are of course [...] nothing to the difficulties and humiliations that refugees are facing in Afghanistan and elsewhere. So far over a million Afghans have returned home and they have been returning from Pakistan at a rate of about 15.000 a day. I am not aware of the flow of returnees from other parts of the world but I would suspect that if as many as a million have returned to Afghanistan so far this year, they will not all have come just from Pakistan. Clearly the main effort of the Community, apart from assisting refugees to return home safely, is to try to stimulate the return to a proper well-established democratic government in Afghanistan because it is on that basis and that basis alone that peace and security can return to that unhappy country.

92/337. Question No H-877/92 by Mr Ephremidis on the Turkish forces' continuing persecution of the Kurdish people

Date of issue: 16 September 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The Turkish army is continuing its attempts, both within and outside Turkish territory, to 'exterminate all Kurds' in accordance with the recent decision by Turkey's National Security Council. There are reports that, only a few days ago, after bombing Kurdish bases in northern Iraq and in towns in south-east Turkey, Turkish soldiers in pursuit of Kurds crossed over into Iraqi territory.

How do the Foreign Ministers meeting in EPC view these events? Do they not agree that recognition of the rights of the Kurdish people is a prerequisite for peace in the region and that their stance on this matter is undermining their credibility, given the position they have taken in the past in respect of similar situations?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents, including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country and express their hope that the latter will take all necessary steps to this end.

92/338. Statement on Equatorial Guinea

Date of issue: 22 September 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

On behalf of the Community and its Member States, Heads of Mission in Malabo delivered a *démarche* to the Minister of Foreign Affairs of Equatorial Guinea on 16 September. The *démarche* expressed concern about violence used by police when detaining opposition politicians on 1 September. The Community urged the authorities to release those detained. The *démarche* re-

called article 5 of the Fourth Lomé Convention (which enjoins recipients of EC aid to respect human rights) and the Resolution on Human Rights, Democracy and Development passed by the Development Council on 28 November 1991.

92/339. Statement at the Plenary Session of the 47th UN General Assembly

Date of issue: 22 September 1992

Place of issue: New York

Country of Presidency: United Kingdom

Status of document: Statement in international forum

Mr Hurd: Mr President, as my colleagues from other regions of the world have noticed, Member States of the European Community have recently seen a lively discussion on how to achieve the ever closer union to which we are all committed. That discussion is not the subject of my speech today, because I want to talk about Europe and the wider world. In the light of the discussion among the twelve Member States, however, I want you to know that the European Community is determined to build up the place and the role of the Twelve in world affairs.

Two years ago, when I first came to speak at the General Assembly, the world was celebrating – the end of the Cold War, the beginnings of freedom. Everyone was optimistic. Everything had changed since I first attended a General Assembly at the height of the Cold War back in the 1950s.

At the end of 1992, we see things differently. The world after the Cold War is a better place, but it is also less stable. We have seen both a democratic spring and a demagogic spring, an outpouring of hope and an outpouring of hate. Problems are different but equally taxing.

International order is threatened in the short term by the unleashing of extreme nationalism and challenges to the rule of law. In the medium term, the inescapable challenge is to reinforce the system of collective security based on the UN. Respect for good government and human rights must move to the centre of the stage. In the long-term, we must face up to the threat to international peace and security posed by poverty and environmental degradation. The international community cannot afford to postpone action on the longer term problems until the short term ones are resolved. I should like to look at each of the challenges in turn.

Short term challenges

The end of the Cold War has been marked in some areas of the world by nationalism out of control. Nationalism is not a fault in itself but a natural instinct of man in society. We see its benign manifestations in the former Soviet Union and Czechoslovakia, though even there, there are problems. Yugoslavia is the worst example of the bitterness of nationalism producing intolerable results. Both Europe and the UN must work strenuously for peace, justice and the relief of suffering in these tortured lands.

Since last autumn the United Nations and the European Community have been working closely, the UN leading on peace-keeping, and the EC on peace-making, through Lord Carrington's Peace Conference. This cooperation helped stop the killing in the Serb Krajina in Croatia, where UNPROFOR and the EC Monitoring Mission have achieved a good deal.

As conflict escalated, particularly in Bosnia, the UN and the EC decided, with wide international support, to harness their efforts in even closer liaison through the process launched by the London Conference last month. The International Conference on the Former Yugoslavia, now working in Geneva under co-chairmen Mr Vance and Lord Owen, is powered by the determination of the international community to bring an end to the violence in the former Yugoslavia.

The conference has two principal objectives – humanitarian and political. To alleviate the suffering of the victims of the conflict, to bring that conflict permanently to an end by negotiating a political settlement. This is difficult work, requiring deep understanding of the problems, the complete respect and cooperation of the parties concerned and the unstinting support of, and if necessary pressure from, the international community.

We must continue to deal with problems left by the rolling back of the Cold War. In Cambodia, we must not allow the peace process to drift. The Khmer Rouge have not joined phase II of cease-fire arrangements, they are delaying the implementation of the comprehensive political settlement. On the positive side, the military component of UNTAC is now fully deployed and the civilian component is beginning to take control of the key ministries. We must make every effort to hold to the timetable for elections next April.

Some states still show a willingness to challenge the rule of international law and resort to terrorism. Iraq's invasion of Kuwait was the first test of the post-Cold War era. The liberation of Kuwait was one of the UN's greatest successes. Unfortunately, Saddam Hussein continues to defy the UN; his government is failing to meet Iraq's obligations under Resolution 687 and continues to repress its own population particularly in Northern and Southern Iraq. Pressure must – and will – continue until he implements UN resolutions in full. The message is that all states must comply with SCRs. We still wait for Libya to implement SCR 731.

We need persistence and determination in meeting these short term challenges. Although the agenda is changing, items like Yugoslavia are added, old items remain and must be dealt with. One long-running problem of particular concern to the European Community is Cyprus. This year the Secretary-General has made a purposeful effort, but there is a need for fresh impetus on the key issues of territory and displaced persons. Without a willingness to negotiate on all sides there will be no lasting settlement.

Looking further ahead

In the medium term we know that we must build a stronger system of collective security. Everybody is looking to the United Nations. But we risk loading the UN with too heavy a burden of, in effect, intervention and partial administration. 'Something must be done'. That is the impulse which we all feel as we read about or watch some new outbreak of man's inhumanity to man. We should realize where that impulse leads us. We should not wander down this new road without serious thought. It would involve a restructuring of armed forces so that they could take a full part in the growing number of peace-making and peace-keeping exercises of the UN. It would mean a massive increase in the funds which the UN and its humanitarian agencies would require from its member States in regular contributions and in aid, in times when many member States face severe budgetary problems. These are just two of the implications of the course on which the world is beginning to propel the UN because 'something must be done'.

The best way of preventing these demands getting out of hand is of course to prevent those conflicts which give rise to the demands – in short, diplomacy. Diplomacy is unfashionable in the world of knee-jerk reaction and the dogmatic soundbite on television. It lacks news value, lacks glamour, involves compromise, takes time, is easy to mock and is indispensable.

That is true of conflicts in the Middle East, which the parties involved have from time to time tried to resolve by force, but in vain. This is a critical moment in the Arab/Israel peace process. We in the Community know that all concerned must seize this opportunity; the tide must be caught. The negotiation of a final settlement based on SCRs 242 and 338 will no doubt take time and hard work. What is important in the immediate future is for all parties to work towards visible progress, step building on agreed step.

To give diplomacy a chance, the key international institutions need to be strong. One day, I hope, the CSCE will be effective in the prevention of conflict throughout Europe. With the adop-

tion of the Helsinki document the CSCE has begun to give itself the tools to tackle problems by conciliation before they slide into violence and to manage crises once they develop. The document recognizes that the CSCE is a regional arrangement according to chapter VIII of the UN Charter: providing an important link between European and global security.

The UN will be crucial, and reform will be crucial to the UN's performance. Early this year the Secretary-General made a determined start on administrative reform – a decisive step. This is being followed up both in the Secretariat and in the vast superstructure of inter-governmental bodies which have grown up over the past 40 years in the economic, social and related fields. We welcome the work of the General Assembly to rationalize its agenda. All this is welcome, all this must be pursued further.

A Security Council Summit met last January at the initiative of my Prime Minister to consider next steps. The communiqué asked the Secretary-General to prepare a report on the ways in which the UN could help tackle the new challenges on the international agenda. The European Community contributed to his study. On 17 June, Dr Boutros-Ghali published his ideas on preventive diplomacy, peace-keeping, peace-making and – as he called it – peace-building.

The EC believe that the Secretary-General's ideas are a very important collection of proposals. They try to address a need which is not some distance ahead, but which is with us here and now. The general debate should be a genuine debate on the ideas advanced in the report. All UN bodies but notably the Security Council and the General Assembly, should follow up swiftly in the light of the debate.

Preventive diplomacy is quicker, more helpful to peoples about to be embroiled in conflict than the most successful peace-keeping or peace-making operation which follows the outbreak of violence. It is also less costly, in terms of lives and cash. The Secretary-General should be ready to make full use of his powers under Article 99 of the Charter to draw the attention of the Security Council to any matter which in his opinion may threaten international peace and security. Greater use is already being made of fact-finding missions; we would like to encourage this trend.

Preventive deployment of troops might take place to deter aggression or conflict between states, possibly involving deployment to only one side of an international border. There may be difficulties about timing the despatch of such a force in a given crisis but essentially this seems a sound idea to be drawn upon on a case by case basis.

I warmly welcome President Bush's bold initiatives to strengthen the peace-keeping work of the United Nations. They deserve, and will have, our support.

In the EC we want to follow up the idea of preventive deployment in the event of an internal crisis, where the government requests help, with humanitarian assistance or conciliation. No two cases would be the same. There would need to be careful discussions with governments and parties concerned before the international community could deploy monitors. Recognizing that, the European Community and its Member States have already decided in principle to send civilian monitoring missions to states which want them – where this would help to avert a crisis and possible bloodshed. In South Africa, with the agreement of all the parties, the UN, European Community and Commonwealth are all sending observers to reinforce the National Peace Accord.

To help prevent conflict we must prevent the proliferation of armaments, especially weapons of mass destruction. We therefore welcome agreement on a global Convention on Chemical Weapons as a step towards a safer and more secure world.

Peace-making is a painstaking business. Bringing pressure, even peaceful pressure on warring parties, involves sacrifice to innocent third parties. We are acutely aware of the economic difficulties often caused to third countries by the imposition of sanctions under chapter VII. Countries which need balance of payments help, countries which are also implementing prudent adjustment programmes, are being badly affected. The international financial organizations are in a good posi-

tion to assess and then take into account the effects of UN mandatory sanctions when they design support packages for these countries.

The Secretary-General's report contains a number of proposals for member States to earmark forces for enforcement action and for peace-keeping. All twelve Member States of the EC have responded to his questionnaire on forces which could be made available for peace-keeping. All members of the UN should keep this under regular review.

EC Member States make a substantial financial as well as military contribution to peace-keeping operations. The figures speak for themselves. Twelve Member States of the EC are supposed to contribute one-third of the cost of peace-keeping operations financed through assessed contributions. At the end of August, they had in fact given 40,1% of total contributions actually collected so far for the various new operations launched or expanded since the end of the last General Assembly. Those EC Member States participating in the new operation in Bosnia will bear all their own costs. We are doing our bit, and look to others to do the same. The Secretary-General is quite right, the financial problems of the UN must not be allowed to fester. We support the proposed peace-keeping reserve fund, subject to negotiation on the detail. The General Assembly must follow this up.

The role of the United Nations does not stop once a conflict is over. The Secretary-General's Agenda for Peace rightly looks at how we might help in peace-building after a conflict. The UN has made a crucial contribution in El Salvador. The promotion of free elections and democratic institutions is a key part of such peace-building and a proper area of activity for the UN. So, at a practical level is, de-mining. It is a stern commentary on the state of the world that the removal of mines in the aftermath of conflict must be high on our agenda – for example in Cambodia, Northern Somalia and Angola.

The European Community and its Member States welcome the emphasis the Secretary-General gives to human rights, democracy and development. During the Cold War some of us in the Community tended to concentrate on human rights abuses in the Soviet bloc. Elsewhere we sometimes paid lip-service, when we should have been taking action. But all people want and deserve to enjoy full human rights. We want the World Conference on Human Rights at Vienna in June 1993 to take real steps to achieve this.

The Twelve warmly welcome the tide of political reform now flowing in Africa. We are helping to promote good government and sound human rights and electoral practices. The Twelve contributed to discussion at the UN in a paper submitted to the Secretary-General. Europe, both at the national and the Community level, have already shown their wish to respond to requests for assistance in election monitoring – notably in Ethiopia, Congo and, later this year – in Kenya and Ghana and also the inter-parliamentary union's work in Namibia.

Further ahead still

In the longer term collective security could be undermined by deeper economic and social forces – poverty, environmental degradation. Relief must be followed by or else countries afflicted will be overwhelmed by despair.

We are already seeing that in Somalia. This appalling humanitarian tragedy is a warning of what might become widespread. Sadly, Somalia is just the most extreme form of a problem now afflicting large parts of sub-Saharan Africa.

At the beginning of the month, I led an EC troika visit to Mogadishu. We witnessed the disintegration of a society and of all legitimate authority. We witnessed the collapse of a state and all services connected with a state. Instead of order, teenage gangs roam the streets, offering protection at a price. Instead of a distribution system there is blackmail and looting. We saw for ourselves the vital importance of the new humanitarian relief arrangements being put in place by Mr Eliasson.

The Somalis urgently need a reconstruction of civil authority. The Twelve fully support Ambassador Sahnoun's efforts. He is an outstanding international servant. Last month the Security Council voted to strengthen UNOSOM so that its security units will be better able to distribute aid. Among EC States, Belgium, with the support of all of us, plans a substantial contribution to that security.

Nor are all disasters man-made. The drought in the Horn and southern Africa will require a major international relief effort over the coming year.

For the first time, over the last couple of years, the environment has become a priority for all countries. The road from Rio may be harder than to the road to it. UNCED attracted the world's leaders, the world's media and the world's imagination. Sustainable development will stay at the top of the international agenda.

What we need now is effective follow-up, both here at the General Assembly and beyond. Immediately after his return from Rio Prime Minister Major proposed an eight point plan picking up key elements agreed at Rio. This initiative was broadly endorsed at the Lisbon European Council and the Munich Economic Summit.

The Sustainable Development Commission, to be set up by this General Assembly, will have a crucial role in follow-up. The General Assembly must create an effective instrument to ensure that the impetus given by Rio is not lost.

Conclusion

For the medium and long-term, we need to turn hope into reality. In the case of the short term challenges, we must bring hope to a grim reality. The international community sees a need to get involved earlier as crises develop. We must make an effort to avert crisis. If that fails, then we must prevent crisis from escalating and spreading. In facing up to the mixed legacy of the Cold War, the international community must be realistic. History cannot be denied or uprooted. The solving of problems which sometimes have their roots in centuries past is a slow, sometimes a very frustrating, business.

After the brief gleam of optimism in 1989 and 1990 when all seemed easy, we are now more realistic. Progress towards a more decent orderly world will never be effortless. Our best hope is to make two steps forward for each step back. Even that degree of progress will require the rapid strengthening of our institutions and in particular the family of institutions of the United Nations – not essentially by more conferences and speeches, but by the kind of practical effort which the United Nations mounts today in Somalia, Yugoslavia, Cambodia and countless other troubled places. In that effort the EC and its Member States will take a persistent, energetic and worthy part.

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This memorandum is circulated concurrently with the speech delivered to the General Assembly on 22 September 1992 by The Rt Hon Douglas Hurd, the Minister for Foreign Affairs of the United Kingdom of Great Britain and Northern Ireland, on behalf of the European Community and its Member States. It forms an integral part of that speech.

1. Central and Eastern Europe

The European Community and its Member States fully support the transformation to democratic institutions, market economies and respect for human rights in the countries of Central and Eastern Europe and they welcome the results already achieved.

In their declaration of 16 December 1991,¹ the Community and its Member States affirmed their readiness to recognize new States in Eastern Europe and the Soviet Union, and set out certain commitments (for example on human rights and disarmament) with which the Community and its Member States expected the new States to comply.

Following the dissolution of the Soviet Union at the end of 1991 the Community and its Member States noted that the international rights and obligations of the former USSR would continue to be exercised by Russia. EC Member States duly proceeded to recognize the eleven other former Soviet republics as independent states.

The Community and its Member States are playing their full part in international efforts to help the economies of Russia and the other new states. They have also actively been pursuing political dialogue, with meetings at Ministerial and senior official level in Moscow, Brussels and in the Presidency capital. The TACIS programme provides technical assistance to the countries of the former Soviet Union with the aim of supporting the process of economic and social reform which is now underway.

The Community and its Member States are increasingly concerned at the situation in and around Nagorno-Karabagh, where so far the parties involved in the fighting have not shown the political will required to move determinedly towards a political settlement. They urge the parties involved – in particular the Governments of Armenia and Azerbaijan alike – to settle their differences and work with the CSCE to bring about a settlement fair to all concerned.

The Community and its Member States are also concerned at continuing violence in Georgia where ethnic rivalry is calling into question Georgia's transition to democracy. They are encouraged by the comparatively successful implementation of the 21 July peace agreement in Moldova. They emphasize the role of CSCE mechanisms and principles in resolving disputes of this nature.

The Community and its Member States have strengthened ties with Estonia, Latvia and Lithuania. They welcomed the signing of a Trade and Cooperation Agreement and a joint declaration on political dialogue in May 1992. They are encouraged by the agreement between Lithuania and Russia on a timetable for withdrawal of former Soviet forces and look to further such agreements between Russia and Estonia and Latvia respectively.

The relationship with Eastern Europe continues to deepen. The Community and its Member States welcomed the signing of Association Agreements with Poland, Hungary and Czechoslovakia in December 1991. The provisions on political dialogue which are already being implemented will help to reinforce these countries' relations with European organizations and structures. They hope that the talks between the different political forces in the Czech and Slovak Federal Republic will continue in a peaceful and constructive manner. The Community is negotiating EC Association Agreements with Romania and Bulgaria for the same purpose as those signed in 1991 with Hungary, Poland and Czechoslovakia.

The Community and its Member States support the process of social and economic reform within the countries of eastern and central Europe. The PHARE programme provides technical assistance over a range of sectors responding to the needs of individual countries. The programme also encourages efforts to improve nuclear safety. The Community and its Member States will continue to strengthen the effectiveness of both the PHARE and TACIS programmes with the aim of supporting the process of reform. The Community's efforts in these countries continue to be separate from, and additional to, their efforts in developing countries.

A Trade and Cooperation Agreement was signed with Albania on 11 May 1992 together with a joint declaration on political dialogue. The Community and its Member States continue to be actively involved in the implementation of a comprehensive programme of food aid and economic assistance to Albania.

2. *Former Yugoslavia*

The crisis in the former Yugoslavia remains a cause for great concern. The European Community and its Member States condemn the continuing violence, for which Serbia bears primary responsibility, which has resulted in appalling loss of life and a desperate humanitarian situation, in particular in Bosnia-Herzegovina. They continue to be actively involved in the process of finding a peaceful and lasting solution to the conflict, through direct contacts with the parties concerned, through the Conference on Yugoslavia chaired jointly by the UN and the European Community, building on the work of Lord Carrington, through the European Community Monitor Mission (ECMM), in the framework of the CSCE, and by cooperating with third countries and international organizations.

2.1 Recognition process

On 16 December 1991² Foreign Ministers adopted common guide-lines for the recognition of Yugoslav republics seeking independence. On 15 January 1992 the Community and its Member States recognized Slovenia and Croatia.³ Talks have started with Slovenia on the conclusion of a Trade and Cooperation Agreement.

The Community and its Member States recognized Bosnia-Herzegovina on 7 April. They urged the Republic to adopt constitutional arrangements without delay to provide for the peaceful and harmonious development of Bosnia-Herzegovina within its existing borders. Talks on constitutional arrangements, which started in early February, have continued in the framework of Lord Carrington's conference and are now chaired by Lord Owen's and Cyrus Vance's Special Representative for Bosnia-Herzegovina.

The European Council, meeting in Lisbon on 26 and 27 June 1992,⁴ expressed its readiness to recognize the former Yugoslav Republic of Macedonia as an independent state within its existing borders in accordance with the provisions of the declaration on 16 December 1991, under a name which does not include the term Macedonia.

Serbia and Montenegro did not ask for recognition as independent republics but decided instead on 27 April 1992 to adopt a constitution for a new Federal Republic of Yugoslavia. Following the advice of the Arbitration Commission of the Conference on Yugoslavia, chaired by Mr Badinter, the Community and its Member States stated that, although it was for Serbia and Montenegro to decide whether they wished to form a new Federation, this new entity could not be accepted as the sole successor and automatic continuation of the former Socialist Federal Republic of Yugoslavia. The question of state succession would have to be addressed by all the republics of the former SFRY. In the light of this decision, the Community and its Member States deny the claim by the FRY (Serbia and Montenegro) to continue automatically the membership of the former SFRY in the UN. In accordance with UN Security Council Resolution 777, the FRY (Serbia and Montenegro) should not participate in the work of the General Assembly.

2.2 Bosnia-Herzegovina

In statements issued on 11 and 16 April 1992⁵ the Community and its Member States expressed their deep concern about the security situation in Bosnia-Herzegovina and called for an immediate cease-fire. They condemned the use of force, intimidation and provocations by nationalist extrem-

ists and the attempts by others to destabilize the Republic. The Community and its Member States reaffirmed the principle of territorial integrity as the unquestionable foundation of any constitutional order and their refusal to accept change of borders by force.

The President of the Council, accompanied by Lord Carrington and Ambassador Cutileiro, visited the region on 23 and 24 April. They had talks in Sarajevo with leaders of Muslim, Croat and Serb parties, and subsequently in Belgrade and Zagreb. In the light of deteriorating conditions in the field, notably in Sarajevo, the Special Representative of Lord Carrington for Bosnia decided to adjourn talks on future constitutional arrangements for Bosnia-Herzegovina on 30 April. Three subsequent rounds were held with little substantial result. The ECMM in Bosnia-Herzegovina, whose activities had been suspended following the death of an EC monitor on 4 May,⁶ was withdrawn from the Republic.

In their declaration on 11 May,⁷ the Community and its Member States noted that, although all parties had contributed in their own way to the present state of affairs, by far the greatest share of the blame fell on the JNA and the authorities in Belgrade. They demanded the complete withdrawal of the JNA and its armaments from Bosnia-Herzegovina or the disbandment of its forces and the placing of its armaments under effective international monitoring, and the reopening of Sarajevo airport under conditions of safety, allowing for urgently needed aid to be distributed.

2.3 Sanctions

UNSCR 713 of the 25 September 1991, which imposed an arms embargo on all the republics of the former Yugoslavia, has been implemented by the European Community and its Member States. In the economic field, the restrictive measures adopted by the Community and its Member States on 8 November 1991⁸ were counterbalanced by positive compensatory measures introduced on 2 December 1991 in favour of those Republics which did cooperate in a peaceful way towards a comprehensive political solution on the basis of EC proposals (Slovenia, Croatia, the former Yugoslav Republic of Macedonia, Bosnia-Herzegovina). On 10 January 1992 this was extended to include Montenegro.⁹

In May, as a result of growing concern about Serbian involvement in the conflict in Bosnia, the Community and its Member States decided to recall their Ambassadors in Belgrade for consultations and to demand the suspension of the delegation of Yugoslavia at the CSCE.

Following the adoption on 30 May 1992 of UNSCR 757, the Community and its Member States approved a regulation and a decision on 1 June implementing economic sanctions against Serbia and Montenegro as well as sanctions at national level.¹⁰ The Community and its Member States believe that the UN sanctions against Serbia and Montenegro and all UN Resolutions regarding these republics should be maintained and strictly implemented.

All Member States endorsed the conclusions on implementation of existing sanctions and the specific decisions relating to sanctions of the London Conference. These reiterated the need for full compliance with SCRs 713 and 757, and agreed follow-up action in the Security Council and elsewhere to reinforce the sanctions regime. The conference asked the European Community, together with the CSCE, to coordinate all necessary practical assistance to neighbouring countries to enhance compliance.

2.4 EC/UN Cooperation

The UN Protection Force (UNPROFOR) and the EC Monitoring Mission (ECMM) are cooperating on the ground in the implementation of the UN peace-keeping plan. As part of the UN plan, the ECMM have taken up monitoring duties in those parts of the so called 'Pink Zones' where Serbs are living between the cease-fire line and the UN Protected Areas, and help UNPROFOR supervise the demilitarization and disarmament process. The next stage will be the restoration of

Croatian civil authority, which will be discussed in the Joint Commission set up under UNSCR 762 on which the ECMM is represented. Nationals of EC Member States have been killed while serving with the ECMM and UNPROFOR and while assisting the UNHCR in its relief work.

2.5 Sarajevo relief effort

On 15 June 1992¹¹ the Community and its Member States welcomed and supported UNSCR 758 and the steps taken by the Secretary-General to secure the reopening of Sarajevo airport for humanitarian purposes. They welcomed the active participation of Member States in this operation and expressed their readiness to assist the Secretary-General in any manner which would facilitate the immediate delivery of urgently needed humanitarian supplies to Sarajevo and other destinations in Bosnia-Herzegovina. In this context, the Community and its Member States supported the establishment of a security zone encompassing Sarajevo and its airport.

The European Council in Lisbon deplored that the reopening of Sarajevo airport for humanitarian purposes had not been achieved and proposed that the Security Council take all necessary measures. While giving priority to peaceful means, the European Council did not exclude support for the use of military means by the UN to achieve these humanitarian objectives. On 20 July,¹² the Community and its Member States welcomed the decisions taken by WEU and NATO to monitor the implementation of the UN sanctions at sea and to this end on the 22 August they welcomed UNSCR 770.

2.6 Human rights

The European Community and its Member States have repeatedly deplored all human rights abuses in the former Yugoslavia regardless of the perpetrators. In its statement to the General Assembly on 24 August 1992, the EC and its Member States condemned the practice of ethnic cleansing in Bosnia-Herzegovina and rejected as inhuman and illegal the expulsion of civilian communities from their homes to alter the ethnic character of the area. The European Community and its Member States have also condemned the existence of detention centres, especially in Bosnia-Herzegovina and called for camps to be shut immediately and detainees allowed to return to their homes. In the meantime, it is imperative that they be open immediately to international inspection. The European Community and its Member States welcomed the extraordinary session of the Commission on Human Rights and its decision to send a special rapporteur to investigate allegations of human rights abuses throughout the former Yugoslavia, in particular within Bosnia-Herzegovina. His preliminary report to the Secretary-General concludes that massive and grave violations are occurring throughout Bosnia-Herzegovina. In addition, they support the recent decision of the CSCE to send rapporteur missions to investigate detention centres throughout the former Yugoslavia and attacks on civilians in Bosnia and Croatia.

2.7 Minority issues

European Community involvement in the Yugoslav crisis has from the beginning been based on the principles of territorial integrity and minority rights. The question of the rights of persons belonging to national or ethnic groups is an integral part of the Conference on Yugoslavia. In his capacity as Chairman, Lord Carrington and his senior staff regularly met representatives of these groups. Chapter II of the Draft Treaty Provisions, the basic document under discussion at the conference, deals specifically with human rights and the rights of national or ethnic groups, including the special status of autonomy of areas in which persons belonging to a national or ethnic group form a majority.

On 11 May 1992,¹³ the Community and its Member States requested the authorities in Belgrade to commit themselves to respect the integrity of all borders of all Republics and the rights of minorities and national or ethnic groups, including in Kosovo and Vojvodina, in accordance with

the Draft Treaty Provisions. They also requested the authorities in Belgrade to promote the conclusion of an agreement on a special status for Krajina, ensuring respect for the territorial integrity of Croatia, and to cooperate with all parties at Lord Carrington's Conference in settling the question of state succession.

In their declaration on 15 June,¹⁴ the Community and its Member States, noting the potentially dangerous situation in Kosovo, urged all parties, including the Albanian Government, to show the necessary restraint and sense of responsibility. The European Council in Lisbon, repeating the urgent call on the authorities in Belgrade, urged the Serbian leadership to refrain from further repression and engage in serious dialogue with representatives of Kosovo. The European Council also reminded the inhabitants of Kosovo that their legitimate quest for autonomy should be dealt with in the framework of the Conference on Yugoslavia. It also stressed the need to dispatch immediately observers to Kosovo and to neighbouring countries to prevent recourse to violence and to contribute to the restoration of confidence. Calling on the CSCE to take the necessary steps, the Community and its Member States expressed their readiness to take part in such a mission.

The ethnic and national communities and minorities working group, one of six working groups established in Geneva as a result of the London Conference, will recommend initiatives for resolving ethnic questions in the former Yugoslavia. A special group will also be set up on Kosovo.

2.8 Humanitarian relief and refugee problem

Humanitarian assistance to the victims of the conflict is being provided by a variety of donors, including the Community and its Member States. The European Council in Lisbon considered that in spite of actions already undertaken, in particular by UNHCR, further financial help would be needed. The Commission would coordinate these efforts with the other G-24 countries. On 20 July 1992 it was decided to make available an additional MECU 120 for humanitarian relief to the refugees and displaced. Member States, on a national basis, have also made considerable contributions for humanitarian assistance through multilateral channels and national and international NGOs, and also in the framework of UNSCR 758.

The Community and its Member States welcomed UNHCR's decision to convene a conference on the refugee problem. This conference endorsed the UNHCR's recommendations for a comprehensive humanitarian strategy, including the principle that, in general, assistance to the refugees and displaced persons should be provided as close to their place of origin as possible, and agreed to the setting up of a follow-up committee to oversee its effective implementation. At its first meeting, 30 July, the follow-up committee endorsed the UN Inter-Agency Standing Committee's decision to despatch two needs assessment missions to the former Yugoslavia, and the UNHCR presented its plans for road convoys in Bosnia-Herzegovina and accommodation in Croatia.

In the field, the ECMM deploys a special team charged with monitoring and reporting violations of the Second Additional Protocol to the Geneva Conventions. The ECMM coordinates its activities with UNHCR among others, which has been asked by the UN Secretary-General to lead the humanitarian relief effort, and the ICRC. In this context, arrangements were made during the siege of Vukovar to evacuate the sick and wounded from the local hospital. Under the same heading, the ECMM is involved in monitoring the exchange of prisoners. Quadri-partite meetings also take place regularly on humanitarian issues between representatives from Croatia, JNA, ECMM and the ICRC.

At the initiative of the Presidents of Croatia, Bosnia and Herzegovina and Slovenia, international emergency meetings on assistance to displaced persons and refugees were held in Vienna on 21 May, in Zagreb on 9 June and Ljubljana on 29 June. The Presidency and the Commission represented the Community and several Member States attended.

3. Cyprus

The European Community and its Member States continue to follow developments in Cyprus, a member of the European family, with concern. They reaffirm their strong support for the efforts of the UN Secretary-General, in the framework of his Mission of Good Offices, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions, including UNSCR 774, and high level agreements.

The Community and its Member States wish to reaffirm in line with Security Council resolutions that the present status quo in Cyprus is not acceptable. They note that talks resume in New York between the leaders of the two Cypriot communities on 26 October, and call upon them to work towards an overall framework agreement. In this respect, they consider the Set of Ideas, including suggested territorial adjustments reflected in the map contained in the annex to the Secretary-General's report, as the basis for such an agreement. Such a settlement must be based upon a State of Cyprus comprising two politically equal communities, as described in the Secretary-General's report, in a bi-communal and bi-zonal federation, and must exclude the union in whole or in part with any other countries or any form of partition or secession, as set out in SCR 774.

4. Middle East

The European Community and its Member States welcome the restoration of Kuwait's independence, but regard the unacceptable behaviour of the Iraqi regime as a source of instability in the region. They remain firmly committed to the sovereignty, unity, independence and territorial integrity of all states in the region and are determined to continue to contribute to their stability and prosperity in a comprehensive way. This approach encompasses security matters, political issues, economic cooperation and cultural dialogue. They welcome the efforts made by the region's states in the framework of the Gulf Cooperation Council (GCC) and the Damascus declaration to consolidate peace and stability and were pleased to be able to pursue the dialogue with the GCC at the third meeting of the EC/GCC Cooperation Council in Kuwait on 16 May 1992.

4.1 Maghreb

At the Lisbon European Council in June 1992,¹⁵ the European Community and its Member States reiterated their solidarity with the Maghreb countries and their firm determination to continue their overall policy of contributing to the stability and prosperity of the Mediterranean region on the basis of an approach favouring partnership. The Community and its Member States considered that their relations with the Maghreb countries should be founded on a common commitment to respect for international law, human rights, religious and cultural tolerance, and the establishment of democratic institutional systems. They expressed their willingness to develop relations on the basis of various actions in the economic, social and cultural fields with these countries. At the political level they envisaged a regular exchange of information and greater mutual consultation on political and security matters.

4.2 Middle East peace process

As they reiterated in their declaration at the Lisbon European Council,¹⁶ the European Community and its Member States are firmly committed to play a constructive and active role in both the bilateral and multilateral tracks of the peace process, based on their well-known positions of principle, including support for UNSCRs 242 and 338. A troika of senior officials visited Egypt, the Occupied Territories, Israel, Jordan, Syria and Lebanon from 25 March to 3 April 1992 to demonstrate this commitment and assess the prospects for progress.

4.3 Lebanon

The Lisbon European Council declaration on the Middle East peace process reiterated the wish of the European Community and its Member States for full implementation of Security Council Resolution 425. They reaffirm their support for Lebanon's independence, sovereignty, unity and territorial integrity. They have repeatedly called for the withdrawal of all foreign forces from Lebanon and for cooperation by the parties with the United Nations forces serving there.

In their statement of 18 August 1992,¹⁷ the Community and its Member States welcomed the prospect of a renewal of the democratic process in Lebanon and called for the elections to be conducted according to democratic principles and in the spirit of national reconciliation which characterized the Ta'if Accord. In their subsequent statement of 11 September,¹⁸ they regretted that the low turn-out, alleged irregularities and interference and denial of access to voting booths in the south had impeded the democratic process and produced a parliament which does not reflect the political will of the Lebanese people.

4.4 Iran

The European Community and its Member States believe that, given Iran's importance in the region, they should continue to pursue a dialogue with Iran. But this should be a critical dialogue and one which encourages Iran to improve her behaviour in a number of fields, including human rights, the continued death sentence against the author Salman Rushdie, and terrorism. Improvement in these areas will affect the extent to which closer relations and confidence can be developed. The Community and its Member States accept the right of countries to acquire the means to defend themselves, but are concerned that Iran's arms procurement should not pose a threat to regional stability. They also hope that Iran will take a more constructive approach to the Middle East peace process.

4.5 Iraq

The European Community and its Member states remain committed to prompt and full implementation of all Security Council resolutions pertaining to Iraq. They welcome the sustained efforts of the UN Security Council to this effect. The Iraqi regime carries full responsibility for the deterioration in the humanitarian situation in the region. It has not yet agreed to implement Security Council Resolutions 706 and 712 which would contribute to improving the living conditions of the civilian population in the whole country. The situation of the civilian population throughout Iraq is of major concern to the Community and its Member States. They have repeatedly called upon Iraq to cease military actions and other repressive measures and for an early and effective implementation of Resolution 688, which demands an end to the repression of Iraqi civilians.

The Community and its Member States fully support the United Nations Inter-Agency Programme for the region, and have made significant cash and in-kind contributions, both at Community and national levels. They consider that the most effective way to help the civilian population is by acting in close cooperation with the UN effort.

4.6 Western Sahara

The European Community and its Member States reiterate their support for the UN settlement plan, as endorsed by UNSCRs 690 and 725, and their appreciation for the work of MINURSO. They call upon all the parties to cooperate fully with the UN Secretary-General and his Special Representative and to avoid doing anything which would hinder the rapid implementation of that plan.

5. Asia

5.1 Cambodia

The European Community and its Member States welcomed the signing of agreements on a Comprehensive Political Settlement of the Cambodia conflict by all parties which participated in the Paris Conference on Cambodia on 23 October 1991. The settlement opened the way for a new start for Cambodia.

The Community and its Member States fully support the action undertaken by the United Nations Transitional Authority in Cambodia (UNTAC) and appreciate the efforts made by Mr Akashi, the Special Representative of the UN Secretary-General.

They further welcomed the successful outcome of the Ministerial Conference on Rehabilitation and Reconstruction of Cambodia held in Tokyo on 22 June 1992. They have committed themselves to promote the peace process through substantial economic and financial contributions.

The Community and its Member States remain deeply concerned, however, that the Khmer Rouge continues to obstruct full implementation of the peace agreements. The Community and its Member States fully support UNSCR 766 and call on the Khmer Rouge to cooperate fully with the UNTAC and to contribute to creating conditions to allow free and fair elections to take place as planned in Cambodia in April/May 1993.

5.2 East Timor

The European Community and its Member States strongly condemned the actions of the Indonesian Armed Forces which led to the deaths of many innocent and defenceless citizens in Dili in November 1991.¹⁹ They called for a full and credible investigation aimed at identifying and bringing to trial those responsible. They welcomed the involvement of the United Nations and of the personal representative of the Secretary-General, Mr Wako, in this process.

The Community and its Member States acknowledged the prompt response of the Indonesian authorities in investigating the incident. Nevertheless, they remain concerned over the lack of clear information about the number of people killed, about the persons still unaccounted for, the disparity in the sentences given to civilians on the one hand and to the military on the other, and, in general, over the human rights situation prevailing in the territory.

The Community and its Member States support the UN Secretary-General's endeavours to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor in line with the principles of the UN Charter, with full respect for the legitimate interests and aspirations of the East Timorese. They reiterate their support for a dialogue without preconditions between Portugal and Indonesia under the auspices of the Secretary-General and welcome the Secretary-General's recent action to this end.

5.3 China

The European Community and its Member States reiterate the significance of their relations with China. They have continued to express to the Government of China their concern about the human rights situation, including in Tibet. A number of *démarches* have been made taking up the cases of individual political dissidents, seeking their release and requesting more information. The Member States of the Community, with others, introduced a resolution, which was not subsequently adopted, at the 48th Session of the Commission on Human Rights in March 1992 concerning the human rights situation in China, including Tibet.

5.4 North Korea

The European Community and its Member States underline the importance they attach to the full implementation of IAEA inspections in the Democratic People's Republic of Korea and of bilateral nuclear inspections agreed to under the Joint Declaration on the Denuclearization of the Korean Peninsula on 31 December 1991. They also urge the Government of the Democratic People's Republic of Korea to abide by Missile Technology Control Regime guide-lines for sensitive missile-relevant transfers and to cease missile sales.

5.5 Bangladesh

The European Community and its Member States acknowledge the difficult situation faced by the Government of Bangladesh due to the large number of Rohingya refugees arriving from Burma. They welcomed the Bangladesh Government's agreement to allow international relief organizations access to the refugees. They urged Bangladesh not to repatriate them against their will and endorsed the need for Burma to allow UN agencies to monitor their return.

The Community and its Member States are encouraged by the commitment of the Government of Bangladesh to respect human rights and the rule of law. Nevertheless, they remain concerned about the continuing reports of violent incidents in the Chittagong Hills Tract.

5.6 India/Pakistan

The European Community and its Member States are encouraged by the intention of the Governments of India and Pakistan to intensify their bilateral talks. A sustained and meaningful dialogue remains an important confidence-building measure in the attempt to find a lasting solution to their differences, including on the question of Kashmir.

They remain concerned about continuing reports of human rights abuses by the Indian security forces, and of material support being given to extremists in Kashmir from territory controlled by Pakistan. They urge all those concerned to exercise restraint, to allow responsible international organizations access to Kashmir and to create conditions leading to progress over a genuine political process in Kashmir.

The Community and its Member States are furthermore concerned about the continuing reports of wider human rights violations in both India and in Pakistan.

5.7 Sri Lanka

The European Community and its Member States recognize the improvements made by the Government of Sri Lanka in restoring respect for human rights and the rule of law and have urged them to continue their efforts. They remain concerned about the continuing reports of human rights violations in Sri Lanka. They strongly condemn the use of violence by the Liberation Tigers of Tamil Eelam.

The Community and its Member States welcome the efforts of the UNHCR to monitor the return of the Sri Lankan refugees from India.

5.8 Afghanistan

The European Community and its Member States fully support the efforts of the UN to address the urgent need for internal reconciliation, reconstruction and refugee rehabilitation in Afghanistan.

The Community and its Member States welcomed the transfer of power from General Najibullah to an interim administration of Mujahideen [mojahedin] parties, and hope this will lay the foundation for a broad-based Afghan government and lasting peace.

They have expressed their deep concern over the resurgence of hostilities and loss of life particularly among the unarmed civilian population and call on those involved to put an immediate end to the fighting in order that all parties can engage in a peaceful and constructive dialogue.

5.9 Burma

The European Community and its Member States remain concerned about the situation in Burma. Since the May 1990 elections the authorities in Burma have persistently failed to acknowledge and act upon the democratically expressed wishes of the Burmese people, to respect internationally acknowledged rules of conduct in the field of human rights including the rights of minorities in Burma, to cease the harassment, detention and house arrests of leaders of the opposition (among them Nobel Peace Prize winner Aung San Suu Kyi) and to free political prisoners. The Community and its Member States have noted the announcement of a national convention and hope that it will pave the way for an early transition to democracy, with full safeguards and respect for human rights.

In the light of the Burmese Government's continued repressive policies the Community and its Member States have reduced economic and trade relations to a minimum, suspended all non-humanitarian aid programmes and agreed upon a total ban on arms sales to Burma. They will only be prepared to re-establish constructive relations with Burma, including a resumption of development assistance programmes, once Burma fulfils its obligations in the field of human rights and democracy.

5.10 Japan

In accordance with the Joint Declaration between Japan and the European Community and its Member States, the second Summit Meeting between Japan and the European Community was held in London on 4 July 1992. This meeting provided a valuable opportunity to intensify and broaden the scope of EC/Japan relations within the framework of wide-ranging political dialogue and practical cooperation.

6. Africa

6.1 Somalia

The European Community and its Member States are following with deep concern the present appalling situation in Somalia. On 4 September, a troika of Foreign Ministers visited Mogadishu to see the situation for themselves. A troika of Development Ministers visited Somalia and Kenya from 12 to 14 September to assess at first hand how the Community and its Member States can best respond to the crisis. The Community has donated humanitarian aid amounting to MECU 88 over the last year. This includes 192,000 tons of cereals as well as emergency feeding, medical relief, air lifting and protection of food convoys. Member States have also made substantial bilateral contributions.

The Community and its Member States stress the need for a targeted international effort aimed at relieving starvation in the Horn of Africa, especially in Somalia. They welcome Ambassador Eliasson's proposal for a Donor Relief Coordination Conference and express their support for the work of the UN Secretary-General's representative, Ambassador Sahnoun, in seeking to re-establish a government with national authority. The Community and its Member States urge all parties most strongly to comply with UNSCRs 733, 746, 751, 767 and 775 in the interests of humanitarian relief and national reconciliation. The Community and its Member States deplore any effort by Somali factions to prevent the deployment of UN armed guards to safeguard emergency aid distribution.

6.2 South Africa

The European Community and its Member States reaffirm their support for South Africa's peaceful transition to a democratic, united and non-racial society. They warmly welcomed the start of the Convention for a Democratic South Africa (CODESA) and participated as an observer both at the CODESA I and II. The Presidency and Commission represented the Community and its Member States on both occasions. They appealed to those parties who had not agreed to participate to reconsider their position.

On 19 March 1992²⁰ the Community and its Member States welcomed the outcome of the referendum earlier that month and the responsible attitude of all sections of the population during the campaign and the ballot, demonstrating the commitment of the South African people to the transformation process underway in their country. They expressed their confidence that all South Africans would be involved in future consultations.

In January 1992 the Community and its Member States formally lifted the EC ban on imports from South Africa of iron, steel, and gold coins, and on 6 April 1992, noting the positive developments taking place in the framework of CODESA, they decided to lift the EC oil embargo in effect since 1985 and formally to lift restrictive measures in the cultural, scientific and sporting fields. They also expressed their willingness to continue to support the positive measures programme put in place in 1985 to help victims of apartheid. On that occasion they expressed the hope that these measures would encourage positive developments in South Africa, in particular the establishment of an interim government.

On 23 June 1992,²¹ the Community and its Member States expressed their shock at recent appalling incidents of violence, particularly in Boipatong. They called on all parties concerned fully to respect their commitments under the National Peace Accord. They urged the South African Government to investigate these incidents rapidly and thoroughly, so that those responsible are punished, and noted its commitment to do so. They also called upon the leaders of all parties concerned in South Africa to persevere with determination in the peaceful path to a non-racial democracy, representative of all South Africans, initiated in the framework of CODESA.

The Lisbon European Council expressed its deep concern over the recent violence.²² It noted that the South African Government had stated its readiness to allow foreign observers to participate in the investigation into the Boipatong massacre, and stressed the absolute need to ensure effective control of the police and security forces. The Council called on all parties to resume negotiations in the framework of CODESA, considering it vital that South Africa should not lose the substantial progress already made in that forum.

The Community and its Member States approved the 11th Synthesis Report on the application of the Code of Conduct for companies from the EC with subsidiaries, branches or representation in South Africa.²³ In the report they noted with satisfaction that a very large majority of European companies have resolutely adopted a policy of allowing their workforce to choose freely their representatives, that objective non-racial criteria are employed by all companies in determining wages and filling vacancies, that the majority of companies have achieved total desegregation and that an increasing number of companies are members of, or support, local organizations established to promote black entrepreneurs.

A troika of Foreign Ministers and the Vice President of the Commission visited South Africa on 2 and 3 September. Agreement was reached on the deployment of EC observers to be coordinated with those of the UN and other organizations and in association with the Peace Accord, in accordance with SCR 772. The troika also made clear the willingness of the Community and its Member States to second experts to the independent task forces to be established by the Goldstone Commission and help in the field of police training as soon as all the parties in South Africa agreed that the time was right.

The Community and its Member States strongly condemn the killing and wounding of numerous ANC supporters in Ciskei on 7 September²⁴ and other recent violent incidents, including the deaths of ten people in Natal on 4 September. They call on all parties to agree to the extension of the National Peace Accord to cover the so-called 'independent' homelands, and the South African Government to exercise firm control over the security forces throughout South Africa.

6.3 Sudan

The situation in Sudan remains a source of concern for the European Community and its Member States. The Peace Conference on Sudan under the auspices of President Babangida constitutes a major contribution to a peaceful solution to the Sudanese crisis. The Community and its Member States have welcomed this initiative and the decision of all parties to the conflict to participate in the peace talks. The Community and its Member States have stressed the unacceptability of interference in humanitarian relief efforts in areas of need in Sudan from whatever quarter.

6.4 Mozambique

The European Community and its Member States believe that, after fifteen years of civil war in the country, every effort should be made to assure the success of the Rome Peace talks. They reiterate their support for the efforts of the mediators to bring about a comprehensive agreement and to create a peaceful, democratic and pluralistic Mozambique, in which all political forces are treated equally.

The Community and its Member States welcome the signature on 7 August²⁵ by President Chissano of Mozambique and Afonso Dhlakama of RENAMO, of a joint declaration committing them to the signing of a general peace agreement by 1 October. They recognize the intensive preparatory efforts of both the Government of Mozambique and RENAMO parties in reaching this agreement, and pay particular tribute to the mediating role played by President Mugabe of Zimbabwe. It is imperative that negotiations be conducted in earnest to achieve agreement on the outstanding issues by 1 October as agreed. Those Member States currently involved in the peace talks, either as mediators or observers, will continue to provide all necessary advice and assistance to the negotiating parties in Rome, where progress has already been made, to reach the earliest possible agreement.

6.5 Angola

The European Community and its Member States reiterate the importance they attach to the implementation of the Estoril peace agreements and, in particular, to the holding of free and fair multi-party elections as scheduled. They fully share the remarks of the President of the UN Security Council of 7 July 1992. It is imperative that all parties refrain from violence, mutual accusations and hostile propaganda to ensure that the elections are held successfully. The Community and its Member States are providing significant financial and material contributions as well as observers to elections in Angola, both through EC budget lines and bilaterally and they support the UN's valuable role in cease-fire monitoring, emergency assistance, demobilization and electoral assistance.

While noting that important progress has been achieved on electoral registration, the Community and its Member States hope that further progress will be made in demobilization and the formation of a single army in the near future.

The Community and its Member States reaffirm their commitment to participate in the reconstruction of the country.

6.6 Rwanda

The European Community and its Member States noted with satisfaction the signing in Arusha on 18 August 1992²⁶ of a protocol agreement on the rule of law by the Rwandan Government and the 'FPR'. This measure is the first stage in the political negotiations foreseen in the cease-fire agreement of 12 July 1992²⁷ which should lead to the conclusion of a peace agreement.

The Community and its Member States congratulate the two parties on their obvious commitment to achieving peace in the country and urge them to persevere.

6.7 Malawi

The European Community and its Member States remain concerned over Malawi's record on human rights and political freedom. This concern was reflected in the decision taken together with other bilateral aid donors, at the Consultative Group meeting in May to suspend all non-humanitarian aid to Malawi. They note the recent announcement by the Malawian Government addressing these concerns including allowing the ICRC to visit Malawian prisons, but would wish to see further concrete measures taken to bring about fundamental changes to Malawi's approach to human rights. The Community and its Member States trust that amendment of the Preservation of Public Security Act in particular will bring an end to the practice of detention without trial.

6.8 Liberia

The European Community and its Member States remain very concerned about the situation in Liberia. The level of violence and continued armed conflict have continued to pose a serious obstacle to restarting cooperation activities, including the financing of rehabilitation and other programmes. The Community and its Member States support the efforts to promote conciliation along the lines of the Yamoussoukro agreements.

7. Latin America

Relations between the European Community and its Member States and the countries of Latin America continue to be strengthened. The Community and its Member States have welcomed progress in regional integration, in the consolidation of democracy and in greater respect for human rights.

Commercial and economic relations have been reinforced by the decision to extend the external activities of the European Investment Bank, the extension of special GSP treatment to the Central American countries, the updating of some cooperation agreements and the conclusion on 2 May 1992 of an inter-institutional agreement between the European Commission and Mercosur and the conclusion on 29 June 1992 of a cooperation agreement between the EC and Brazil.

Political relations were enhanced through different channels in particular through the institutionalized dialogues with the Central American countries and the Rio Group.

7.1 The San José Process

Recognition of the validity and effectiveness of the San José process and of the specific role of the European Community and its Member States in the Central American Isthmus was acknowledged at the 8th Ministerial Conference in Lisbon on 24 and 25 February 1992.²⁸

At that meeting, while the need was recognized for renewed support in order to consolidate progress made to date and to bring about comprehensive peace, it was agreed that the Luxembourg agreement of November 1985, the main instrument for EC/Central American cooperation, should be revised to take account of the new realities of Central America and to reflect the trend towards

peace, democracy, economic and social development in the region. Following the Community's contribution towards the rehabilitation of Nicaragua, the Community has committed nearly MECU 50 to El Salvador's National Reconstruction Plan.

The Ministers also decided to establish the Multi-Annual Programme for the Promotion of Human Rights in Central America, whose guide-lines had been approved at the San José VII Conference. A committee of experts has been established to monitor the multi-annual programme. The Community and its Member States also expressed continued interest in cooperating in the priority areas enumerated by the Working Group on Democracy, presented at the Second Plenary Meeting of the Partnership for Democracy and Development (PDD) held in Ottawa in January 1992.

7.2 EC-Rio Group

In accordance with the provisions of the Rome Declaration of 20 December 1990, the second institutionalized ministerial meeting between the European Community and the Rio Group was held in Santiago de Chile on 28 and 29 May 1992.²⁹

At the ministerial meeting the link between democracy, respect for human rights and sustained development was stressed and progress in the four priority areas of cooperation was welcomed. It was agreed to give particular attention to the preservation and conservation of the environment and natural resources; to combating the illicit production, trafficking, trade, distribution and consumption of drugs; to cooperation in the field of energy and to combating major epidemics.

7.3 Guatemala

The European Community and its Member States welcome the progress made in the negotiations between the Government of Guatemala and the URNG, particularly on the protection of human rights. They urged both sides, with the assistance of the Guatemalan National Reconciliation Commission, to intensify their efforts aimed at reaching a lasting solution to the internal conflict in the light of the agreements of Mexico on 26 April 1991 and Queretaro on 25 July 1991. They encouraged the Government of Guatemala to give continuing high priority to the implementation of measures and policies which could strengthen the democratic institutions and full observance of human rights.

7.4 Haiti

The military *coup* against Haiti's first democratically elected President was unreservedly condemned by the European Community and its Member States. Having welcomed agreements reached in Washington on 23 February 1992³⁰ between President Aristide and the Parliamentary Commission for Negotiation, the Community and its Member States regret that no tangible progress has been achieved towards the restoration of constitutional order in Haiti despite the further opportunities offered by the Florida declaration. They welcome the continuing efforts of the Secretary-General of the OAS to find a solution.

The Community and its Member States decided to suspend their economic assistance to Haiti, while continuing their humanitarian assistance to those most in need. They deplore the continuing widespread violations of human rights. They are determined not to resume cooperation with Haiti until democracy and the rule of law have been restored and appeal to all parties concerned to continue their efforts to this end.

7.5 Peru

The European Community and its Member States are following political developments in Peru closely. They were deeply concerned about President Fujimori's decision on 5 April 1992 to dis-

solve Parliament and to suspend the functioning of the judiciary. They have urged President Fujimori to reinstate the democratic institutions as soon as possible, with the full participation of all political parties, and to respect human rights and fundamental freedoms. They fully support the efforts of the OAS to seek a solution to the political crisis, to end the violence and to secure the safety of those threatened. In this regard, the Community and its Member States took note of the commitments made by President Fujimori to the OAS in May 1992, but are concerned that Peru's future political prospects remain unclear.

7.6 El Salvador

The European Community and its Member States welcomed the signing of the final peace agreement on 16 January 1992³¹ between the Government of El Salvador and the Farabundo Marti National Liberation Front. They pay tribute to the key mediating role played by the former Secretary-General of the United Nations and his personal representative whose efforts in favour of peace are being continued by the current UN Secretary-General. They consider these peaceful developments to be a major contribution to strengthened stability in Central America and hope that the Government of El Salvador and the FMLN will abide by the agreed commitments and that the timetable for implementation of the agreement will be adhered to.

The Community and its Member States hope that this agreement will lead to the rehabilitation of El Salvador and stand ready to help. They also attach importance to respect for human rights and welcome the role of ONUSAL in this and other fields. They fully support the work of the Truth Commission and express the hope that a comprehensive and lasting solution will be found.

The Community and its Member States welcome the commitment of the Governments of Honduras and El Salvador to accept and implement the ruling of the International Court of Justice, handed down on 11 September 1992,³² on the land, island, and maritime border dispute between them. This ruling provides an opportunity for lasting peace between the two states, bringing to an end a dispute more than 100 years old. This will, at the same time, contribute to the transformation of Central America into a zone of peace, freedom, democracy and security.

7.7 Venezuela

The European Community and its Member States firmly condemned the attempted *coup* against the constitutional and democratic Government of Venezuela on 4 February 1992³³ and expressed their full support for its democratic institutions.

8. Preventive Diplomacy

The European Community and its Member States welcomed the release in June 1992 of the UN Secretary-General's report 'An Agenda for Peace'. In their view, the report has given the member States of the United Nations a highly valuable basis for a thorough reflection on this important issue.

The Community and its Member States believe that the potential of the Charter should be explored to foster a deeper and more effective use of its capabilities to defuse potential conflicts at an early stage. In this respect, they welcome the call for increased activity by the United Nations in preventing conflicts, seeking negotiated and lasting solutions and maintaining peace, as well as an enhanced cooperation with regional organizations.

9. CSCE

The European Community and its Member States continue to attach importance to the comprehensive nature of the CSCE process, providing a framework for managing change and bringing together the governments and peoples of Europe and those of the United States and Canada.

During 1992 they welcomed the participation in the CSCE of the newly independent states of the former Soviet Union and the former Yugoslavia. It was nevertheless necessary to exclude the representatives of Serbia and Montenegro from the Helsinki Summit and from all meetings of the CSCE because of clear, gross and uncorrected violations of CSCE commitments. This will be reviewed in November 1992.

The Helsinki Follow-up Meeting provided an important opportunity for discussions on the future role of the CSCE as a regional arrangement, and in particular the strengthening of its institutions to increase the effectiveness of the CSCE in the prevention, management and peaceful settlement of disputes. In this context, the Community and its Member States welcome the decision to appoint a High Commissioner for National Minorities and to provide CSCE with peace-keeping capabilities as part of its responsibilities in the process of dispute resolution.

The Community and its Member States welcome the outcome of the Helsinki Summit on 9 and 10 July 1992 and wholeheartedly support the concluding document 'The Challenges of Change'.

10. Human Rights

The Lisbon European Council of June 1992 recalled that respecting, promoting and safeguarding human rights is an essential part of international relations and one of the cornerstones of relations between the Community and its Member States and other countries.

The European Community and its Member States welcome the growing political consensus on the fundamental relationship between pluralistic democracy, respect for human rights and development. On 28 November 1991 the European Community and its Member States formulated concrete guide-lines, procedures and lines of action for a common approach to promote human rights and democracy in developing countries.

They welcome the efforts undertaken in recent years by developing countries to move towards democracy and to respect human rights. The frequent *démarches* made by the Community and its Member States in individual cases and their efforts and interventions in appropriate international fora however underline the pressing need for further improvements.

The Community and its Member States consider that every effort should be made to ensure that the World Conference on Human Rights has positive results. They are playing an active role in the preparatory process and are grateful to the Secretary-General of the World Conference on Human Rights for his initiative to revitalize it.

11. Arms Control and Disarmament

The European Community and its Member States welcome the agreement on the provisional application of the CFE Treaty and the concluding act of the negotiations on personnel strength of conventional armed forces in Europe. Both were concluded on the occasion of the CSCE Summit in Helsinki on 10 July 1992. They provide the basis for further arms control and disarmament efforts to be conducted in the framework of the CSCE forum for security cooperation and are aimed at establishing a cooperative security system in Europe. The Community and its Member States look forward to the future success of the forum, from which they expect further steps towards strengthening stability and security in Europe.

The Community and its Member States also welcome the progress made by the United States and Russia in reducing the level of their nuclear arsenals and look forward to the implementation of these agreements as soon as possible.

The Community and its Member States increasingly cooperate towards developing common positions on matters of disarmament and arms control in the framework of relevant UN fora. In particular, they were involved in the process of establishing in the UN a register of conventional arms. They continue to cooperate closely with a view to its forthcoming implementation and to

work towards further promoting in the UN the concept of transparency in armaments. Since the Luxembourg European Council of June 1991,³⁴ the Community and its Member States have intensified their efforts to identify steps which could make possible a common approach to arms transfers.

As a result of these efforts the Lisbon European Council in June 1992 identified an additional common criterion on which Member States' arms export policies are based. Considerable progress has been made on the alignment of lists of military items under control in Member States and on a comparison of arms export procedures.

The Community and its Member States welcome the successful conclusion of the Chemical Weapons Convention Negotiations at the Conference on Disarmament and urge all states to become early signatories to the convention.

12. Nuclear Non-Proliferation

The Non-Proliferation Treaty is the cornerstone of the international non-proliferation regime. The European Community and its Member States therefore strongly support its indefinite extension in 1995. They particularly welcome the accession to the Treaty of China and France and believe that membership of the Treaty by all five nuclear weapons states further enhances the prospects of strengthening and consolidating the nuclear non-proliferation regime. They also seek to intensify their cooperation in fighting the spread of all weapons of mass destruction.

The Community and its Member States continue to support proposals for improving the effectiveness of the International Atomic Energy Agency (IAEA)'s safeguards system, as reiterated at the IAEA Board of Governors meeting in June. Additionally they have recently drawn up a common list of nuclear goods and nuclear-related dual-use goods subject to export control by Member States.

13. Terrorism

The European Community and its Member States condemn all acts of terrorism, whether national or international, wherever and by whomever committed. In particular, they deplore the state sponsorship of terrorism, and call on the international community to work together for its eradication. They welcome the work of the General Assembly and Security Council on this problem, and urge Libya to comply unconditionally with SCRs 731 and 748, which are being scrupulously implemented by the Community and its Member States.

The Community and its Member States are grateful to those who contributed to the recent freeing of hostages in Lebanon, in particular the United Nations Secretary-General and his representatives. They call for the immediate and unconditional release of all hostages who may still be held and for an accounting for all those hostages who may have died during their captivity.

14. Drugs

The European Community and its Member States continue to be concerned at the high level of illicit drug production world-wide. They are particularly concerned about increasing production of opium in Burma and Afghanistan and about the absence of signs, despite a considerable international effort, of a reduction in the volume of cocaine trafficked from the Andean region. The global nature of the drugs problem requires a high degree of international cooperation.

In December 1991 the Maastricht European Council³⁵ agreed to set up a European Drugs Monitoring Centre to gather, analyse and make available drugs related data to Member States and the Community.

The European Council in Lisbon endorsed the setting up of a project team to facilitate the early establishment of the Europol Drugs Unit which has been conceived as the first phase of Europol. The EDU will be a non-operational organization collating and analysing information and intelligence on drug trafficking to assist law enforcement agencies in Member States in their task of combating drug trafficking.

The Community and its Member States are committed to cooperating with producer and transit countries to combat drug abuse and the illicit trafficking and production of drugs. They have introduced this policy into cooperation agreements with third countries. They reiterate the importance they attach to assistance for alternative development and law enforcement and to operational cooperation. To this end, they resolutely support the action undertaken in the framework of the UNDCP.

15. International Economy

A healthy world economy is a prerequisite for achieving a large number of both domestic and international policy aims. The challenge is to ensure that, at a time when growth of the world economy is slowing down, high and sustainable non-inflationary growth is achieved throughout the whole world economy, thereby helping to contain unemployment and to alleviate poverty as well as the temporary side effects of the structural adjustments taking place in many countries.

The Community and its Member States have taken important steps in creating a Single Market, open to world trade, to the benefit of the member countries and of their trading partners.

It is clear that a major impetus has been given to economic convergence and stability in Europe. The Maastricht Treaty, signed in February 1992, includes provisions on economic and monetary union. The European Economic Area (EEA) Agreement, which should enter into force on 1 January 1993, will extend the benefits of the Single Market to the members of the European Free Trade Association. The Community is now preparing for accession negotiations with those EFTA countries who are seeking EC membership.

The Community and its Member States remain determined to reach early agreement on the Uruguay Round. This will be of great importance to the stability and expansion of the multilateral trading system and to the world economy. The reform this year by the Community of its agricultural policy is making a positive contribution to the negotiations on the Round. The Community and its Member States believe that a balanced agreement is now within reach and should be achieved by the end of the year.

16. Development Cooperation

The Community and its Member States welcome the new spirit of cooperation and consensus with developing countries which has emerged in international relations, for example at UNCTAD VIII and ECOSOC.

The Community and its Member States have always played a major role in promoting development cooperation. They have pioneered innovative forms of cooperation through the Yaounde and Lomé Conventions and cooperation and association agreements with other developing countries. The STABEX and SYSMIN schemes continue to represent a unique and genuine attempt to find a meaningful way to help commodity dependent countries.

As agreed at UNCTAD VIII, developed country donors should implement the undertakings they have made to attain the agreed international target of devoting 0,7 per cent of GNP to ODA and, to the extent that they have not yet achieved that target, agree to continue their efforts. The Community and its Member States continue to provide a significant portion of the concessional assistance available to developing countries. In 1990 the Community and its Member States col-

lectively provided almost 50% of all official development assistance. This is further proof of the commitment of the Community and its Member States to their partners in the developing countries.

Good progress has been made in putting into place new projects and programmes with the developing countries under the Lomé Convention, the cooperation agreements with Asian and Latin American countries and the New Mediterranean Policy. Whilst these cover traditional fields of activity such as rural development and human resource development, they have also covered new priorities such as the development of the private sector, the protection of the environment, and the promotion of human rights and democracy.

The Community and its Member States would like to stress again the importance of the relationship between democracy and development, the respect for human rights as a principle but also as one of the essential factors for development. In adopting a resolution on human rights, democracy and development (on 28 November 1991), the Community and its Member States have made human rights and democracy a major element of their future development policies. It has also been agreed to extend European Investment Bank lending (already available to the ACP and Mediterranean countries) to other countries which have trade and cooperation agreements with the Community.

The Maastricht Treaty includes provisions on development policy. It sets out agreed objectives for the Community programmes: the fostering of sustainable economic and social development of the developing countries, and more particularly the most disadvantaged among them; the smooth and gradual integration of the developing countries into the world economy and the campaign against poverty in the developing countries. It also commits the Community to the general objective of the consolidation of democracy and the promotion of respect for human rights.

17. Disaster Relief

The Community and its Member States have again been active in response to the emergencies of the past year, in particular assisting victims of the civil war in the former Yugoslavia and the drought in Africa. The Commission of the European Communities has established a new Emergency Coordination and Humanitarian Relief Office (ECHO) and, in the resolution of 28 November 1991, the Community provided for strengthened coordination in this area.

The Community and its Member States played a leading role in the adoption of UN General Assembly Resolution 46/182, designed to improve the capacity of the UN to deliver humanitarian assistance. They welcome the subsequent appointment of Mr Jan Eliasson to head the new department of Humanitarian Affairs. They look forward to increased cooperation among the humanitarian agencies of the United Nations, their operational partners in developing countries, the voluntary agencies and the donors and recipients of humanitarian aid.

18. Environment

The Community and its Member States welcome the results of the United Nations Conference on Environment and Development (UNCED). They particularly welcome the acceptance by the international community of the aim of sustainable development. Action is now required to follow through the commitments made at Rio at national, regional and international levels. The Community and its Member States support the recommendation that the General Assembly at its 47th session should establish a High Level Commission on Sustainable Development in order to ensure the effective follow-up of the conference.

In the Lisbon declaration, the Community and its Member States have adopted an eight-point plan for implementing the commitments adopted at UNCED. The Community and its Member States are currently considering specific ways to implement their 3 billion ECU pledge in support of Agenda 21 actions in developing countries.

The Community and its Member States played an effective role in the negotiations on the biodiversity convention, which recognizes that the conservation of biological diversity is a common concern of all countries and provides a mechanism for securing global commitment to conservation action.

The Community and its Member States made a major contribution to the successful conclusion of the negotiations for a Framework Convention on Climate Change.

The convention was recognized by the Community and its Member States as a significant first step in tackling the problem of climate change.

The Community and its Member States are committed to the early resumption of work to elaborate the framework convention and have supported the reconvening of the INC as soon as possible to begin this work.

At UNCED, the Community and its Member States played a leading role in working for the agreement of the Statement of Principles on the Sustainable Management of the World's Forests. The Community and its Member States regard the statement as the start of an important process which could provide a basis for a future global legally binding instrument. They will now be working to ensure that the statement is followed up with action and the establishment of an effective international review process.

The Community and its Member States also take a leading role in promoting the sustainable use of tropical forests through their involvement in the International Tropical Timber Organization (ITTO) and through the Tropical Forest Action Programme. The Community and its Member States are committed to working towards a successful renegotiation of the International Tropical Timber Agreement.

The Community and its Member States intend to ratify the Basel convention as soon as possible. They already have well defined policies aimed at reducing and controlling waste. In the Lomé IV Convention, the Community and its Member States and the ACP countries agreed to ban the export of hazardous and nuclear wastes from the Community to these countries.

The Community and its Member States affirm the importance of safe management and transboundary movement of radioactive waste and recognize the work already accomplished by international organizations, especially the IAEA, as a good basis for future work.

19. Law of the Sea

The Community and its Member States remain convinced that the UN Convention on the Law of the Sea is of great importance for upholding the international legal order on the seas and oceans. The valuable work of the Preparatory Commission and the important informal consultations being conducted by the Secretary-General should lead to a resolution of the outstanding problems over a legal regime for deep sea-bed mining in order to make the Convention universally acceptable.

- 1 *EPC Bulletin*, Doc. 91/464.
- 2 *EPC Bulletin*, Doc. 91/465.
- 3 *EPC Bulletin*, Doc. 92/009.
- 4 *EPC Bulletin*, Doc. 92/254.
- 5 *EPC Bulletin*, Docs 92/155 and 92/161.
- 6 *EPC Bulletin*, Doc. 92/164.
- 7 *EPC Bulletin*, Doc. 92/167.
- 8 *EPC Bulletin*, Doc. 91/349.
- 9 *EPC Bulletin*, Doc. 92/006.
- 10 *EPC Bulletin*, Doc. 92/209.
- 11 *EPC Bulletin*, Doc. 92/226.

- 12 *EPC Bulletin*, Doc. 92/294.
- 13 *EPC Bulletin*, Doc. 92/167.
- 14 *EPC Bulletin*, Doc. 92/226.
- 15 *EPC Bulletin*, Doc. 92/256.
- 16 *EPC Bulletin*, Doc. 92/255.
- 17 *EPC Bulletin*, Doc. 92/302.
- 18 *EPC Bulletin*, Doc. 92/306.
- 19 *EPC Bulletin*, Doc. 91/358.
- 20 *EPC Bulletin*, Doc. 92/109.
- 21 *EPC Bulletin*, Doc. 92/248.
- 22 *EPC Bulletin*, Doc. 92/253.
- 23 *EPC Bulletin*, Doc. 92/170.
- 24 *EPC Bulletin*, Doc. 92/312.
- 25 *EPC Bulletin*, Doc. 92/301.
- 26 *EPC Bulletin*, Doc. 92/308.
- 27 *EPC Bulletin*, Doc. 92/293.
- 28 *EPC Bulletin*, Doc. 92/071.
- 29 *EPC Bulletin*, Doc. 92/208.
- 30 *EPC Bulletin*, Doc. 92/072.
- 31 *EPC Bulletin*, Doc. 92/021.
- 32 *EPC Bulletin*, Doc. 92/315.
- 33 *EPC Bulletin*, Doc. 92/029.
- 34 *EPC Bulletin*, Doc. 91/196.
- 35 *EPC Bulletin*, Doc. 91/431.

92/341. Statement on the Angolan elections

Date of issue: 1 October 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

With the ending of the presidential and legislative elections the Community and its Member States congratulate the people of Angola on the success of their first exercise of democracy. They are confident that the previous belligerent parties, as already promised by both their leaders, together with all Angolans will respect the result of the election. All should now work together to rebuild Angola in a spirit of tolerance and reconciliation. In doing so, they will help not only their own country: they will also serve as an example to other countries in the region and elsewhere who have still to reach the stage of democracy which has been achieved this week by the Angolan people. The Community and its Member States reaffirm their commitment to give what help they can to the reconstruction of the country, thereby counting upon the people of Angola to take up their primary responsibility for ensuring stability in order to hold on to the democratic values so dearly won.

92/342. Joint statement by the Foreign Ministers of the European Community and the Visegrad countries

Date of issue: 5 October 1992
Place of issue: Luxembourg
Country of Presidency: United Kingdom
Status of document: Joint declaration

1. The Ministers of Foreign Affairs of the European Community, the Vice-President of the Commission with responsibility for external relations and the Ministers of Foreign Affairs of the

Visegrad countries held their first joint meeting in Luxembourg on 5 October 1992. They welcomed the occasion as marking a significant development in the process of strengthening dialogue and cooperation between them. They agreed that this process serves their common objective of gradual integration of the Visegrad countries into the Community.

2. The Visegrad countries recalled that in the memorandum – on ‘strengthening their integration with the European Communities and on the perspective of accession’ – which they have submitted to the Commission they had set out a series of proposals relating to this process of progressive integration. The Commission welcomed this memorandum and confirmed that it was studying it as a contribution to the preparation of the Commission’s report to the European Council at Edinburgh. The Visegrad countries looked forward to the Community’s considered response. In the mean time the Community and the Visegrad countries agreed upon a series of positions reflecting the present stage in their relations.

3. With regard to ratification of the Europe Agreements, the Community and the Visegrad countries stressed the importance of the objective of the entry into force of the agreements on 1 January 1993. In this respect, the Community reiterated its commitment to do all that it can to ensure the earliest possible ratification by all Community Member States. However, if necessary, pending completion of ratification procedures, the Community is prepared to assure the extension of the Interim Agreements beyond their current expiry date of 31 December 1992 in order to continue the practical implementation of the agreements without disruption.

4. With the Europe Agreement with CSFR in mind, the Community reaffirmed the importance it attaches to the harmonious development of its relations with the Czech and Slovak Republics within the framework of the constitutional arrangements governing the relations between the two republics. The Community and representatives of the CSFR and its two republics are undertaking informal consultations on the modalities of continuing all the mutual commitments and benefits contained in the Europe Agreement, taking into account the implications of the new framework.

5. The Community and the Visegrad countries reaffirmed their view that the implementation of the Europe Agreements should help the latter achieve their final objective, namely accession to the European Union. The Community reaffirmed its willingness to assist the Visegrad countries in this direction. The Community recognized that the Visegrad countries have established democratic political systems which ensure respect for human rights, and made substantial progress in creating economic systems based on competitive markets and private entrepreneurship.

Cooperation under the Europe Agreements will focus on consolidating and extending progress in these fields. As the Community moves ahead towards the European Union, appropriate forms of consultations should be established with the Visegrad countries in this regard.

6. The Community and the Visegrad countries noted with satisfaction that political dialogue has started even before the Europe Agreements have entered into force. They agreed that this approach should be preserved and that in future, consideration could be given to the extension of this approach to other matters, forms and mechanisms on different levels.

Political dialogue should foster political convergence, a better mutual understanding and enhanced security and stability throughout Europe. They noted that in order to further strengthen this process, the parties will seek to consult each other on matters covered by the European Political Cooperation in harmony with the provisions of the Europe Agreements.

7. The benefits of the Europe Agreements with their dynamic nature should be exploited fully and improved. Improvement in access to Community markets was acknowledged to be one of the most important means of enhancing economic development and strengthening the market economy system of the Visegrad countries. The Community and the Visegrad countries recalled with ap-

proval that the Joint Commission held earlier this year agreed to discuss before the end of the year a further package of specific and balanced measures to improve market access. This would correspond to the acceleration mechanisms foreseen in the Europe Agreements. The principle of asymmetry, as provided for in the Europe Agreements, should be maintained. It was also recalled that the results of the Uruguay Round shall be applied in full between the parties, except where the provisions of the Europe Agreements are more favourable.

8. The Community welcomed progress towards the establishment of a free trade area between EFTA and the Visegrad countries and encouraged the latter to pursue actively the negotiations for the conclusion of a free trade area among themselves. The Community and the Visegrad countries undertook to study the possibility of a wider cumulation of origin between the Community, the Visegrad countries and EFTA as their trade relations develop.

9. The Community reconfirmed its readiness to undertake consultations with the Visegrad countries on major issues related to their respective trade policy with third countries, and particularly when enlargement negotiations with third countries are taking place, in order to ensure that account is taken of their mutual interests.

10. With a view to developing a sense of common European identity between their societies, it was agreed that cultural and social links between the Community and its Member States and the Visegrad countries should be fostered.

11. The Community and the Visegrad countries underlined the importance of early implementation of the provisions of the Europe Agreements on approximation of laws. In this respect, particular emphasis should be placed on assisting the Visegrad countries to adopt the Community's *acquis*. They welcomed the actual or envisaged establishment of working groups for the approximation laws. The Community and Visegrad countries further agreed to examine the possibility of initiating a regional programme on approximation of laws.

12. In considering the areas in which cooperation shall be further developed, particular attention should be given to infrastructure projects of major European interest in areas such as energy, transport and telecommunications.

13. The Community confirmed its commitment to continue financial assistance in the form of grants and loans including EIB loans as foreseen in the Europe Agreements. Among these, Phare will remain a major instrument of assistance, responsive to the needs of the Visegrad countries, and should evolve as the economic reform proceeds. Following consultations with the Visegrad countries, the Community shall this year examine steps towards a larger flexibility of Phare in order to correspond to the evolving needs of the Visegrad countries.

14. The Community and the Visegrad countries stressed that regional cooperation represents a major contribution towards stability in Europe. The Community therefore welcomed the Visegrad countries' efforts to foster such cooperation. In this context, Members of Parliament from the Visegrad countries and the European Parliament should be encouraged to intensify their cooperation.

15. The Community informed the Visegrad countries of its intention to conclude similar Europe Agreements with Romania and Bulgaria. The Community intends to develop relations with these countries according to the same principles as, and without prejudice to, those between the Community and the Visegrad countries.

16. The Community and the Visegrad countries welcomed the actual and future realization of triangular operations under the credit and loan agreements with the Independent States of the former Soviet Union. The Community will examine the possibility of extending, where appropriate, triangular operations for the implementation of EC technical assistance programmes for the former Soviet Union, so as to make better use of the resources of the Visegrad countries.

17. The Community and the Visegrad countries recalled that the Europe Agreements provide for a review during the fifth year of the transitional period. In this context they agreed that, at an appropriate moment in the future, consideration might be given to advancing the date of this review.

The Community and the Visegrad countries further agreed to hold an early joint stocktaking of the impact of the interim agreements on trade and economic development as a basis for the future evolution of the Europe Agreements.

18. The Community and the Visegrad countries looked forward to the meeting which is to take place at Heads of State or Government level in London on 28 October.

92/343. Statement on former Yugoslavia

Date of issue: 5 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States fully support the continuing efforts of Lord Owen and Mr Vance to bring about a cessation of hostilities and a peaceful settlement. Despite these efforts, widespread violence and cruelty, the slaughter and deliberate deprivation of civilians, savage breaches of international humanitarian law and military aggression persist in many areas. The Community and its Member States are pressing for urgent action in the United Nations for the implementation of agreements reached in the London Conference, including a no-fly zone in Bosnia-Herzegovina, and subsequent agreements such as the demilitarization of the Prevlaka peninsula. They are actively involved in steps to secure the deployment of protected humanitarian convoys, the tightening of sanctions measures, the release of detainees, and the closure of detention camps and the supervision of heavy weapons.

The increasing evidence of atrocities, including mass killings and ethnic cleansing, principally by Serbian groups, must be collected systematically and investigated. The Community and its Member States support the action in hand in the United Nations to establish a mechanism for the collection of data and a commission of experts to assist the Secretary-General in the analysis of the evidence. The perpetrators of mass killings and other grave breaches of international humanitarian law will be held individually responsible for their actions and the Community and its Member States will cooperate with the United Nations and the relevant bodies in ensuring that justice is done.

Another major international relief effort is urgently required to avoid an even greater human tragedy as winter approaches. The resumption of the humanitarian airlift is warmly welcomed. UNHCR and the ICRC are doing invaluable work in all areas and will need even more generous support in the coming weeks in response to the United Nations Secretary-General's appeal. The Community and its Member States have contributed substantially to current efforts and are making available increased resources, particularly to cover housing needs. They call upon the international community to make a commensurate response to alleviate the desperate suffering of the population and the refugees of the former Yugoslavia.

92/344. Statement on Mozambique

Date of issue: 7 October 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States warmly welcome the signing in Rome on 4 October of the Mozambican peace agreement between the Government of Mozambique and RENAMO. The agreement offers the prospect of progress towards peace, national reconciliation and multi-party democracy in a country devastated by war. The Community and its Member States call on the two parties to carry out the agreement in good faith, and reaffirm their commitment to assist the people of Mozambique in the reconstruction of their country.

They further expect the Mozambican parties to work in the spirit of the agreement reached and without delay to secure the free access of humanitarian assistance to the victims of the drought in all parts of Mozambique.

92/345. Statement on Zaire

Date of issue: 8 October 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

Following recent events in Kinshasa, in particular the military presence in front of the Banque Nationale and the Parliament, the Community and its Member States, whilst reiterating their support for the Tshisekedi Government, call on all political forces in Zaire to work together towards the transition while respecting the principles established by the CNS.

92/346. Statement at the Plenary Session of the Geneva CSCE meeting on the peaceful settlement of disputes

Date of issue: 12 October 1992
Place of issue: Geneva
Country of Presidency: United Kingdom
Status of document: Statement in international forum

On behalf of the European Community and its Member States, I wish to make a brief statement regarding the basic approach which we believe should be adopted.

The Members States of the Community include the authors of two of the proposals before this meeting. As some of you will know, they have had consultations with the author of the other proposal which is also before this meeting. The three proposals are, first, for a convention establishing a court of conciliation and arbitration, second, for a non-legally binding conciliation procedure complementing the Valletta mechanism and, third, for non-legally binding conciliation at the direction of the Committee of Senior Officials or the CSCE Council of Ministers.

The European Community and its Member States understand that consultations between the authors of these three proposals resulted in broad agreement between them on what they believe should be the approach to be taken at the present meeting. The Community and its Member States would support a proposal that the meeting would recommend to the Stockholm Council a decision which would be based on the following basic elements:

- (a) A reiteration of the vital importance of CSCE participating States settling disputes by peaceful means
- (b) a reference to the variety of procedures which exist, including the Valletta mechanism and its evolutionary character
- (c) an expression of participating States' desire to develop these procedures further by adding to them a comprehensive and coherent set of further measures, as provided in paragraphs 57-62 of the 1992 Helsinki Document
- (d) the completion of negotiations on:
 - (1) the text of a convention on conciliation and arbitration within the CSCE, which would be opened for signature at Stockholm
 - (2) a non-legally binding conciliation procedure
 - (3) an arrangement for quote Directed Conciliation unquote. This would also not be legally binding. Nor would there be a separate conciliation procedure for it.

The texts of the instruments would be annexed to the Stockholm decision in the form in which they emerge from the present negotiations.

The object of this approach is to give states a choice of procedures to choose from in settling disputes. The procedure under (1) would be defined in a convention which would be legally binding, and would come into force on ratification. The other procedure under (2) would not be legally binding, but on its adoption at Stockholm would apply to all CSCE participating States from the start.

The European Community and its Member States believe that this approach would carry out the mandate given us at Helsinki to devise a comprehensive and coherent set of further measures.

92/347. Statement on Angola

Date of issue: 14 October 1992
 Place of issue: Brussels, London
 Country of Presidency: United Kingdom
 Status of document: Press statement

The Community and its Member States recall the welcome they gave on 1 October 1992 to the elections that have taken place in Angola but note with regret recent violent incidents arising out of disputes over these elections. They reaffirm the importance they attach to all parties using the agreed mechanisms to resolve electoral disputes and appeal to all parties to submit their differences to the National Electoral Council and the Special Representative of the UN Secretary-General. They call for an immediate end to the violence and for all parties to respect the final outcome of the democratic process. They urge all sides to help create conditions that will allow the Community and its Member States and the wider international community to continue to support national reconstruction in Angola.

92/348. Statement on the situation in Georgia

Date of issue: 14 October 1992
 Place of issue: Brussels, London
 Country of Presidency: United Kingdom
 Status of document: Press statement

The Community and its Member States welcome the holding of elections in about 90% of the territory of Georgia on 11 October, and the reportedly high turnout in these elections. The elections were attended by observers from EC and other States, whose reports are awaited. The Community

and its Member States reiterate their commitment to support the stabilization of the situation with- in Georgia and the development of democracy and a market economy and in this context:

- warmly congratulate Mr Eduard Shevardnadze on his election as Chairman of the Georgian Parliament, and look forward to sustaining a close working relationship with him in this new capacity.
- hope that it will soon be possible for elections to be held in those districts where voting did not take place on 11 October.
- look forward to the establishment of the new Parliament and Government in Georgia, whose authority will be based on the outcome of the elections.

At the same time, the Community and its Member States remain deeply concerned at the recent upsurge in fighting in Georgia, and at reports of heavy loss of life. They:

- welcome the decisions of the United Nations Secretary-General and of the Conference on Security and Cooperation in Europe to send further fact-finding missions to Georgia, including Abkhazia.
- urge all parties to the dispute in Abkhazia to renew their efforts to find a peaceful settlement within the framework of CSCE principles and the United Nations Charter.

92/349. Statement on Sudan

Date of issue: 14 October 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States deeply deplore the execution by the Sudanese authorities of a Sudanese member of the European Commission's staff in Juba in August. Despite repeated requests, the Sudanese authorities failed over a period of several weeks to supply any information on the whereabouts of this employee and of another member of the European Commission's staff who is still missing. The Community and its Member States call upon the Sudanese authorities to provide a full and documented explanation for the execution. They will maintain close contact with the United States Government, in view of the execution of a US aid employee, and with the United Nations, members of whose staff are also missing.

Evidence of the Sudanese authorities' callous disregard for human rights and indifference to international opinion continues to mount. The Community and its Member States express their abhorrence of the systematic abuses of human rights throughout the country, including persistent recent reports of human rights violations by government forces in Juba and in the Nuba Hills.

The Community and its Member States call upon the Sudanese authorities to allow satisfactory access for diplomats and members of international organizations to Juba and to other areas in Sudan where human rights violations have been reported.

92/350. Statement on the state of the European Union and the Maastricht Treaty

Date of issue: 14 October 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: Mr President, can I first say how very much the Presidency welcomes this initiative that you have taken in calling this special session of the

European Parliament to discuss the Birmingham Council and how grateful I am for the opportunity to be here to talk on the subject.

I was rather tempted with the idea that we should perhaps invite Ms Crawley and Mr Tomlinson to the Council. Whether the Council would have actually got through the various points of order that they would no doubt have wished to raise [...] is a matter on which all honourable Members here will have a view. But what I am certain of is that the Members of this House who do represent Birmingham will, I am sure, wish to be there and will agree with me that the city of Birmingham is not only a sort of *carrefour*, rather like Strasbourg is here, but also is at the very heart of England. In one of Jane Austen's novels, 'Emma', there is a character called Ms Elton, one of those rather prim and self-satisfied Victorian ladies, who had this to say about Birmingham:

'One has no great hopes of Birmingham. I always say that there is something direful even in the sound.'

Honourable Members, we have very great hopes of Birmingham and I wish to talk to you about those. But I think the two honourable Members who represent that great city will agree with me that it will not disappoint as a worthy venue for this important summit.

When Britain began to prepare for this Presidency we knew that we were facing a very difficult agenda indeed. All Member States who assume the Presidency know that it is a very great responsibility and the agenda is never a light one. Earlier this year we anticipated that it would be the task of the British Presidency to settle the future financing, to agree the Delors II package, to complete the Single Market, to prepare for enlargement, to negotiate the association agreements with Romania and Bulgaria, to negotiate trade and cooperation agreements with the Soviet Union, to carry forward the diplomatic and the humanitarian effort that the Community is making in Yugoslavia and to bring about the ratification of the Maastricht Treaty. And that seemed to us at the time to be a pretty formidable agenda. In the event, it has turned out to be rather more difficult than even we had anticipated. The Danish referendum, the French referendum, the debates throughout the Community that have followed on those two events, the recent turbulence in the markets which [...]

I am glad to say that the turbulence that I am feeling in this House is considerably less than the turbulence that we felt in the markets and the effect that that has had on the exchange rate mechanism: all of these events have given an added and more difficult dimension to the British Presidency and have placed before us formidable challenges. I think this House will agree that the level of those challenges has multiplied at least tenfold. My purpose today is to assure this House that the British Presidency is determined and, indeed, confident that it can steer the Community through the storms into a safe harbour by the European Council in Edinburgh.

[...]

On what do we base this confidence? We base it on two essential points. First – and I emphasize this – we base it on the Maastricht Treaty itself. As my own Prime Minister has said, it is a good Treaty for Britain and it is a good Treaty for Europe. I believe that remark can be replicated throughout all the Member States.

Of course, this Treaty is a compromise. Everyone who took part in the discussions leading up to the Treaty – and we had discussions with you about it – all of us had to make compromises. This House itself did not achieve all its ambitions so far as this Treaty is concerned. Nobody did. But what it has done, I think, is to set out a prudent and a coherent course for the Community's development.

But my second reason for confidence that we can succeed is precisely because of the debates which have come to the fore in recent weeks and months and because of the way in which the Community and its leaders as a whole are reacting to them. Immediately after the French referen-

dum, President Mitterrand himself – and he was followed in this by Chancellor Kohl and other leaders right across Europe – affirmed that it was absolutely crucial that we should take into account the fears and anxieties of those who had voted no in that referendum. That is the sentiment, I believe, which lay behind the request that came from several Member States for the special European Council that is to take place in Birmingham later this week, which is the subject of our debate today.

It seems to me that the aim of that Birmingham Council is clear. It is to send out a message of confidence in the Community, to stress the importance that we all attach to the ratification of Maastricht and to begin to paint that Treaty in its true colours, to use the solid foundation that the Treaty gives us to address the concerns that our citizens have been expressing to us.

So we hope that the Birmingham Council will address three areas. First, openness in the Community – a matter which Members in this House have raised with me on many occasions; second, the protection of national identities and third, a stress on the benefits of the Maastricht Treaty to individual citizens. Let me deal, if I may, with all three separately.

First, openness. We need, I think, to examine the way the Community operates. To increase transparency in its procedures. This applies, not just to the Commission but to the Council itself.

[...]

We hope that the Birmingham Council will ask for work to be undertaken that will lead to specific proposals in this area by Edinburgh. This Parliament, Mr President, is I think notably open in its procedures. But I hope that you too may think it right to consider ways of making your proceedings more vivid to the citizen. But I also hope that we may be able – and your draft resolution before us today I think mentions that – to put some real flesh on the declarations contained in the Treaty that call, for example, for the setting up of a Conference of Parliaments: perhaps an annual meeting for a *débat d'orientation*, something that this Parliament must take the lead in discussing with our national parliaments. We need to put flesh on the declaration that calls for more interaction between the European Parliament and national parliaments. And finally I hope that all Member States will make a real effort to bring to life the declaration calling for effective scrutiny by national parliaments of Community directives at the draft stage.

Second, Mr President, protection of national identities. I think it is worth reminding ourselves that what we are engaged in in Europe is a unique constitutional experiment. Nothing of this kind has been attempted or is being attempted anywhere else in the world. We are not seeking to build a new superstate. But neither is the Community just a loose association of nation states that just bump into each other from time to time to discuss some sort of commercial transaction. What we are building is a union. And, yes, 'an ever-closer union', to quote the words of the Treaty itself, of free nations, of free men and women. And the Maastricht Treaty again explicitly states the aim of protecting national identities and the principle of subsidiarity contained in Article 3(b) is one of the keys to this. Our aim must be that by the application of this principle the Community will be seen to concentrate on those areas where it can act more effectively than individual Member States.

Some work has already been done. President Delors himself has given a very strong lead within the Commission, which has already undertaken to justify in the recitals of future proposals the relevance of any initiative to the principle of subsidiarity. The Council too is discussing ways of ensuring that the subsidiarity aspects of proposals are always fully considered. Finally, of course, you yourselves have been giving thought to how this new article can be applied in your procedures.

So all three of the Community institutions – the Commission, Council and Parliament – are taking steps to ensure the principle is fully respected. The Presidency envisages a meeting with President Klepsch to discuss how cooperation between the institutions can be assured.

I should also add, of course, that the Presidency is very much aware of the need to ensure that the proper institutional balance is maintained whilst the principle of subsidiarity is applied. So again, we hope that the Birmingham Council will give its endorsement and its encouragement to the work that has been undertaken so far and ask for further work to be done by Edinburgh so that guide-lines and criteria for the application of subsidiarity can be agreed there.

Third, the citizen. I think we must all do a better job in our constituencies, in the Member States, in presenting what the Community does and what Maastricht will make it possible for it to do for individual citizens. We have to be much more active in getting across the human dimension of the Community.

So the Birmingham Council will, we hope, set in hand work in these three areas that will produce a less bureaucratic, less centralized, more open and more human Community.

We shall of course be assisted in those deliberations by President Klepsch. It will of course also be the case that the Heads of Government will wish to look at recent events on the currency markets. And they will no doubt wish to encourage the period of reflection and analysis suggested by Finance Ministers at the recent meeting of ECOFIN in Brussels. But I think it is significant too of the specific weight that the Community now has, that even when a special Council of this kind – focused perhaps on responding to the debate that is taking place amongst the citizens of the Community – even when a special Council of that kind has been called other pressing matters where the Community has responsibility and its Member States force themselves on to the agenda.

I think there is no doubt that the Heads of Government will need to discuss Yugoslavia. There is a humanitarian disaster of terrible proportions looming on the horizon only perhaps a few weeks away. Immediate, decisive action is needed to help those cut off from supplies, not just of basic foodstuffs but of water, electricity, people who have lost their homes and refugees. The Community has already provided, I think I am right in saying, half the assistance that has been provided by the world in responding to this tragedy but we will need at the European Council to speed up the delivery of our assistance, to stand by the pledges of assistance we have already given and to find ways of giving a lead – not just a lead within Europe, a world lead – to the effort to reach that target of USD 1 billion in humanitarian aid that has been set by the United Nations. So there is an item that forces itself on to the agenda at Birmingham and I hope honourable Members will think that it is right that it should do so.

I also suspect that the Heads of Government meeting in Birmingham will want to touch on the GATT round and to deal with it, albeit perhaps not in great detail. But they will need to underline the benefits that would flow from a settlement in the GATT round, not just for the Member States but for developing countries too, bearing in mind that a settlement would inject something like USD 195 billion worth of non-inflationary economic activity into the world trading system. That I think is something that all of us could well do with. I think it is something of a lifeline for the world teetering as it is at the moment on the brink of a recession.

Mr President, I would like to conclude by making one or two general remarks. The first one would be to ask myself, not just as an individual Minister in a Member State, not just as an individual Minister in the Member State that happens to hold the Presidency, but simply as a citizen of Europe, an active citizen inside our Community: 'Why has all this happened?'. Why do we find ourselves with this debate that has raged around us for the last two or three months and which we are seeking to address at Birmingham? I sometimes think that perhaps there has been in recent years an element of frenzy about the activity that we have undertaken in the Community. Those of us engaged in the life of the Community sometimes perhaps feel that we are on a bicycle and that if we do not pedal hard enough, keep doing things, then that bicycle might fall over. I wonder perhaps if there has not been a danger that in our, I hope, well-placed enthusiasm to drive this forward we have not perhaps run a little bit ahead of the opinion and sometimes the understanding of our own citizens.

In my view, at any rate, the Community now has a specific weight of its own. Witness what we are doing in Yugoslavia – the fact that the reality of that event thrusts itself on to our agenda. I do not think we have to pedal quite so hard, the bicycle will not fall over. And we need perhaps a period of calm and reflection, a period where perhaps we devote more of our energy to carrying our fellow citizens with us and less zeal perhaps in the search for new things to do. Was it not Tallegrand, that wise Frenchman who always advised those who worked for him – perhaps President Delors will correct me if I am quoting him wrongly – ‘surtout pas trop de zèle’? And I think perhaps those of us committed to the European construction may over the past few years have demonstrated a zeal that has run beyond the capacity of our citizens to absorb what we have been doing.

[...]

I would suggest to this House that what we now need is a period of institutional calm. The Maastricht Treaty is a good treaty and there is a great deal in that Maastricht Treaty that we can build on, that we need to build on carefully and calmly over the next few years.

I believe that the Birmingham Council can mark the moment when we not only reaffirm our confidence in the European process but where we begin to place the process itself in a calmer, more self-confident and more citizen-orientated framework. In the run up to this special Council, Mr President, the Prime Minister as President, Douglas Hurd, and I myself have consulted every capital in the Community and we have found at all points a real desire to use this special Council as an opportunity to send a message of confidence to our fellow citizens. We intend to take that opportunity and we intend to use the orientation which Heads of Government will give us at the Birmingham Council to complete the current Community agenda that I set out at the beginning of my speech by Edinburgh, to carry forward to Edinburgh the work on openness, subsidiarity, and the citizen that we hope that the Birmingham Council will ask for and to ensure that all twelve Member States either have ratified or are firmly pointed in the direction of ratification when we meet at Edinburgh. If we can achieve that, and I believe we can, then I hope that the British Presidency may earn the approbation of this House.

[After the following debate, Mr Garel Jones stated:] Thank you Madam President. I rise very briefly to seek the indulgence of the House and particularly of those individual Members who are about to, as it were, move into the main stage of the debate because I am obliged to return home so I will not be able to hear the rest of the debate. The reason of course is that given that this is an extraordinary session of Parliament I do have a number of meetings in London today, many of them connected with the Presidency and with taking forward the preparations for the special Council in Birmingham. So I want to apologize to those members who are about to speak and to assure them that I will read very carefully the content of their remarks.

Secondly, Madam President, can I say that from what I have already heard from the leaders of the main parliamentary groups it does seem to me that albeit with different emphases on either side I am able to return home with the knowledge that this Parliament and the main political groupings represented in it do very much support the hopes and the aspirations that we have for the summit in Birmingham. And as Mr de la Malène said in his remarks I hope that this summit was not reaching specific and concrete conclusions, those of course are for Edinburgh, will provide a platform on which we can have a *relancement* as it were of confidence and of faith both in the Maastricht Treaty and in the future that it sets out for the Community.

92/351. Question No 493/92 by Mr Smith (S) on political cooperation with Cuba

Date of issue: 15 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 9 March 1992)

In reply to Mr Dessylas (H-1268/91)¹ it is stated that 'an improved relationship between the European Community and Cuba cannot be but negatively affected by the preoccupying human rights situation in Cuba' and that the Community will reserve their position 'pending substantive changes in both the internal and external policies of Fidel Castro and his regime'. Will the Minister detail Cuba's record on human rights in comparison with other nations with which the Community has special agreements on trade and technical cooperation, e.g. Turkey?

Answer:

Cuba's human rights record causes grave concern to the Community and its Member States, which do not, however, engage in comparative studies on human rights abuses world-wide. Rather they wish to see the universal standards enshrined in the Universal Declaration of Human Rights and the two human rights covenants implemented internationally.

The European Community and its Member States follow developments in all countries and make representations both collectively and bilaterally to those that fail to respect fundamental human rights. The Member States are also active in international human rights fora and in particular the United Nations Commission on Human Rights.

¹ *EPC Bulletin*, Doc. 92/019.

92/352. Question No 526/92 by Mr Robles Piquer (PPE) on the possibility of using Community diplomatic channels to lodge complaints

Date of issue: 15 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 March 1992)

The Spanish Government has decided to use diplomatic channels to demand compensation from the United States for the death of the Spanish photographer, Juantu Rodriguez, who was killed on 21 December 1989 in Panama by US troops while he was covering the invasion of that country for the newspaper *El País*.

In view of the European Community's new external policy arrangements, one wonders whether such claims might be made by one state to another or whether, on the contrary, it would be more appropriate for such diplomatic measures to be coordinated at Community level.

Does EPC consider that, in future, such claims could be made 'under the Community flag' in the form of concerted action as part of the Union's external policy?

Answer:

The honourable Member may recall previous answers given to oral and written questions relating to the death of the Spanish photographer in Panama in December 1989.

The Community and its Member States believe that, in the light of current arrangements, it is for the state concerned to decide whether to take bilateral action, as has the Spanish Government in the specific case referred to, or whether to pursue the matter through European political cooperation. The right of initiative in such cases will remain with the Community and its individual Member States following ratification of the Maastricht Treaty.

92/353. Question No 1371/92 by Mr Robles Piquer (PPE) on new additions to the American nuclear arsenal

Date of issue: 15 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 5 June 1992)

Does EPC have any information about a meeting held in New Mexico in January 1992 at which the 'Father of the H bomb', Mr Edward Teller, is reported to have recommended the construction of an atomic bomb 10.000 times more powerful than the largest bomb yet manufactured?

Answer:

No.

92/354. Statement by the European Council on former Yugoslavia

Date of issue: 16 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement, Conclusions of the European Council

The European Council agreed that immediate and decisive action was needed in the face of the impending major human tragedy in former Yugoslavia as winter approached. It underlined the importance of providing winter shelter and zones of safety for refugees, and of ensuring the delivery of relief supplies, as highlighted in the Commission's action plan. It decided that:

- the Community will speed up EC assistance, for which MECU 213 is ready for immediate disbursement, including on 120,000 tons of foodstuffs, and on medicines, shelter and 40 trucks;
- Member States will immediately provide further staff and resources, practical and financial, to strengthen UNHCR's capacity;
- the Community and its Member States will immediately establish a task force to support the efforts of the UNHCR to deliver humanitarian aid to the former Yugoslav republics;
- in order to increase the effectiveness of such humanitarian assistance, the European Council called on the UNHCR to set up:
- next week, a meeting of technical experts on emergency aid to ensure the practical provision of immediate assistance;
- next month, a stock-taking conference, to assess the effectiveness of the operation, and recommend further measures.

Each member of the European Council will appoint a personal representative to supervise this work. The European Council called on other international donors to make a commensurate effort to support the UNHCR appeal and to speed up the delivery of assistance under existing pledges.

The European Council condemned the continuing widespread violence and cruelty and the savage breaches of international humanitarian law in the former Yugoslavia which have caused this human suffering and are now the main constraint on the delivery of essential aid. It noted the unacceptable fact that commitments made at the London Conference had not been put into effect. The European Council expressed its full support for the unremitting efforts of Lord Owen and Mr Vance to bring about an end to hostilities and a peaceful settlement and to secure the implementation of the agreements already reached.

The European Council strongly endorsed the recent UN Security Council resolutions on the Prevlaka Peninsula, war crimes and a no-fly zone. It underlined the importance of the rapid de-

ployment of forces now underway under UNPROFOR II, to which a number of Member States were contributing, for humanitarian convoy protection and the escort of detainees from camps. It reaffirmed that sanctions measures and the arms embargo should be maintained.

The European Council discussed the dangerous situation in Kosovo and urged all parties concerned to exercise restraint and negotiate constructively in the current discussions. It endorsed the work of the International Conference and the long-term CSCE mission of Ambassador Boegh.

In the light of the deteriorating economic situation in the former Yugoslav republic of Macedonia, the European Council stressed the need for appropriate measures to prevent this republic from bearing the unintended consequences of UN sanctions.

The European Council noted the recent undertaking by the Bosnian Serbs to remove their military aircraft into Serbia and agreed that in case of violations of UN Security Council Resolution 781 the Security Council should be asked to consider urgently the further measures necessary to enforce the ban on military flights.

92/355. Statement by the European Council on Somalia

Date of issue: 16 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement, Conclusions of the European Council

The European Council expressed its deep concern over the appalling situation in Somalia and the continuing deaths and starvation. It condemned the renewed fighting and called on the parties involved to observe an immediate cease-fire to allow the rapid distribution of aid to the people in desperate need.

It expressed its full support for the efforts of Ambassador Sahnoun on behalf of the United Nations to achieve a national reconciliation as the basis for a peaceful solution and for the Belgian contribution to the UN force. It welcomed the outcome of the UN Conference in Geneva on 12 and 13 October, and the creation of a 100-day programme to deliver aid to the worst affected areas. The European Council notes the contribution being provided by the Community and its Member States to relieve the crisis: in addition to other aid, over 100,000 tonnes of food aid has already been delivered and a similar quantity is being sent. Member States are also contributing some MECU 100 bilaterally.

The European Council called for the rapid deployment of UN troops to the areas where they are needed. It asked the Presidency to consult the UN Secretary-General on ways and means to expedite these deployments.

92/356. Statement on relations between the UAE and Iran

Date of issue: 19 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States have noted with concern signs of a deterioration in the neighbourly relations between the United Arab Emirates and the Islamic Republic of Iran. Conscious of the importance of maintaining security and stability in the region, and noting the desire of both parties concerned to find a peaceful solution to differences between them, the Community and its Member States urge the Governments of the United Arab Emirates and the Islamic Republic

lic of Iran to work together towards a resolution of these differences on the basis of international law and peaceful coexistence between nations.

92/357. Question No 19/92 by Mr Falconer, Mr White, Mr Crampton, Mr Smith, Mr Elliott, Ms Oddy, Mr Newman and Mr Newens (S) on the NATO summit in Rome (November 1991)

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 4 February 1992)

Will EPC advise if it has reached a conclusion on the future role of NATO?

Will EPC agree that the establishing of an EEC armed force could be considered as a threat by emerging Eastern European countries who have collectively agreed to dismantle the Warsaw Pact?

Will EPC agree that the changes taking place in Europe require a diminishing role for NATO and an extension of the role of the United Nations?

Answer:

The questions tabled by the honourable Members do not fall within EPC competence.

92/358. Question No 21/92 by Mr Langer, Ms Ernst de la Graete and Ms Quistorp (V) on the development of a common foreign and security policy for the Community

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 4 February 1992)

Events such as the Gulf War, the crisis in Yugoslavia and the massive influx of refugees fleeing from poverty have exposed the European Community's woeful state of unpreparedness as it struggles to formulate a common independent foreign and security policy.

With reference to the Inter-governmental Conferences in progress:

1. What conclusions will be drawn from the events referred to above?
2. Are possible instruments being considered for preventive and peace-making action by the Community in crisis areas by non-military means such as civilian peace corps, observers, the mass media (European radio and television) and cultural and educational institutions, etc.?
3. Are instruments being devised to coordinate cooperation, including non-governmental organizations, with the countries of Central and Eastern Europe in order to contribute to sustainable development in those countries and, through suitable partnership arrangements, prevent the chaotic exodus of masses of desperate people?

Answer:

The honourable Members are kindly requested to revert to Title V of the Maastricht Treaty as well as to the report on the likely development of CFSP approved by the Lisbon European Council.

As regards possible instruments for preventive and peace-making action in crisis areas by non-military means, the honourable Members will certainly be aware of the important contribution

made by Member States of the Community to international peace-keeping operations, namely in the UN and CSCE frameworks and in particular of the leading role they have assumed in this field in the former Yugoslavia. The promotion of peace and dialogue between peoples is a key element in the cooperation between the Community and its Member States and third countries.

The UN Secretary-General published a report on Preventive Diplomacy, Peace-making and Peace-keeping in June 1992 which is under consideration.

The European Community has concluded Association Agreements with Poland, Hungary and Czechoslovakia, and is presently negotiating similar agreements with Bulgaria and Romania. These agreements provide for cooperation in over 26 areas of political and economic activity.

The European Community has also provided substantial assistance to the countries of Central and Eastern Europe to help in the creation of non-governmental organizations of all kinds. These 'civil society' programmes, funded from the Community's PHARE technical assistance programmes seek to extend the process of democratization by furthering the aims of political pluralism.

92/359. Question No 499/92 by Mr Arbeloa Muru (S) on assistance for border commissions set up by Zaire, Rwanda and Burundi

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 9 March 1992)

Is EPC providing aid, or will it provide aid, for the new commissions set up by the Presidents of Zaire, Rwanda and Burundi to solve the serious border problems between these countries?

Answer:

The Community and its Member States have not received any specific request from the authorities of the three countries concerned regarding possible help to the joint commissions created in Mbandaka.

The Community and its Member States have repeatedly stated their serious concern at the conflicts to which the honourable Member refers. They have consistently supported mediation efforts aimed at solving existing differences by peaceful means. They believe that any solution to the border conflicts between Zaire, Rwanda and Burundi lies first and foremost in the resolve of these countries to overcome them.

The Community and its Member States are following the developments mentioned by the honourable Member very closely, which they hope will prove to be an important step forward.

92/360. Question No 524/92 Mr Fernandez-Albor (PPE) on the possibility of multi-party democracy in Uganda

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 March 1992)

The statement by the President of Uganda, Yoweri Museveni that 'if the people want political parties it will have them' arouses hopes that this African country, after 20 years of dictatorship and civil war, is on the threshold of a multi-party democratic political future.

However, his observation that democracy and elections are able to exist without political parties is evidence of a dubious attitude, which indicates that a firmer action should be taken in certain areas to ensure that there will be a genuinely democratic government unequivocally based on a multi-party system.

Do the Ministers consider that support and development aid for Uganda should be accompanied by unequivocal calls for a multi-party democratic system in that country and that they should use their political influence to ensure Uganda's future respect for fundamental rights and freedoms, which can only be guaranteed in a democracy based on a multi-party system?

Answer:

The Community and its Member States share the view expressed by the honourable Member about the need for genuine democracy and respect for fundamental rights and freedoms in Uganda. They have adopted this position constantly in their contacts with the Ugandan authorities, most recently at the Consultative Group meeting in May. They will continue to encourage the political reform process in Uganda, and hope that the recommendations of the constitutional commission, to be considered by a constituent assembly probably next year, will lead to elections within a permanent, fully accountable, and pluralistic political structure.

92/361. Question No 1005/92 by Mr Arbeloa Muru (S) on human rights violations in Togo

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 27 April 1992)

Can the Ministers meeting in European political cooperation inquire into the state of the investigations into serious violations of human rights, extra-judicial executions, arbitrary detentions, ill-treatment, etc. which were requested last year by the Togo National Conference and about which no information appears to be available?

Answer:

The Community and its Member States are following closely the democratization process in Togo. They fully share the concerns expressed by the honourable Member, concerns that were expressed to the Togolese authorities during recent visits to Togo by a delegation from the Paris based Federation for Human Rights and by an international parliamentary delegation led by British MP Donald Anderson. The authorities in Lomé are in no doubt of the importance the Community and its Member States attach to respect for human rights and the rule of law in their dealings with third countries.

92/362. Question No 1583/92 by Mr Pierros (PPE) on trials for sex crimes in Turkey

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

According to a recent edition of the reputable Turkish newspaper, *Cumhuriyet* (8 March 1992), 15.835 women and under-age girls were raped last year in Turkey. According to the Ministry of

Justice, trials for sex crimes against children may last for as long as nine years. This is an infringement of international laws on the protection of human rights and generally runs counter to the proper administration of justice. What measures will European political cooperation take to remedy this unacceptable situation?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts. The declaration on human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/363. Question No 1584/92 by Mr Pierros (PPE) on restrictions on the rights of Greeks in Turkey to own property

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

In addition to the secret decree-laws issued by the Turkish National Security Council (No 6/3801/1964 and 6/3706/1964) limiting the rights of Greeks in Turkey to own property which were abolished in 1988, there is firm evidence to indicate that three other decrees (Nos 6/2887/31.3.64, 7/9421/10.2.72 and 7/10381/4.8.75) limiting the rights of Greek residents of the island of Imroz to own property together with their educational and cultural rights, still apply. This runs counter to international law in respect of the protection of human rights, Turkey's formal undertakings and the principles of law in the Community, of which Turkey is an associate member.

What measures will European political cooperation take with a view to the abolition of the above decrees, which constitute discrimination against the Greek residents of Imroz?

Answer:

The Community and its Member States are aware of the situation of the Greek minority communities on the island of Imroz. The issue has been the subject of discussion in the House on numerous previous occasions.

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Turkey has subscribed by her adherence to the Lausanne Treaty, especially Article 14, and to the commitments to which Turkey has subscribed in CSCE documents including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the Documents of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts. The declaration on human rights adopted by the Luxembourg Eu-

ropean Council in 1991¹ stated categorically that 'respecting, promoting and safe-guarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/364. Question No 1741/92 by Mr Kostopoulos (NI) on clashes between students and the police in Seoul

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 July 1992)

There have been fresh clashes between thousands of students and the Korean police in the centre of Seoul, sparked off by police attempts to disperse a student demonstration calling for the resignation of the totalitarian government of President Roh-Tae-Woo, a timetable for democratic reforms and the reinstatement of some 1.500 teachers dismissed for trade union activities. Do the Ministers meeting in European political cooperation intend to respond to this unacceptable behaviour by the police authorities which is preventing democratization and freedom of expression in Korea, and if so, what measures do they intend to take?

Answer:

The Community and its Member States follow closely the human rights situation in the Republic of Korea. They will continue to encourage the Korean Government to pursue a policy aimed at maintaining progress towards democratic reform and increased respect for human rights, including the freedom of expression.

The Korean authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the resolution adopted by the Development Council and the Member States meeting in Council on Human Rights, Democracy and Development on 28 November 1991.

In 1990 the Republic of Korea signed the International Covenant on Civil and Political Rights (ICCPR), and subsequently submitted its first human rights report in July 1991. This was considered by the Human Rights Committee, the Treaty monitoring body of the ICCPR, at their last meeting in July. Their findings have not yet been made public.

¹ *EPC Bulletin*, Doc. 91/194.

92/365. Question No 1764/92 by Mr Kostopoulos (NI) on the repression of the people of Thailand

Date of issue: 19 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 2 July 1992)

Sixty-one years after its first military *coup* which brought an end to absolute monarchy, Thailand has still not completely established a democratic system. This is confirmed by the fact that the majority of 'non-military' prime ministers started out as members of the armed forces. Nevertheless, at the start of 1991 it appeared that it was on the right road towards democracy. Unfortunately, today the army gives the impression that it is not prepared to return to its place in the barracks. Does EPC intend to make it clear that the EC defends human rights and promotes democratization and freedom of expression for the people of Thailand?

Answer:

In their statement of 20 May 1992¹ the Community and its Member States expressed great concern over the tragic events in Thailand in May 1992 and condemned the use of force by the military forces against unarmed civilians. They urged the Thai military authorities to refrain from further violence and called for a peaceful and democratic solution to the problems in Thailand as well as the full respect for human rights.

The Community and its Member States welcomed in their statement of 9 June 1992² the positive political developments which had then taken place, namely the scheduled constitutional amendments. The Community and its Member States, nevertheless, remained concerned that a number of civilian demonstrators were still unaccounted for and urged the Thai authorities to take the appropriate steps to restore the confidence of the Thai people in their government.

The Thai authorities are therefore well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991³ and the Resolution adopted by the Development Council on Human Rights, Democracy and Development on 28 November 1991.

The Community and its Member States welcome the appointment of an interim civilian government under Prime Minister Anand and look forward to the elections of 13 September. They hope that these will open the way for the development of closer and stronger links with a democratic Thailand which will show full respect for human rights and will contribute positively to peace and stability in the region.

¹ *EPC Bulletin*, Doc. 92/200.

² *EPC Bulletin*, Doc. 92/210.

³ *EPC Bulletin*, Doc. 91/194.

92/366. Statement on Angola

Date of issue: 22 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States take note of the publication of the official results of Angola's first democratic elections and their verification as having been free and fair by the Special Representative of the UN Secretary-General. They fully support the conclusions reached by the Special Representative and expect all parties to the elections will respect the choice of the Angolan people.

They also look forward to the holding of the second round of presidential elections in conditions of peace and without threats or intimidation from whatever quarter.

They further believe that an essential condition for peace lies in strict compliance with the Bicesse Accords particularly those sections related to the Angolan armed forces.

92/367. Question No 593/92 by Mr de Vries (LDR) on the trade embargo against Haiti

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 19 March 1992)

On 2 December 1991 the Political Directors of the twelve Member States requested the Commission to draw up a Council Decision on a trade embargo against Haiti.

On 16 December they withdrew this request (Het Financieele Dagblad of 17 December 1991).

1. What led them to change their minds?
2. Do the Twelve plan to send their political directors on a course in international law?

Answer:

On 2 December 1991 the General Affairs Council requested the Commission to draft proposals for a trade embargo on Haiti. After further reflection the Council subsequently decided that a trade embargo would breach the Lomé Convention's trade provisions. In the absence of a UN Security Council Resolution under Chapter VII, a trade embargo would also contravene obligations to Haiti under GATT (the Security Council had already considered Haiti and was unable to agree on the terms of a resolution).

The General Affairs Council considered proposals for denunciation of the Lomé Convention with respect to Haiti, but was at the time not convinced of the practicality of such a move. In addition, when consulted by the Presidency, neither OAS nor ACP countries were in favour.

92/368. Question No 1310/92 by Mr Kostopoulos (S) on the Greek minority in Turkey

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 5 June 1992)

The continuing flagrant violation of the human rights of the Greek minority in Turkey by the Turkish Government as documented in a recent report by the human rights organization, Helsinki Watch, received widespread coverage a few days ago in most Greek newspapers. One of the basic conclusions reached in this report by the New York based organization is that the Greek minority is being oppressed and that this state of affairs must be changed through the adoption of specific measures: Greeks must enjoy the same civil and political rights as Turkish citizens, freedom of expression must be safeguarded in practice, they must enjoy freedom of religion and must be entitled to run their schools by themselves. Do the Foreign Ministers meeting in European political cooperation intend to express their dismay to the Turkish Government in view of the continuing flagrant violation of the human rights of the Greek minority? Will they ask for specific measures to be taken to ensure that the political, civil and other human rights of the Greek minority are safeguarded in practice?

Answer:

I would refer the honourable Member to the reply given in response to Written Question No 1159/92 on this same subject.¹

¹ EPC Bulletin, Doc. 92/290.

92/369. Question No 1548/92 by Ms Cramon-Daiber (V) on relations between the Community and the Republic of Syria

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

The European Parliament demanded the extradition of the Nazi criminal Alois Brunner from the Republic of Syria in its resolution of September 1991.¹ This resolution is in keeping with the already existing extradition demands from France, Germany, Austria and Israel.

The European Parliament demanded the extradition of Alois Brunner once again in its resolution on the financial protocols with Syria. Due to Syria's negative reaction to the September 1991 resolution, the European Parliament did not adopt the financial protocols with the Republic of Syria.

What steps do the Ministers intend to take within the framework of EPC to support the demands of the European Parliament? How do they attempt to ensure that the relations between the European Community and the Republic of Syria will proceed in accordance with the resolution of the European Parliament in order to create a basis by means of which the European Parliament can adopt the financial protocols with the Republic of Syria?

Answer:

May I refer to the honourable Member to the reply given to Written Question No 484/92 on this same subject.

¹ *OJC* 267, 14.10.1991, p. 138.

92/370. Question No 1810/92 by Mr Langer (V) on the Istrian Democratic Diet

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 July 1992)

The new-found independence of Slovenia and Croatia and the resulting internationally recognized border between these two states have produced a more pronounced division of Istria and its people, already sorely tried by previous partitioning. In particular, the Veneto-Istrian minority whose cultural and linguistic roots are Italian are now split between two states and are finding trans-frontier and communication action increasingly difficult. The only political movement which speaks up, with considerable sensitivity and respect for the existing state apparatus, in favour of the identity, originality and inter-ethnic cohesion of all the Istrian peoples, namely the Istrian Democratic Diet, has been subjected to a smear campaign, sometimes bordering on defamation, by the Croatian authorities and media. The Slovenian and Croatian authorities have manifestly underestimated the specific demands of Istria, a historically homogenous region, albeit with a variety of linguistic and cultural components.

What action does European political cooperation feel it can take to encourage this clearly democratic and inter-ethnic cultural and political movement and defend it against unfair attacks before Istria is also affected and threatened by inter-ethnic tension and conflict?

Answer:

The honourable Member is no doubt aware of the well established position of the Community and its Member States on human rights, including the rights of individuals belonging to minority groups. Respect by Croatia and Slovenia for the provisions of the Charter of the United Nations and the commitments subscribed to in the Final Act of Helsinki and in the Charter of Paris, especially with regard to the rule of law, democracy and human rights, were one of a series of conditions for recognition of these two republics by the Community and its Member States set out in their 'Guide-lines on the recognition of new states in eastern Europe and in the Soviet Union' and their declaration on Yugoslavia, issued on 16 December 1991.¹

The question of the rights of national or ethnic groups is also an integral part of the conference on Yugoslavia. The chairman of the conference, Lord Carrington, and his senior officials meet regularly with representatives of these groups to discuss matters of particular interest to them. Chapter II of the Draft Treaty Provisions for the Convention, the basic document under discussion at the Conference, deals specifically with human rights and the rights of national or ethnic groups, including the special status of autonomy of areas in which persons belonging to a national or ethnic group form a majority.

¹ EPC Bulletin, Docs 91/464 and 91/465.

92/371. Question No 1822/92 by the Mr Arbeloa Muru (S) on discrimination with regard to human rights

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 July 1992)

In the ministers' opinion, what would be the best way of preventing the EEC from discriminating in any way in its treatment of small developing countries and more powerful countries with regard to the issue of human rights?

Answer:

As expressed in the declaration on human rights adopted by the European Council in Luxembourg, June 1991¹ as well as in the resolution of the Development Council and of the Member States meeting in the Council on Human Rights, Democracy and Development of 28 November 1991, and recalled in June 1992 by the European Council² in dealing with relations between the Community and its Member States and developing countries, the Community and its Member States consider the respect, promotion and safeguarding of human rights as an essential element in international relations and one of the cornerstones of cooperation as well as of their relations with other countries.

The European Community and its Member States follow the situation on human rights in all countries and assess their respect in the light of the universal standards enshrined in the Universal Declaration on Human Rights and the two Human Rights Conventions implemented internationally. In taking their stance, the European Community and its Member States try to adopt a positive and constructive approach, using both collectively and bilaterally the different means and channels

at their disposal. They will continue to press for universal respect for human rights and to raise violations of those rights wherever they occur.

¹ *EPC Bulletin*, Doc. 91/194.

² *EPC Bulletin*, Doc. 92/253.

92/372. Question No 1842/92 by Mr Kostopoulos (NI) on recent assassination of a journalist in Turkey

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 July 1992)

On 8 June Hafez Akdemir, a journalist from a Turkish newspaper, was killed by a bullet in the head in Diyarbakir. Some days previously the murdered journalist had reported the views of members of a human rights organization from South-East Turkey. Do the Foreign Ministers meeting in European political cooperation intend to ask for a full and reliable investigation by impartial experts into the reasons for the murder of this journalist and the circumstances in which he was murdered and also into freedom of the press in Turkey?

Answer:

The specific question raised by the honourable parliamentarian has not been discussed in the framework of European political cooperation.

The Turkish authorities are, however, well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the Document of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts. The declaration on human rights adopted by the Luxembourg European Council in 1991 stated categorically that:

'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'.¹

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country.

¹ *EPC Bulletin*, Doc. 91/194.

92/373. Question No 1852/92 by Mr Fayot (S) on the execution of a member of the Bahai faith in Iran

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 23 July 1992)

Is European political cooperation aware that, although no members of the Bahai faith have been executed for three and a half years now, another very brutal act was recently perpetrated against a member of that faith living in Iran?

Mr Bahman Samandari was summarily executed on 18 March 1992. He had been arrested on 17 March 1992. The judicial authorities gave no grounds for his execution, nor would they reveal the place where he was buried. For more than two weeks, the authorities kept silent about the execution. The family was not notified. Mr Samandari's widow only learned of his death when she tried to visit him on 5 April.

Does EPC intend to make a formal protest to the Iranian Government about this summary execution, bearing in mind the importance the European Parliament has always attached to the persecution of the Bahai in Iran?

Answer:

I would refer the honourable Member to the reply given in response to Oral Question No H-544/92 on this same subject.¹ The *démarche* to the Iranian authorities in Teheran to which that reply refers was made on 12 June.

¹ *EPC Bulletin*, Doc. 92/218.

92/374. Question No 1931/92 by Mr Kostopoulos (NI) on a referendum in the town of Himarë in Albania

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 23 July 1992)

Local bodies recently organized a referendum in the town of Himarë in northern Epirus in order to ascertain whether the inhabitants wished to regain Greek nationality. 98,5% of the population of the area voted in favour. Between 90% and 95% of the inhabitants of the villages of Drymadas and Kaliassa have also declared themselves in favour of this. Does European political cooperation intend to ask the Albanian Government to safeguard the human rights and freedoms of the Greek minorities in Himarë and other regions of northern Epirus in Albania?

Answer:

The honourable Member is referred to the reply given in response to his Oral Question H-326/92/rev.¹ on the question of human rights and minorities in Albania.

¹ *EPC Bulletin*, Doc. 92/143.

92/375. Question No 2178/92 by Mr Crampton, Mr McCubbin, Mr Smith, Mr Coates, Mr Seal, Mr Simpson, Mr Ford, Mr White, Ms Pollack, Ms Oddy, Mr Bowe, Mr Wynn, Mr Blak, Mr Hughes, Mr Elliott, Mr McMahon, Ms Read, Mr Falconer, Mr Barton, Mr McGowan, Mr Martin, Ms Green, Mr Megahy, Mr Morris and Ms Crawley (S) on the kidnapping and imprisonment of Mordechai Vanunu

Date of issue: 22 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

Mordechai Vanunu was abducted from Rome by the Israeli authorities, tried in Israel for the alleged offence of revealing the extent of Israel's stock of nuclear weapons and sentenced to 18 years in prison.

On 22 March this year, Mr Vanunu spent his 2000th day in solitary confinement.

Can EPC tell the House what steps it has taken to fulfil the demands made in resolutions of this Parliament on 14 June 1990, 22 November 1990 and 9 October 1991?

Answer:

The case of Mordechai Vanunu has not been discussed within EPC. A number of Member States have raised this case bilaterally with the Israeli authorities.

The Community and its Member States frequently bring to the attention of the Israeli Government the importance they attach to full respect of human rights.

92/376. Statement on South Africa

Date of issue: 27 October 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

In accordance with the terms of UN Security Council Resolution 772, and following an offer made to the South African authorities by the troika of EC Foreign Ministers early in September, an EC observer team of 15 will arrive in South Africa from 29 October onwards. The team members include police officers, lawyers and economists from the Community and its Member States. Their role will be to seek, by their presence in situations of potential conflict, to prevent violence, defuse tension and promote peace. They will be operating in close cooperation with the National Peace Secretariat as well as with UN and observer teams from other international organizations.

In addition, six police experts from the EC are joining Judge Goldstone's newly-created Investigative Task Forces.

92/377. Statement on the European Council meeting in Birmingham, held on 16 October 1992

Date of issue: 27 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Hurd, President-in-Office of the Council: Mr President, I am indeed grateful and glad to have this opportunity to report to Parliament on the special meeting of the European Council held in Birmingham on the sixteenth of this month. There was, as you will know, Mr President, a double impetus behind this summit. First of all, there was the economic turbulence and the commotion in the markets just before that time. The strains on the exchange rate mechanism led several governments to suggest to my Prime Minister the need for this extraordinary summit. It seemed right also to tackle and begin to remedy some of the more general anxieties which had been expressed about the direction of the Community in public debates throughout our Member States but particularly perhaps in Denmark, in France and in my own country. We tackled this in the belief that the Community can only flourish if it works with the grain and in harmony with the instincts of its citizens. So, for those two reasons and with that double impetus the Prime Minister announced immediately after the very satisfactory result of the French referendum that the European Council would meet at Birmingham. It turned out to be one of those events which occur from time to time which do not attract a huge amount of attention at the moment because of the crowding in of other events and other emotions but which in retrospect will be found to be important, perhaps even a turning point.

There were four items on the agenda at Birmingham: the Treaty of Maastricht, monetary cooperation, Yugoslavia, and the GATT. With the consent of Parliament, perhaps I could run briefly through these four items. The Council took note of this Parliament's resolution of 14 October in which you urged ratification of the Treaty of Maastricht as it now stands and at Birmingham the Council reaffirmed our commitment to the Treaty. We need the benefits – we all agree on this – which the Treaty would bring if the Community is, as the Birmingham Declaration puts it, 'to remain an anchor of stability and prosperity in a rapidly changing continent'.

This is not the time to analyse again the contents of the Treaty. Parliament has done so in the past and no doubt there will be other opportunities to do so in the future. Its importance is that it does provide the only available agreed framework in which the Community can act effectively on those matters where Europeans have to act together if they are to be effective. As Parliament knows, it gives Member States a variety of ways in which they can work together under the Treaty of Rome, sometimes as governments acting together in inter-governmental cooperation. Undoubtedly the Treaty will give the Twelve a stronger voice in the world. It will make the Community more efficient with its provisions against fraud, with its emphasis on value for tax-payers and on compliance with Community legislation. Obviously, that is not a complete summary of the contents of the Treaty and this is not the time to repeat its merits. But there is no doubt in my mind that it brings benefits to the citizen, as well as benefits to the institutions of the Community.

But, of course, in order to attain these benefits we have to ratify the Treaty and that is why this Parliament and the European Council put this at the head of its list. There has been good progress in most Member States in this direction. As far as we are concerned in Britain we are taking forward the ratification process and next week the House of Commons will hold a paving debate which is the necessary next step. If I could add a word, Madam President, as British Foreign Secretary, we do face substantial parliamentary difficulties as any student of the British media is aware. I must say that in the last few days we seem to have seen a change for the worse in the attitude of the British Labour Party.

[...]

The last few days have seen a change for the worse in the attitude of the British Labour party which, if confirmed, is a serious matter. But that is an interjection not intended to achieve universal applause but which I make in my capacity as British Foreign Secretary.

[...]

Coming back to the decisions of Birmingham, after the squalls of the summer the European Council reaffirmed the need to ratify the Treaty but, secondly, sought to respond to concerns raised in debate across the whole Community. The strong feeling – I am sure shared here – is that we need to examine how the Community works and then make the necessary changes if we are to retain public support. The Council at Birmingham began to tackle these concerns in three main areas. First, openness in the decision-taking of the Community. Second, in the protection of national identities, and third, in explaining the benefits of the Treaty of Maastricht for the individual citizen.

First, openness, designed to ensure a better informed public debate. There are various possibilities here which are still tossed about and which we, the foreign ministers, have been asked to consider further. One possibility is to include the television cameras in some Council meetings, perhaps when the Council considers the future work programme, perhaps when it has a general debate on a major proposal, or on the future development of the Community. The Council strongly welcomed the Commission's offer to consult more widely before proposing legislation. The Commission might distribute its Green Papers more widely so that more interested groups could help shape detailed proposals. The need was expressed to make Community legislation simpler and clearer and the Council requested detailed proposals for Edinburgh. This, it seems to me, is certainly something which we hope Parliament will encourage and contribute to.

Second, we focused on the need to protect national identities, the thought here being that decisions should be taken as closely as possible to the citizen and that we can achieve the unity we seek without excessive centralization. The Commission is making a bold effort, which the President of the Commission reported to us, in looking at and where necessary changing its own procedures and methods to take account of this principle of subsidiarity. Action at Community level should happen, the Council said, only when proper and necessary. And the Council recognized the need to bring this principle of subsidiarity to life, not just in the work of the Commission but more widely. That will be a task for Edinburgh. We intend to have a dialogue with Parliament, with your consent to participation, with a view to reaching agreement in due course because we believe a way has to be found to make the operation of subsidiarity an integral part of all Community decision-making: Commission, Council, Parliament. Community legislation must be effectively enforced but without interfering unnecessarily in the daily life of the citizen.

Third, we took a close and critical look at the way the Community presents what it does, that is to say at the way in which we can explain how not just the Treaty of Maastricht but the existing work of the Community makes the lives of ordinary people better. The Treaty, on top of the Treaty of Rome and on top of the Single European Act and the Single Market, will bring direct benefits to individuals and the Council saw that all the institutions – Council, Commission and Parliament – must do more to make this clear.

You will have seen in the declaration of the Council the stress put on the important role of this Parliament in the democratic life of the Community and the welcome which was given to the growing contacts between national parliaments and the European Parliament. Your President, Mr Klepsch, in his contribution at the beginning of the Council particularly stressed this cooperation in words which were very welcome as one way to achieve greater transparency and greater democracy.

The Council evidently felt that national parliaments should be more closely involved in the Community's activities. The Commission again took a number of initiatives here, explaining its

readiness to respond to requests from national parliaments for explanations of its proposals. More work will be done with the establishment of the Conference of Parliaments and of course the Committee of the Regions. I mentioned the economic impetus behind the summit and therefore the Council also considered economic and monetary cooperation. It underlined the importance of convergence and concluding ratification as soon as possible as I have said, and in this way I hope went some way to easing concerns in the currency markets.

In the discussion which took place it was recognized that the recent tensions in the markets have been caused partly by the very large differentials between interest rates here in Europe and in the United States. Across the world economic growth is low, unemployment is rising, and against this background the Council stressed the importance of coordination when dealing with economic problems because in that way we can help ensure that the economies of the Member States are strengthened by each other's success. This means, it was reiterated again, firm and sustained implementation of the policies to reduce inflation, control budget deficits and improve economic efficiency, policies which are necessary if we are to succeed.

The Council endorsed the call previously made by economic and finance ministers for reflection and analysis. They asked them to carry this forward, helped by the Monetary Committee, the Commission and the governors of the central banks. This work will cover recent economic and financial developments within Europe and other major industrial countries as well as the implications of changes in the general economic and financial environment in recent years. The financial markets have clearly increased in size. They have increased in sophistication. There is greater capital liberalization and we need a clearer idea of how these changes affect options for policy. That is one of the themes which reflection and analysis should cover. Since Birmingham ECOFIN has met and asked the Monetary Committee and the governors to put the necessary work in hand.

The next big subject under discussion was the GATT. The European Council considered the present position in the Uruguay Round, and in particular the key talks being conducted with the Americans. The Council emphasized the importance of a full and fair agreement for the European economy, for developing countries and for the world economy as a whole. As recession deepens we badly need the boost to confidence and thus the boost to investment which a GATT settlement can bring. The truth is, it seems to us, that no other single factor, political or economic, could do more to pull the world economy round and if a deal were again deferred the consequences would be grave. So the challenge here to statesmanship across the world, not just in this Community, is very real.

At Birmingham we heard the progress report from our Commission negotiators on the talks with the Americans on agriculture and on oilseeds. We noted from their report that while gaps remained real progress had been made. The Council urged the negotiators to work within their existing mandate for an overall GATT agreement, comprehensive and balanced, by the end of the year. We have – and this came through the discussions – confidence in the negotiating stamina of the negotiators and in their skill. I would add, Madam President, that we do see a dramatic opportunity here for the Commission to show that it rises fully to such an occasion and justifies fully the exclusive power to negotiate on behalf of us all on a matter of this importance. But equally for Member States, on the GATT, as on ratification of the Treaty of Maastricht, there is a chance to show that we are not going to allow undoubted political difficulties at home – and no-one doubts them in either case – to deter us from reaching and enacting an agreement of clear benefit to each of us and to Europe as a whole.

The Community needs to tackle the internal problems which I have described, but the world outside the Community is in a troubled and disorderly state, and I think it would be the view of Parliament – as it was the view of the European Council – that we must not allow the internal debate to distract us from our responsibilities abroad. I am thinking here, as did the Council, mainly but not exclusively of the former Yugoslavia. The peace conference in Geneva which, as Parliament knows, is co-chaired by the Community and the United Nations, brings together all the par-

ties under the energetic direction of David Owen and Cyrus Vance. Several Member States – France, the Netherlands, Belgium, Spain, Portugal and Britain – are all contributing or proposing to contribute significantly to the UN force, UNPROFOR 2, for the protection of the humanitarian convoys carrying food, clothes and medicine to Bosnia. The scale of the impending tragedy was recognized by the Council as horrific. We have to face the real possibility that as winter descends tens, perhaps hundreds of thousands, of people will be at risk and may die. Many of these deaths could be prevented if and as aid can be got through. That is the background against which the risky decision was taken by the Member States I have mentioned to provide troops to escort the convoys.

The Heads of Government agreed a four-point plan – which again received little attention at the time – which owed a lot to the initiatives and advice of the Commission and which I will therefore spell out. First of all, a decision to speed up Community help: MECU 213 is ready for immediate distribution, including medicine, shelter, 120,000 tonnes of food and 40 trucks. Secondly, further bilateral help from Member States, practical and financial, to back up the UN High Commissioner for Refugees; for example, the British Prime Minister announced on 20 October an extra £150 Million in aid from Britain. Thirdly, a Community and Member States joint task force to support the attempts by the UNHCR to deliver aid; this was a successful technique adopted in St Petersburg and other Russian cities and can be adapted for this purpose. Fourthly, the Council asked the UNHCR to set up a meeting of technical experts to be followed next month by a stock-taking conference, because we need to know more precisely how effective the existing operation is and we need authoritative recommendations for further measures. These are not bureaucratic steps. Lives depend on the way in which we follow up these points. They have to be and are being pressed ahead vigorously. The Community team has already visited Zagreb and the food aid is on the way.

Somalia is further away and attracts on the whole rather less attention, but I am sure and the Council clearly felt that the tragedy there must also be regarded as a responsibility which the Community must help to shoulder because there, as in Yugoslavia, the senseless killing and starvation cannot be accepted by the world community. The Council in its declaration in Birmingham called on all factions to stop fighting so that aid can get through to the people who need it. The Community is already the largest donor of humanitarian assistance to Somalia. Over 100 000 tonnes has been delivered this year. The same amount is on its way. Member States have also contributed around MECU 100 bilaterally. One Member State, Belgium, has offered to contribute a contingent to help the UN force there to ensure that aid is distributed.

So those were the main conclusions reached at Birmingham. Looking ahead to the future, we believe that by pursuing the policies mapped out at Maastricht, made clearer at Birmingham, we can as a Community hope to become less bureaucratic and less centralized and move back towards the instincts of the citizen in a Community of twelve democracies which comes together here in this Parliament in one democratic assembly. We believe that as a result, first of all of the Treaty of Maastricht, then of the public debates which have occurred in Member States since Maastricht, and now of the declaration at Birmingham, we now have a sound basis for decisions at the European Council.

Madam President, when Parliament gave me a hearing on 8 July I set out the Presidency work programme. The elements of this will come together at Edinburgh. The European Council should be able to declare the Single Market open for business on 31 December as planned. Already more than 90% of the legislation prescribed by the original white paper is in place, together with many pieces of legislation proposed since the campaign began. Recently under our Presidency, for example, a crucial agreement was reached on indirect tax and I believe that good progress is being made across the board in the various Councils which handle Single Market business. As I have already described, the Edinburgh Council should be able to come to conclusions on subsidiarity and openness and agree a political framework enabling the Danes to proceed with Maastricht. We wel-

come the white paper which the Danes have published, listing the options open to them and we look forward very soon now to receiving from the Danish Government their ideas as to which of those options seem to them most promising. Then it would be up to the Presidency, with the help of all of us, to try and elaborate on that basis ways in which we can bring forward the moment when Denmark too, after another referendum, is in a position to ratify the Treaty of Maastricht.

We also intend to settle, as Parliament knows, the future financing issue, another crucial negotiation, which we aim to conclude at Edinburgh. Against this background we believe that the Edinburgh Council should decide when the accession negotiations with the EFTA applicants are to be launched and how we should intensify the relations with Turkey, Malta and Cyprus as laid down in principle in the conclusions at Lisbon. We hope to have signed association agreements with Bulgaria and Romania and for negotiations for an agreement with Russia to be well advanced, perhaps even concluded. The Commission will table a further report on cooperation with Central and Eastern Europeans.

This is a long and important agenda. The elements in it are connected and have to come together at Edinburgh. The Birmingham summit gave an impetus to this agenda. I believe that the European Council faced squarely the very difficult problems of the last few months squarely. The discussions were good ones. The difficulties were not skated over and we began to sketch out the answers.

The challenges of GATT and the Single Market: here we have to direct attention to the general good against the objections of particular interest. We must face the real difficulties abroad, not turn aside because of distracting introspection at home. We must face the criticism of the way in which the Community works, examine how we can reform that so that we retain public support without abandoning our objectives. We have to cooperate without losing our identity and without losing touch with what our citizens think.

All of us holding public office in the Community must do more to remain in close touch with the people. This Parliament has a key role in this and will, I hope, work with the other institutions on specific ways of making this Parliament's part of the Community's work more attractive and understandable to our citizens. It is for you to judge the best ways in which you can do that. By informing, involving and listening to what people say we can strengthen the foundations of our Community so that we can confidently admit new Members, confidently sort out the internal problems of our Community and confidently continue our work for the prosperity of our own citizens and the constructive influence of Europe in the world.

[After the following debate, Mr Hurd stated:] Mr President, thank you for letting me intervene again to take up Ms Grund's last message. I think I have got a series of messages from this debate, but I do retain some faith in what we are trying to do in the Community.

It would be tedious for Parliament if I attempted to deal with every point that has been raised – some were addressed to me, others were not. But there are groups of points. There are a number of themes which several speakers have addressed on which I could perhaps briefly comment.

The first is the whole question of subsidiarity, the relationship between what Member States do, what the institutions of the Community do. The speeches by Mr Giscard d'Estaing and Mr Moran were both, I thought, exceptionally shrewd and wise contributions to this discussion. Of course, Mr Giscard d'Estaing is right. In distinguishing between competence and subsidiarity it is very important for all our peoples to avoid any confusion and to understand that competence is a matter of treaty, that there is not a struggle between Community institutions trying all the time to clothe themselves in the full authority of power, and Member States struggling to retain a few garments of authority. That is not right. The Community and its institutions exist because Member States have granted certain competences by treaty. And those competences have changed as the treaties have changed. It is a matter of treaty. What we are now concerned with is not only that but how the institutions use the competence and powers attributed to them by treaty. And that is what

is tackled in Article 3b of the Treaty of Maastricht and that is what was tackled at Birmingham. The answer to the question as to how the competence should be used can be summed up in one word 'modestly'. That is the new emphasis, the new element in the thinking of the Community. It runs through every institution, through the Commission as we have heard, through the Council, through many of the speeches here in Parliament. We have to make sure that modesty is observed and that the Community acts where – to use the Birmingham phrase – it is proper and necessary for it to do so. I agree with Mr Moran on the need for a debate, not just in one country or another but throughout the Community on these matters.

Could I just, on a very particular point, comment on the observations of the two Greek Members of this Parliament – Mr Alavanos and Mr Kostopoulos – who talked about Macedonia. I would like to say to them very seriously on behalf of the Presidency that we have taken very seriously the Lisbon conclusions on this matter. That is distinct from the question of help for people in the former Yugoslav Republic of Macedonia. Nobody – certainly not the Greek Government, certainly not the European Commission – wishes to deny that help. There has been complicated but now I hope successfully resolved discussion, particularly between the Commission and the Greek Government, about oil supplies. That is a question of help. Recognition is governed by the Lisbon conclusions. We have worked hard to make those conclusions a reality. Everybody who studied this matter knows the difficulties. They are real difficulties and there is in the Community a growing anxiety on this matter. In order to achieve a result which is acceptable to all, there has to be further discussion and that is why I asked Ambassador O'Neill, Member of the British Foreign Service, to act as my representative in fielding these discussions, in listening to these points of view and trying to work towards a solution. He is continuing that work and I would urge all those, whether in former Yugoslavia, whether in Greece, whether friends of Greece or former Yugoslavia, who have any influence in this matter, to help us find an answer which is acceptable and which can be operated. We are bound by the Lisbon conclusions. Let us find ways in which they can be operated.

Could I next say something about transparency and openness. Here I must admit personally that Parliament is on to a good argument because you have shown yourselves to be an example – as every parliament should be – of openness.

I have studied what is in the resolution on which you will vote and on what has been said before and as I understand it, this Parliament, or most of its Members, accept that when a Council is negotiating it is not possible to have a negotiation which is both public and effective. If you have a public negotiation it ceases to be a negotiation. The actual negotiation will take place on the corridors and in public you will have speeches. So that seems to be accepted, and of course it is a very important point.

On legislation, – and again I speak personally, I cannot commit the Council because we have not completed our work on this – I believe there is a lack of clarity. There is no lack of information about Council meetings, information pours out from every delegation, and even occasionally from the Commission – it has been known – and from the Presidency at the end of a meeting. There is a great profusion of information; what there is a lack of is clarity and simplicity. I believe there is a need, but I repeat for the third time this is a personal view, at the beginning and in the end, at least, of sessions of this kind for there to be public clarity. How that is achieved is something we have to try and work on but I believe Parliament is on to a good argument here.

Can I finally refer to what has really been at the heart of several contributions, beginning with Mr Ford on behalf of the Socialists but carried through in several of the contributions from the back-benches. President Delors was right in talking about the economy of Europe. We shall need at Edinburgh to take full account of the wider economic background to our debate and our decisions. The message from Birmingham was challenged to some extent by Mr Ford and therefore the kind of policies which are pursued by Member governments was to some extent challenged. Whether in Italy, in France or in Britain or wherever, we are all trying to follow the kind of poli-

cies set out once again in Birmingham in order to achieve a recovery which is sustainable rather than using means which will pitchfork us in some months into a further recession by way of inflation. Everyone at the Council in Birmingham was aware that the background to the discussions was one of economic hardship and anxiety. In all Member States we tend to think of our own pre-occupations, and it is therefore quite useful to have a meeting in Birmingham in which we bring together these anxieties. I think everyone was aware of that.

Policies are one thing but you also need instruments. So it is not irrelevant, it is not a luxury, to discuss the instruments of the Community any more than it is a luxury to discuss the instruments which nation states have available to them to deal with these problems of recession and recovery. We need to look at the instruments because if the instruments are rusty, if they are out of true, if they are pointing in the wrong direction or they are not well-designed then the policies will not be effectively carried through. You have to look at the instruments. And this means we have to look at our Community and its institutions if the policies we want are going to succeed. This is a long process. It began with the inter-governmental conference. It is right, as several Members have pointed out, that the inter-governmental conference in which I took part started on the initiative of the Federal Chancellor and the President of the French Republic. Whatever one's views about its timing, it did not immediately start off a public debate. So we had a negotiation between governments unaccompanied in most countries by a public debate and that, I think, has turned out to be a pity because it meant that as we arrived at Maastricht there had not been in most Member States a valid public debate.

Then we had Maastricht and that of course produced a debate in parliaments or in referenda, according to countries' different institutions. So we are now in the third stage. The first stage was the inter-governmental conference, then the actual Maastricht negotiation and now the process of ratification, which is the more difficult, I believe, because it was not preceded during the negotiating period by an adequate public debate in most countries. So it is a difficult process. I have dealt with our own problem in Britain. I will not repeat that.

I would say to Mr Bonde that, far from forgetting Denmark – I sometimes feel we talk of little else – this Presidency is bending over backwards to listen to and accommodate Danish anxieties. We have the white paper which has been referred to. We have the views now of the opposition parties in Denmark. We will in the next few days, I hope, have the proposals of the Danish Government, and we will do all we can to persuade the Community as a whole to find a way through these difficulties because, Mr Bonde is quite right, the Treaty of Maastricht cannot be ratified except with the consent of the Danes, who cannot be either coerced or excluded.

This whole debate on ratification takes place at a difficult time, partly because of the recession and partly because, as Vice-President Giscard d'Estaing, we are all living through a period in which our citizens are anxious, critical and to some extent dissatisfied with their political institutions and with those who run those institutions. That affects the Community as it affects many Member States, perhaps indeed all. That should certainly lead us to greater openness, to greater willingness to listen, but also to a certain self-confidence and determination in pushing ahead the processes discussed at Birmingham. In what is remaining of our Presidency we will certainly do our best to push forward the particular issues discussed at Birmingham in that spirit.

92/378. Oral questions with debate on racism and xenophobia

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: Mr President, may I begin by apologizing to the House for having been absent for the five minutes between voting and lunch when this debate

began and when, indeed, my honourable friend introduced his report. I have had a blow-by-blow account of what he said but I do apologize to him for not being here. May I also say to Commissioner Papandreou – teasing her perhaps a little if I may – that I pricked up my ears when I heard that she had been unable to find a Treaty base. As she will know, she has a reputation in my own country of being able to find a Treaty base for almost anything so I am sure my colleagues will be much encouraged to find that she has been foiled at last in her endeavours to find a Treaty base! But I say that in all friendliness of course.

Mr President, ladies and gentlemen, I would confirm that the Council too has taken careful note of the European Parliament's resolutions of 10 October 1990 and 1991 concerning Community action against racism and xenophobia and the report of the Commission of Inquiry which Parliament has set up on this subject. I will turn if I may to the recommendations in this report to which the question put to me refers. On the question of possible accession of the European Community to the European Convention for the Protection of Human Rights and Fundamental Freedoms, I would just recall that in May 1979 the Commission submitted a memorandum to the Council on this issue. Most recently in November 1990 the Commission submitted a communication on the same subject. The memorandum and the communication have been the subject of discussions in the framework of the Council, notably in 1991. However, no consensus was reached on the principle of Community accession and the Convention does not, as presently drafted, permit accession by entities other than states.

It has been established that firstly the possible benefits of accession would be largely theoretical given, I am glad to say, the present level of protection of fundamental rights in Member States, and the Community, notably by the Court of Justice. Secondly, accession would pose – and this was implicit in what Commissioner Papandreou was saying – some quite complex legal problems, especially in the procedural sphere. In this connection honourable Members will have noticed that Article F(2) of the Treaty on European Union states:

'The Union shall respect fundamental rights as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950, and as they result from the constitutional traditions common to the Member States as general principles of Community law'.

As regards the United Nations Convention of 1966 on the elimination of all forms of racial discrimination and the 1951 Geneva Convention on Refugees, I would remind honourable Members that they are open only for ratification by states. The Community as at present constituted could not therefore accede to them. However, the Council and representatives of the Member States meeting within the Council, in their resolution of 29 May 1990, concerning the struggle against racism and xenophobia, have called on all the Member States who have not already done so to ratify the international conventions which contribute to the struggle against all forms of racial discrimination. As regards the 1951 Geneva Convention, I would point out for the information of honourable Members that all the Member States of the Community are already parties to it but that in any case the Community which does not have competence on asylum policy could not be called upon to sign it.

On the possibility of adopting a new declaration to complement the resolution of 29 May 1990 of the Council and of the representatives of the Member States meeting within the Council which I have just mentioned, I would draw honourable Members' attention to three facts. Firstly that the Convention addresses all acts of racism and xenophobia. It contains no subjective exclusions as regards persons who suffer the consequences of such acts. Secondly, it makes an explicit reference to:

'...the implementation of the inter-institutional declaration of 11 June 1986 against racism and xenophobia which aims at the protection in this area of all persons present on Community territory'.

Thirdly, it also makes explicit reference to the European Convention for the Protection of Human Rights and Fundamental Freedoms and to the International Convention on the Elimination of All Forms of Racial Discrimination – two conventions which do not exclude from their protection nationals of third countries.

Finally, Mr President, concerning the commitments to which each state applying for accession to the Communities – or in due course to the Union – should subscribe. I would like to point out that a declaration on racism and xenophobia which covers all the elements in the recommendation on this subject by Parliament's commission of inquiry does in fact already exist. This is the declaration adopted by the European Parliament at Maastricht in December 1991.¹ In that declaration the European Council stressed in particular the following points.

First, it noted with concern that manifestations of racism and xenophobia are steadily growing in Europe, both in Member States of the Community and elsewhere. It recalled the international obligations with regard to combating discrimination and racism to which the Member States have committed themselves within the framework of the United Nations, the Council of Europe and the CSCE. It went on to recall the declaration against racism and xenophobia of 11 June 1986 of the European Parliament, Council and the Commission and the declaration of the Dublin European Council of 26 June 1990.² It then expressed its revulsion at racist sentiments and manifestations and its conviction that respect for human dignity and the struggle against all forms of discrimination is of the greatest importance for the European Community as a community of states governed by the rule of law. Finally, it thought it necessary that the governments and parliaments of the Member States should act clearly and unambiguously to counter the growth of sentiments and manifestations of racism and xenophobia and asked the ministers and the Commission to increase their efforts to combat discrimination and xenophobia and to strengthen the legal protection for third country nationals in the territories of Member States.

This declaration is, as honourable Members will be aware, part of the *acquis communautaire*. It should therefore be adopted by prospective members of the Community and, as has been implicitly laid down during the three preceding enlargements of the Community, we would expect that to be the case. Article 3(3) of each of the acts concerning the conditions of accession and the adjustments to the Treaties, signed respectively on 22 January 1972, 28 May 1979 and 12 June 1985, provides:

'that new Member States are in the same situation as the original Member States in respect of declarations or resolutions of, or other positions taken up by, the Council, and in respect of those concerning the European Community, as adopted by common agreement of the Member States. They will accordingly observe the principles and guide-lines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation'.

Furthermore, Mr President, the Lisbon European Council of 26 and 27 June in its conclusions concerning enlargement, and the Commission in its report on Europe and the challenge of enlargement, attached to these conclusions, stated that a system of government founded on democratic principles and, linked to that, the respect of fundamental human rights is a *sine qua non* for prospective members of the Community and in future of the Union. The sharing of these common values and traditions, the inter-institutional declarations of 5 April 1977 on fundamental rights and of 11 June 1986 against racism and xenophobia and finally the preambles of the Single European Act and the Treaty of European Union have firmly established this.

Mr President, a consistent jurisprudence, as much at the heart of our Member States as at a Community level, and a common conviction many times reaffirmed, clearly demonstrate in my view the struggle against racism and xenophobia to be an essential element of democracy and fundamental human rights.

[After the following debate, Mr Garel Jones stated:] Mr President, I think there were two questions. The first question, by Ms Vayssade, was a specific one: What steps are being taken to en-

sure that the European Community becomes a signatory to the UN Convention on the elimination of all forms of racial discrimination and to the Geneva Convention? That was the first question. I think the answer to that is simply that all twelve Member States are signatories both to the UN Convention and to the 1951 Geneva Convention and its 67 protocols. The Council therefore would not consider that there was any need for the EC itself to become a signatory.

As far as the supplementary question that Mr Ramírez Heredia has just asked is concerned, my answer would be that there are established procedures for Community participation in the CSCE, taking account of the relative competences. I am bound to say, and I pick up the points that Ms Papandreou was making in her remarks, that of course we all need to ensure within our own Member States and, of course, in a House like this one, that we have legislation on racism and racial discrimination – and in the case of my own country, I cannot speak for others, we have rather comprehensive legislation on the statute book. Of course I accept that the fact of having legislation on the statute book is not necessarily enough, and it is my job and the job of my fellow citizens to try to ensure compliance with that legislation. But it has always seemed to me that one of the strengths of the Commission and indeed its role in the Community is precisely that it is not a nation state. That is what gives it its unique strength and its unique competences and rights within the Community. So I would regard it as going down rather a dangerous route to pretend that the Commission was a sort of surrogate Member State. It is not.

¹ EPC Bulletin, Doc. 91/434.

² EPC Bulletin, Doc. 90/264.

92/379. Question No H-590/92 by Mr Alavanos on unresolved international problems involving Turkey

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Turkey is embroiled in a number of unresolved international conflicts:

It has very probably intervened in the region of Nakhichevan (thereby putting considerable strain on its relations with the CIS), the Turkish army is still occupying part of the territory of Cyprus and attacks on the Kurdish population in south-eastern Turkey are continuing.

What policy does the EPC intend to pursue *vis-à-vis* Turkey so as to bring about a peaceful and just solution to these problems?

Answer:

The European Council, at its meeting in Lisbon on 26 and 27 June 1992, underlined that the role of Turkey in the present European political situation is of the greatest importance and that there is every reason to intensify cooperation and develop relations with Turkey in line with the prospect laid down in the Association Agreement of 1964, including a political dialogue at the highest level.

The Community and its Member States continue to follow developments in Cyprus, a member of the European family, with concern. They reaffirm their strong support for the efforts of the UN Secretary-General, in the framework of his mission of good offices, aimed at finding a just and viable solution to the Cyprus question, which will respect the sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN resolutions, including UNSCR 774, and high level agreements.

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country and express their hope that the latter will take all necessary steps to this end.

92/380. Question No H-758/92 by Mr Kostopoulos on the situation in Western Sahara

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Morocco is going ahead with the *de facto* annexation of Western Sahara while the Polisario Front is claiming its independence. In the main town in the region, La'youne, the Moroccan Interior Ministry has opened electoral rolls to register the population with a view to holding by the end of the year a referendum on constitutional reform as well as local, regional and national elections. Does EPC intend to make clear to the Moroccan authorities that the Community is in favour of a referendum on the self-determination of Western Sahara?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States fully support the United Nations' settlement plan as endorsed by Security Council Resolutions 690 and 725 and the work of the UN mission for the referendum in Western Sahara. These are important steps towards a just and lasting settlement of the conflict in Western Sahara based on the self-determination of the population. They have repeatedly called on all parties to cooperate with the UN Secretary-General and his special representative and to avoid doing anything which could hinder rapid implementation of the plan.

Mr Kostopoulos (NI): The question I will now ask is entirely hypothetical, but it is an empirical, British question. As you know, Mr President-in-Office of the Council, since September a pogrom of arrests and persecution has been declared against the people in Western Sahara. And that, because they declared that they wish to implement the Security Council's plan. On the other hand, the Moroccan Government not only has no intention of implementing Security Council Resolutions 658 and 690, but at the same time, I would say it is obstructing the work of the UN delegation. I would like to ask a very simple question: in these circumstances, do the Twelve intend to press the Moroccan Government to accept a solution analogous to that of South Africa concerning Namibia?

Mr Garel Jones: First of all, I do not think I need to remind the honourable Member that this very day 272 Members of this House voted in favour of the agreements that the Community wishes to take forward with Morocco. So far as Moroccan obstruction of the process is concerned, it is true that Morocco has resettled some of its own Sahrawis in the territory but claims that they are indigenous people who for one reason or another were not recorded on the Spanish census in 1974. I think the honourable Member is probably indulging in some hyperbole in describing this as an act of genocide, if it is the resettlement process that he was referring to in his question. I repeat that

the Community is doing what I think is right, namely to seek to support the UN settlement plans as endorsed in Security Council Resolutions 690 and 725 to which I referred and to support the efforts of the UN Secretary-General and his special representative to implement fully the provisions of the settlement plan. That is the right thing for the Community to be doing and that is what we are doing.

Mr Arbeloa Muru (S): Mr President, I have always voted for the protocols on general principle and because of the new prospects of peace opening up in the region, although at the same time I also signed, approved and voted for the resolution of 15 January 1992 in which we spoke of respect for human rights in this and any region and respect for United Nations resolutions, including No 690 on the Western Sahara.

Today, Mr President, the Commission representative has expressed the Commission's clear and distinct position on this point. May we hope, Mr President, that the Ministers of Political Cooperation too will adopt the European Parliament's position on this question?

Mr Garel Jones: I am not sure which position of the European Parliament the honourable Member is referring to. The position of Ministers in the Council is that we very much hope that the referendum can be held soon and I think I am right in saying that in the memorandum for the 47th session of the UN General Assembly EC Ministers actually restated the continued support of the Member States for the efforts of the Secretary-General and his special representative to implement fully the provisions of the settlement plan. If that is coincidental with the position of the European Parliament to which the honourable Member was referring, then the answer is yes.

92/381. Question No H-775/92 by Ms Oddy on death threats to Kalyananda Tiranagama and Mohan Seneviratne, human rights lawyers in Sri Lanka

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Is EPC aware that the above-named human rights lawyers were threatened on 29 and 30 June 1992 at the offices of lawyers for human rights and development? What action will EPC take to express condemnation to the Sri Lankan Government concerning these threats?

Answer:

The Community and its Member States have repeatedly expressed their concern to the Government of Sri Lanka about continuing reports of human rights violations. They have also condemned violations committed by the Liberation Tigers of Tamil Eelam (LTTE).

The Community and its Member States recognize that the Government of Sri Lanka has made marked improvements in its human rights performance. They welcome the government's invitation to the UN Working Group on enforced or involuntary disappearances and to Amnesty International to return to monitor progress. They are encouraged by the efforts of the Human Rights Task Force (HRTF) and welcome its first annual report.

However, the Community and its Member States continue to take a keen interest in the human rights situation in Sri Lanka. European Community missions in Colombo were aware of anonymous threats to human rights lawyers and individual Member States have been in touch with the appropriate Sri Lankan authorities about the matter. They understand that the Sri Lankan authorities have themselves investigated the matter and the threats have now ceased. The Community and

its Member States have urged the Government of Sri Lanka to give full regard to the rule of law and respect for human rights. They will continue to watch developments closely.

92/382. Question No H-890/92 by Ms Ewing on trade in body organs of executed prisoners in China

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Does EPC have information on current reports in medical journals that the body organs of executed prisoners in China are being sold for transplant operations in Hong Kong and Taiwan? The situation is particularly serious given the extremely high number of executions and also the fact that organs are removed without consent.

Will EPC use every opportunity to protest to the Chinese authorities about this practice?

Answer:

Certain recent reports indicate that some individuals from Hong Kong, and possibly Taiwan, have travelled to China privately for transplant operations involving organs removed from executed prisoners. This matter has not been discussed by Foreign Ministers in the framework of the European political cooperation. The Community and its Member States take every opportunity to express their concerns about human rights to the Chinese authorities.

92/383. Question No H-897/92 by Mr Ramírez Heredia on racial violence in Germany and Community asylum policy

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

In view of the growing wave of racist attacks on refugees in Germany, and given that some hundred to two hundred people are crossing the border via the river Oder each day, does European political cooperation believe that these serious problems will be resolved by the reform of the German Constitution (Art. 16)? Would not the establishment of a Community asylum policy represent a more effective solution?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The working programme on asylum elaborated by Ministers responsible for immigration and approved by the Maastricht European Council in December 1991 notes the need for harmonization of the substantive rules of asylum law and procedures and every effort must be made to shorten asylum procedures, particularly in the case of clearly unjustified applications. These are matters to which Immigration Ministers are currently giving high priority in line with the time schedule specified in the declaration on asylum agreed at the European Council. Under Title 6 of the Treaty of Union, asylum policy is specified as a matter of common interest. Ministers of Foreign Affairs at their informal meeting at Bocket Hall on 12 and 13 September also discussed immigration questions. They agreed to continue to follow the problem closely.

Mr Ramírez Heredia (S): Unfortunately, Mr Minister, you have not answered the two specific points raised in this parliamentary question. Still, may I say, speaking personally and in conjunction with what I asked, that it would be sad if Germany – remember that that was the main subject of my question – were to tone down its present asylum policy, which has always been noted for being generous and extensive and which should be preserved. Now the aim is to create a ‘low-key’ German asylum policy. I should also like to ask whether the other Community ministers are perhaps going to follow the example, which it seems Germany is about to initiate, of transposing to a ‘lower key’ what has been until now a generous asylum policy, which was justified if only for the sake of making generous amends for the genocide carried out not so long ago against certain minorities, particularly the gypsies.

Mr Garel Jones: I hope the honourable Member did not think I was trying to evade his question. The reason I did not approach it directly is that these matters are matters for individual Member States. I do not think there is a single Member State that does not believe that the German Government and the German people are acting both robustly and correctly in these matters.

President von Weizsäcker, Chancellor Kohl and other political leaders in Germany have condemned the racist attacks and have pledged unrelenting efforts to identify and prosecute those responsible. So I do not think any Member States have any doubt about that. That is why I did not feel it was necessary to refer to it.

So far as Germany’s asylum policies are concerned, that again is of course a matter for the Federal Republic. The honourable Member is right. The Federal Republic, for a whole range of reasons, has exceedingly generous asylum laws. He may be surprised to know that, even coming from a democracy like his own or my own, if I were to arrive in the Federal Republic and say that I was being persecuted in the United Kingdom – provided I used the word asylum in the course of making that allegation – I would have to be immediately received.

As I say, this is a matter for the German parliament and the German people. I understand they are looking at their asylum processes at the moment. I do not think it is for me or any other Member State to advance any criticism about what they may decide to do because they are under very enormous pressure at the moment on that front.

Mr Seligman (PPE): Coming at this from a slightly different angle: the President-in-Office may well be aware that the British press have been making a big feature of this racial violence. All the headlines we get in the British press are then reproduced in the German press as evidence of the perfidy of Albion. The whole thing goes in the opposite direction to the good relations which we have built up with Germany. Even the Queen’s visit was misinterpreted by the British press in the same way – reflecting violence in Germany and various other incidents. I cannot think what we can do. Can the President-in-Office think what we can do to get the British press to be more reasonable in its treatment of these difficult problems?

Mr Garel Jones: I do not really think this is a matter for the Presidency but it is regrettable that the press in all our Member States are frequently seeking to sensationalize matters. Nobody would underestimate the concern that any Member State would feel at the kind of – albeit so far localized – manifestations of racism and xenophobia that have emerged in the Federal Republic. But as I said earlier on, I like to think that all the Member States in the Community are now sufficiently well-established democracies for none of us to have any doubt – and I am sure that is the case – about the robustness with which the public in the Federal Republic have overwhelmingly reacted against these events and shown their revulsion right across the political and social spectrum. I fear that in a free society like our own one of the things that we have to learn to live with is that there are people who need to sell newspapers. I suspect that our citizens are rather good at making the appropriate discounts for some of the hyperbole that appears in the popular press, certainly in my own country.

Mr Melandri (V): Mr President-in-Office, I should like to ask a specific question about this. I understand that some days ago there was a BBC broadcast in which it was stated that at the next European Council in Edinburgh the Community was intending to recommend a tightening of Community law on asylum. If that were to be done all those coming from countries engaged in civil war would no longer be regarded as political refugees, which means that political refugees from other continents could not be accepted in the Community. Do you know whether this news, which was given very emphatically by the BBC, is correct?

Mr Garel Jones: I would first of all point out to the honourable Member that the BBC is not an organ of the British Government. Having said that, I do not believe that any democratic Member State of the Community would not wish to fulfill our proper obligations, under the international conventions which we have all subscribed to, to genuine political refugees fleeing persecution and at risk of their lives. But it is not a very controversial statement to say that in my own country – and I believe in other countries – we now believe that some Member States are being subjected to abuse of their asylum procedures and that people who are not in fact fleeing political persecution but are economic migrants are seeking to use the asylum procedures that many Member States have to gain entry into the Community. That is a serious matter and I think it is right that Interior and Justice Ministers in the Community should discuss this and should seek to find a way of restricting the abuse which is taking place. But I would not imagine that any Member State would wish not to comply with the perfectly proper humanitarian obligations that we have undertaken and I do not think there is any intention to do that. It is abuse that we want to be rid of.

92/384. Question No H-927/92 by Mr Fitzgerald on Burmese refugees in Bangladesh

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

On 20 March last the Community and its Member States expressed their deepening concern at the policies of the Burmese military authorities who had caused about 14.000 Muslim refugees to flee to Bangladesh.

Can EPC provide an up-to-date assessment of the present situation regarding the number of Burmese refugees and how Bangladesh, which is amongst the countries least well equipped to deal with such a refugee situation, is coping?

Answer:

The Community and its Member States have on numerous occasions condemned the actions of the Burmese authorities which have led to over 270.000 Rohingya refugees fleeing to Bangladesh.

The Community and its Member States recognize the difficulties faced by the Government of Bangladesh in coping with the large numbers of refugees. They welcome the Bangladesh Government's agreement to allow relevant international organizations to assist in providing relief to the refugees. They also welcome the government's readiness to associate the UNHCR in the process of the safe and voluntary repatriation of the refugees. They have called on the Burmese authorities to allow the UN to monitor the refugees' return inside Burma.

92/385. Question No H-930/92 by Mr Fitzsimons on the EC/Argentina bilateral working group

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

During his address to the European Parliament on 2 February 1992, Mr Carlos Saul Menem, President of the Republic of Argentina, pointed out that Argentina had submitted to the Community for its consideration a provision for setting up an EC/Argentina bilateral working group, with the aim of preparing a pilot plan for the emigration of Central and Eastern European citizens, coming from those various national groups of which there are already established communities in Argentina. What is the response of the EPC to this proposal?

Answer:

The Community and its Member States welcome the readiness of third countries to accommodate Central and Eastern European emigrants. President Menem's ideas which resemble ideas from Uruguay, Paraguay and Chile, are under consideration in the relevant fora.

92/386. Question No H-931/92 by Mr Lane on drugs

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

EURAD, Europe Against Drugs, advocates a humane and restrictive drug policy of prevention and early intervention called the Third Way. Will the Council under the UK Presidency affirm its total opposition to the legalization of illegal drugs, its support for the objectives of EURAD and will it furthermore state what new measures it believes can and should be taken to combat drug abuse from the growers, the pushers to the victims?

Answer:

The European Community and its Member States continue to be concerned at the high level of illicit drug production world-wide. The global nature of the drugs problem requires a high degree of international cooperation.

In December 1991 the Maastricht European Council agreed to set up a European drugs monitoring centre to gather, analyse and make available drugs data to Member States and the Community.

The European Council in Lisbon endorsed the setting up of a project team to facilitate the early establishment of the Europol Drugs Unit which has been conceived as the first phase of Europol. The EDU will be a non-operational organization, collating and analysing information and intelligence on drug trafficking to assist law enforcement agencies in Member States in their task of combating drug trafficking.

The Community and its Member States are committed to cooperating with producer and transit countries to combat drug abuse and the illicit distribution and production of drugs. This policy has been reflected in recent cooperation agreements with third countries. They reiterate the importance they attach to assistance for alternative development and law enforcement and to operational coop-

eration. To this end, they resolutely support the action undertaken in the framework of the UNDCP.

92/387. Question No H-934/92 by Mr Andrews on the welfare of the Kurdish people

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

At the European Council meeting in Luxembourg in 1991 the Council noted the negotiations under way at the time between the Iraqi authorities and leaders representative of the Kurdish people and hoped that a satisfactory agreement would be reached. Is EPC continuing to monitor the situation of the Kurdish people and is it satisfied with progress to date?

Answer:

The Community and its Member States remain deeply concerned about the fate of the civilian population in Iraq. The situation of the Kurds in particular has been aggravated by the continued economic blockade imposed by the Iraqi authorities. They have repeatedly called upon Iraq to cease such repression.

The Community and its Member States fully support the United Nations Inter-Agency Programme for the region, and have made significant in-kind contributions, both at Community and national levels. They consider that the most effective way to help the civilian population is by acting in close cooperation with the UN relief effort. They deplore the attempts by the Iraqi regime to jeopardize relief efforts, including by harassment of relief personnel and the UN guard.

The Kurds have stated that they are not seeking an independent Kurdistan but autonomy within a democratic Iraq. They stopped negotiations on autonomy in connection with the blockade of the north imposed by Saddam Hussein. The elections in northern Iraq in May were intended to establish a local administration to fill the vacuum created by Saddam Hussein's blockade of the north.

92/388. Question No H-937/92 by Mr Lalor on EC relations with South and North Korea

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Following the signing of the 'Agreement on reconciliation, non-aggression, and exchange and co-operation between South and North Korea' last December, will EPC comment on how it sees EC/South and North Korea relations developing?

Answer:

The Community and its Member States are engaged in regular exchanges with the Republic of Korea on issues of mutual interest. They have repeatedly stressed the importance they attach to the full implementation by the Democratic People's Republic of Korea (DPRK) of her Safeguards Agreement with the International Atomic Energy Agency (IAEA). While welcoming the positive steps taken so far by the DPRK to implement the agreement, they hope IAEA inspections will continue to proceed promptly and satisfactorily.

They hope these steps, together with the agreement between the two Koreas on reconciliation, non-aggression and exchange and cooperation and the joint declaration on the denuclearization of the Korean peninsula of December 1991, will contribute to the strengthening of both inter-Korean dialogue and to peace and stability in the region. It is also hoped that further progress will be made during the next round of high-level inter-Korean talks in December.

The Community and its Member States have made their views known to the DPRK on several occasions. They continue to urge her to implement fully the bilateral nuclear inspections agreed to under the joint declaration; and to abide by the Missile Technology Control Regime (MTCR) guide-lines for sensitive missile-relevant transfers. The Community and its Member States have also made clear their concern over past terrorist activities and the human rights situation in the DPRK.

Relations between the DPRK and the Community and its Member States will develop in the light of satisfactory progress in these areas.

92/389. Question No H-939/92 by Ms Pollack on human rights in India

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Have the Foreign Ministers acting in Political Cooperation taken any steps to ask the Indian Government to adopt an official human rights policy, conduct independent investigations into all allegations of torture and take other steps to redress this problem and strengthen India's international human rights commitment as suggested by Amnesty?

Answer:

The Community and its Member States regularly raise their concerns about human rights in the political dialogue with India, including on the occasion of the ministerial troika to New Delhi in March 1992. The Indian authorities have provided information about specific reports of human rights abuses, as well as on India's intention to establish a Human Rights Commission.

The Indian authorities are therefore well aware of the importance which the Community and its Member States attach to respect for human rights, as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the resolution on human rights, democracy and development adopted by the Development Council in November 1991.

¹ *EPC Bulletin*, Doc. 91/194.

92/390. Question No H-953/92 by Mr Melandri on strengthening the role of the United Nations

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

In his 'Agenda for Peace', the UN Secretary-General, Boutros Boutros Ghali, makes a series of recommendations to the Security Council, notable among which is the request to equip the UN with a permanent fighting force, with the troops being supplied by member States.

What political judgement have the Foreign Ministers meeting in EPC formed on the 'Agenda for Peace'? Do they intend to accede to Mr Boutros Ghali's requests and, above all, are they prepared to commit themselves to supplying the troops requested by the UN?

Answer:

In their statement of 30 June 1992,¹ the Community and its Member States welcomed the release of the UN Secretary-General's report 'An Agenda for Peace'. They attach great importance to the field of preventive diplomacy and welcome the call for increased activity by the UN, within the scope of the UN Charter, in preventing conflicts, seeking negotiated and lasting solutions and maintaining peace, as well as for enhanced cooperation with regional organizations. They also welcome the emphasis the Secretary-General gives to human rights, democracy and development.

The Secretary-General's report is wide-ranging. The proposals, including those suggesting that UN member States earmark forces for enforcement action and for peace-keeping, require careful consideration in the relevant UN bodies. All twelve Member States of the Community responded individually to the Secretary-General's questionnaire on forces which could be made available for peace-keeping one Member State has already offered to make more than 1.000 troops available at 48 hours' notice and another, 1.000 within one week. As far as peace-keeping operations are concerned, EC countries provide over 14.000 UN peace-keepers and this will increase with the deployment of the second part of UNPROFOR in Bosnia and Herzegovina. In an address to the UNGA on 9 October on behalf of the Community and its Member States, the Presidency's permanent representative said that the Community and its Member States supported the peace-keeping reserve fund proposed by Mr Boutros Ghali in his Agenda and that they continued to discuss the development of a common position on this question with other United Nations Members in the Fifth Committee and the ACABQ (Advisory Committee on Administrative and Budgetary Questions).

¹ *EPC Bulletin*, Doc. 92/259.

92/391. Question No H-970/92 by Mr Pierros on practical follow-up to decisions taken by the European Council in Lisbon

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The European Council meeting in Lisbon concluded that the European Community would not recognize the Republic of Skopje as long as it used the term 'Macedonia' in any form.¹ Given that the Community is stepping up its efforts to play a leading political role in the international arena and that, therefore, its decisions must be generally accepted and respected, what practical measures does EPC intend to take to follow up the Lisbon Council's decision?

Answer:

To be more precise, the Lisbon European Council expressed its readiness to recognize the former Yugoslav Republic of Macedonia within its existing borders according to the declaration on 16 December 1991² under a name which does not include the term Macedonia. The European Council furthermore considered the borders of this republic as inviolable and guaranteed in accordance with the principles of the UN Charter and the Charter of Paris.

The Presidency, on the basis of this mandate, continues its endeavours to resolve the outstanding questions with the parties concerned.

In the light of the deteriorating economic situation in the former Yugoslav Republic of Macedonia, the European Council at Birmingham on 16 October stressed the need for appropriate measures to prevent this Republic from bearing the unintended consequences of UN sanctions.

¹ *EPC Bulletin*, Doc. 92/254.

² *EPC Bulletin*, Doc. 91/465.

92/392. Question No H-974/92 by Ms Izquierda Rojo on a fresh boost for the Conference on Security and Cooperation

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Does the Council plan to take any steps or measures to give a fresh boost to the process of setting up a Conference on Security and Cooperation in the Mediterranean?

Answer:

The honourable Member is kindly referred to the reply given on 15 June 1992 to Written Question No 1261/91,¹ which reflects the position of the Community and its Member States.

The Community and its Member States continue to attach great importance to the enhancement of security and cooperation in the Mediterranean and are ready to support and promote efforts in that direction.

¹ *EPC Bulletin*, Doc. 92/226.

92/393. Question No H-989/92 by Mr Geraghty on Mordechai Vanunu

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Consider that Mordechai Vanunu is now approaching completion of his sixth year of solitary confinement in an Israeli gaol, having been kidnapped illegally from an EC Member State, what steps has EPC taken, or does it propose to take, to effect an improvement in his position, having regard to the several resolutions adopted by the European Parliament on the subject?

Answer:

I would refer the honourable Member to the reply given to Written Question No 2178/92¹ on the same subject.

¹ *EPC Bulletin*, Doc. 92/375.

92/394. Question No H-997/92 by Mr Arbeloa Muru on impunity of crimes committed in Chad

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Have the Ministers meeting in EPC paid attention to the situation of human rights in Chad (the execution of repatriated persons, the imprisonment of many people without trial, the murder of civilians in the regions of Ouaddai and Guera, the confiscation of goods, etc.), whose government does not even admit to such incidents and has taken no steps to investigate them?

Answer:

The Community and its Member States in close consultation with their representatives in N'Djamena have been following developments in Chad closely and are very concerned at reports of serious violations of human rights. They are fully aware of the difficult situation in the country and will not hesitate to make clear to the authorities in N'Djamena the importance they attach to respect for human rights. The situation in Chad will continue to be under constant review in the framework of the EPC.

92/395. Question No H-1000/92 by Mr Cassidy on East Timor

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

What action does EPC propose to take on the conclusions contained in the report by the personal representation of the UN Secretary-General following his visit to Indonesia and East Timor?

Answer:

The Community and its Member States have on numerous occasions expressed their concern over the human rights situation in East Timor.

The UN Secretary-General has not released the report referred to by the honourable Member and it has not therefore been discussed in the framework of European political cooperation.

In the meantime the Community and its Member States have welcomed the dialogue initiated under the auspices of the UN Secretary-General between Portugal and Indonesia aiming at the search for a just, comprehensive and internationally acceptable solution to the question in East Timor.

92/396. Question No H-1014/92 by Mr McMillan-Scott, taken over by Mr Newton Dunn, concerning pogroms in Serbia

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Official chicanery and intimidation of the Albanian and Hungarian minorities governed by the Republic of Serbia are leading to pogroms in Kosovo and Vojvodina, with schools closed and people losing homes and land where their forebears lived for centuries. Will EPC ensure that the rights of

these minorities to their property and schools are restored in a final settlement among the peoples of the former Yugoslavia and indicate its reaction to the proposal by the Vatican, submitted to the CSCE on 18 September 1992 in Prague, to end ethnic cleansing?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: On many occasions the House has been informed of the very clear, firm and unequivocal position of the Community and its Member States with regard to the rights and treatment of national or ethnic groups in the former Yugoslavia and elsewhere. The statement of principles endorsed by all participants at the London Conference on Yugoslavia, in particular paragraphs 4, 5 and 6, reaffirms the importance the Community and its Member States attach to a universally supported commitment to respect for individual rights and fundamental freedoms and against practices like ethnic cleansing.

On 14 October the chairman of the International Conference Working Group on Ethnic and National Communities and Minorities and Lord Owens' special political adviser met Serbian and Kosovo representatives to discuss the education crisis in Kosovo and the prospects for a political settlement. These were the first tri-partite talks in Kosovo under International Conference mediation and represent a significant step forward. A further round of discussions is planned for 22 October.

The special rapporteur of the UN Commission for Human Rights has also visited Pristina recently and will present his report to the UN General Assembly in due course. The concerns expressed by the representative of the Holy See at the meeting of the committee of senior officials of the CSCE on 16 to 18 September reflected those deeply felt by the international community. The measures proposed by the Vatican, such as a naval blockade and embargo, are in fact measures which have been in operation for some time. A no-fly zone for military flights over Bosnia as proposed by the Vatican was established by UN Security Council Resolution No 781 on 9 October.

On 12 August the committee of senior officials of the CSCE decided to send missions to Kosovo, Sanjak and Vojvodina to promote dialogue, to monitor the situation there and to act in support of efforts to end the education crisis in Kosovo on behalf of CSCE participating States. They have also condemned ethnic cleansing and rejected the enforced sale or donation of property in areas of conflict.

Mr Newton Dunn (PPE): I thank the President-in-Office of European political cooperation for an extremely comprehensive reply. I have to say that the supplementaries that were indicated to me by Mr McMillan-Scott have already been fully answered. Thank you.

Mr Kostopoulos (NI): I wanted to ask the President-in-Office a simple question: if we turned the clocks back a year, with the experience we have gained with hundreds of deaths in Yugoslavia, would the British Presidency, firstly, favour the partition of Yugoslavia, and secondly, would it favour the recognition of Bosnia-Herzegovina?

Mr Garel Jones: With respect, what I would say to the honourable Member is that we have to live in the world as it is and as we find it now, and to look back and say what if something else had happened is as if I were to say: What if my grandmother instead of having two legs had had two wheels? She might have been a bicycle, but that is not where we find ourselves at the moment.

92/397. Question No H-1017/92 by Mr David on Guatemalan street children

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Will the EPC take a concerted look at the ongoing tragedy of the street children in Guatemala, and bring political and economic pressure to bear and insist that the Guatemalan Government does not just give lip service to the issue, but attacks the root causes of this social phenomenon?

Answer:

I would refer the honourable Member to the reply given to written question No 2095/92¹ by Mr Sotiris Kostopoulos on the same subject.

¹ EPC Bulletin, Doc. 92/431.

92/398. Question No H-1034/92 by Mr Cushnahan concerning the situation in Somalia

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Will the Foreign Ministers, meeting in Political Cooperation, support the deployment of additional UN security personnel in Somalia so that international aid workers and relief supplies can be adequately protected?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States share the concern expressed by the honourable Member at the present appalling situation in Somalia. The Community and its Member States stand ready to respond with immediate humanitarian aid and support for rehabilitation and reconstruction activities to help stitch together again the fabric of life for the Somali people.

Their total food allocation for Somalia this year is over 206,000 tonnes of which two thirds have been shipped and nearly half has already arrived. In addition, the Community has committed additional funds to the protection of humanitarian convoys under UN auspices. All individual Member States have also made substantial bilateral donations, some of which have contained elements of rehabilitation. But they believe their efforts will only be effective if they are part of a co-ordinated international effort led by the United Nations. That is why they fully support the UN's initiative in developing a 100 day action plan for accelerated humanitarian assistance for Somalia aimed at a clear, coordinated plan of action for the relief effort to which all donors, multilateral, bilateral and the NGOs, subscribe and which we hope will be implemented under Ambassador Sahnoun's direction. The Community and its Member States stand ready to support any measures designed to help secure a successful implementation of the above-mentioned plan.

Food and security have become inextricably linked in Somalia. On 16 October the European Council called for the rapid deployment of UN troops to the areas where they are needed and asked the Presidency to consult with the UN Secretary-General on ways and means to expedite these deployments. Members will be aware that the Belgian Government has offered to deploy troops and the Community has offered to contribute to the costs. The Community and its Member States note the concern of Ambassador Sahnoun that for peace and stability to be restored in Somalia an indigenous security force should be established. Simultaneously Ambassador Sahnoun believes that a demobilization programme to remove the guns from the streets and the ammunition from the stores must be developed.

Mr Cushnahan (PPE): I thank the President-in-Office for his answer. I will preface my question by saying that I support the concept of the United Nations. I also very much support the role that it played during the Gulf War in confronting Saddam Hussein, but what I find totally unacceptable is the difference between its efforts in the Gulf War and its response to the crises in Somalia and Yugoslavia. One wonders if the missing ingredient is oil, and therefore the will is not there. As the President-in-Office is probably aware, some 2,700 UN personnel were promised with regard to Somalia to protect the aid supplies and indeed relief workers. To date, only 500 UN personnel have arrived in that country and have been located at Mogadishu. There will really be no satisfactory protection of those supplies and relief workers unless the UN meets its total personnel. So I would ask the President-in-Office to redouble his efforts and those of his colleagues to bring moral pressure on the UN to show the same sort of response in Somalia that it showed in the Gulf War. It has a responsibility which it must discharge, and that is recognizing the role that Member States play in Somalia. Would the President-in-Office also join me in paying tribute to the President of Ireland, who had the courage to visit Somalia?

Mr Garel Jones: We followed the visit of the President of Ireland to Somalia. Indeed we were fortunate enough to get a report on it from my opposite number, Mr Kit. I do not think that the parallel between Kuwait and Somalia is an entirely fair one or an entirely proper one. What is going on in Somalia is clan warfare within the country as a result of which all semblance of government or social cohesion has in fact broken down. I was here when Commissioner Marin reported to Parliament and I think he told us that there was not any shortage of food or aid. The difficulty was how to move that food and aid around the country. The Belgian Government has offered to deploy a substantial number of troops in Somalia. The Community is helping with the funding of those troops. We have studied very carefully the numbers that the United Nations have told us are needed. I think I am right in saying 500 Pakistani soldiers are now in place after some initial logistical problems. There are 750 Canadian troops now in place. We have not got agreement yet on the proposed deployments in Kismayu or Mandera but I think that, to the extent that it is physically possible to do so, the international community and the European Community are meeting the requests that the United Nations are putting to us.

Ms Ewing (ARC): As one who has visited the refugee camps in Ethiopia of Somalians who had crossed near to the border with Somalia and seen the problems of the relief routes, may I ask whether the President-in-Office agrees that we must extend the umbrella of our concern to these hundreds of thousands who are just over the border and who are dependent on the geographical routes? Furthermore, although this may be slightly off the subject, does the British Presidency feel it is setting a good example by its enormous cut in foreign aid?

Mr Garel Jones: I agree with the first part of what the honourable lady says. If she is better informed than I am then perhaps she can let me know. I am not aware that the British Government has announced there will be a cut in foreign aid.

Mr Arbeloa Muru (S): Mr President, even more than asking about sending troops, I should like to ask whether, in this ever-increasing aid to Somalia, we are not forgetting a very important element, the so-called boat people from Somalia and from Ethiopia as well, who are going back and forth in wretched conditions by sea and taking refuge above all, in terrible circumstances, in Aden and some other places – very few – on the coast of the Arabian peninsula.

Mr Garel Jones: I take note of what the honourable Member says. I will make sure that if that point is not already registered by the non-governmental organizations and other humanitarian agencies working in Somalia, it will be taken on board. I think I am right in saying that a great deal of the effort put into Somalia is based outside Somalia itself for obvious reasons. So I would be surprised if the NGOs and the other aid agencies working there were not fully aware of those

particular groups of people on the margins of the borders that he refers to. But I will ensure that that is brought to the attention of those in charge.

92/399. Question No H-1036/92 by Mr Ephremidis on heightening of tension in Kosovo

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

There is mounting concern over developments in Kosovo province and their implications for the region as a whole. Ethnic Albanians recently took to the streets calling for the reopening of Albanian-language schools and there is a widespread fear that, if the crisis spreads, it will lead to a conflagration that could engulf the entire region. The Community must, therefore, take decisive action to address the situation.

Does EPC agree that the differences between the various parties involved must be resolved through negotiation and that the rights of minorities and the borders of all the states in the region must be respected, avoiding any action that might inflame the situation or lead to outside intervention since events have shown that such action aggravates the crisis rather than contributing to a solution and an end to the war?

Answer:

At Question Time in July,¹ I outlined the position of the Community and its Member States towards the potentially dangerous situation in Kosovo in the light of the call by the Lisbon European Council on the parties concerned to show the necessary constraint and to engage in serious dialogue in the framework of the Conference on Yugoslavia.

Calling on the CSCE to take the necessary steps to prevent recourse to violence and to contribute to the restoration of confidence, the Community and its Member States expressed their readiness to take part in an observer mission to Kosovo and to neighbouring countries. In the meantime, Belgrade has agreed to the establishment of long-term CSCE missions in Kosovo, Vojvodina and Sandjak.

The Birmingham European Council on 16 October 1992 also discussed the dangerous situation in Kosovo and urged all parties to exercise restraint and negotiate constructively in the current Conference on Yugoslavia and the long-term CSCE missions.

On 14 October, the Chairman of the International Conference working group on ethnic and national communities and minorities, Ambassador Ahrens, and Lord Owen's special political adviser, Mr Hall, met Serbian and Kosovar representatives to discuss the education crisis in Kosovo and the prospects for a political settlement. These were the first tri-partite talks in Kosovo under international conference mediation and represent a significant step forward. A further round of discussions is planned for 22 October.

Professor Mazowiecki, special rapporteur of the UN Commission for Human Rights, has also visited Pristina recently and will present his report to the UN General Assembly in due course.

¹ *EPC Bulletin*, Doc. 92/264.

92/400. Question No H-1039/92 by Ms Aglietta on the gradual suppression of freedom of the press in Croatia

Date of issue: 28 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Whereas according to the Italian and Croatian press, over the last few months opposition newspapers have been suppressed or placed under government control in Croatia, the latest of these being 'Slobodna Dalmacija' of Split.

Do the Ministers meeting in EPC consider they should make representations to the Croatian authorities to express the Community's firm opposition to any measures which could, even in effect, limit freedom of the press in Croatia, and their concern at the risk of a move towards authoritarianism in the Croatian political situation?

Answer:

Croatia as participating State in the CSCE has committed itself to all CSCE commitments and principles, including freedom of the press and political pluralism. The Community and its Member States expect Croatia to honour its commitments.

92/401. Question No 8/92 by Mr Glinne (S) on arrangements for political prisoners from Chile

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 4 February 1992)

In Chile, at the end of November 1991, 68 political prisoners imprisoned under the dictatorship were waiting for their trials to end, and 43 of them were still being held by the military authorities.

A sentenced political prisoner may apply to Mr P. Aylwyn for a presidential pardon. If he obtains it, he will be set free in Chile.

If he does not obtain it, he may request his sentence to be commuted to banishment.

For this to be done, it is essential for the person concerned and the members of his family to have a visa for a particular country.

Has EPC made specific arrangements to receive political prisoners from Chile? Should not the governments of the Member States be called upon as a matter of urgency to draw up a programme of measures to welcome these refugees?

Answer:

The inter-governmental nature of EPC does not allow it to make specific arrangements to receive political prisoners. It remains for Member States to decide their own policies with regard to refugees, exiles and displaced persons.

92/402. Question No 1000/92 by Mr Arbeloa Muru (S) on the attitude of various states to European Parliament resolutions

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 15 April 1992)

How have the Governments of Turkey, Israel, Morocco and Cuba responded to the resolutions on the human rights situation in those countries?

Answer:

The governments concerned have made no direct representations in the framework of EPC about the European Parliament's resolutions on the human rights situation in their respective countries. However they can be in no doubt about the importance which the Community and its Member States attach to the rule of law and to the protection of human rights. The declaration of human rights adopted by the Luxembourg European Council¹ stated categorically that 'respecting, promoting and safeguarding human rights is an essential part of international relations as well as of relations between the Community and its Member States and other countries'. All countries are well aware that any failure to respect human rights, as guaranteed in the international conventions to which they have willingly subscribed, risks undermining their credibility and standing internationally.

¹ *EPC Bulletin*, Doc. 91/194.

92/403. Question No 1308/92 by Mr Kostopoulos (S) on the Albanians of Illyria

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 5 June 1992)

Do the Foreign Ministers meeting in European political cooperation intend to recognize that Albanians living in the State of Skopje are at the very least entitled to cultural autonomy in Illyria and to enjoy human rights?

Answer:

The honourable Member is no doubt aware of the well established position of the Community and its Member States on human rights, including the rights of individuals belonging to minority groups.

As regards his specific question on the rights of members of national or ethnic groups in the republics of the former 'Yugoslavia', the honourable Member may be referred to the reply given in response to Oral Question 316/92 and 351/92 on the same subject.¹

¹ *EPC Bulletin*, Docs 92/141 and 92/176.

92/404. Question No 1309/92 by Mr Kostopoulos (S) on trade union rights of Greek policemen

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 5 June 1992)

The Greek Police Federation (POASY) has reported that the Ministry of Public Order intends to introduce rudimentary trade union rights for Greek policemen. However, these bear no relation to those obtain[ed] in other EEC Member States. How do the Foreign Ministers meeting in Political Cooperation view this move by the Greek Ministry of Public Order and what measures do they intend to take to ensure that Greek policemen enjoy trade union rights?

Answer:

The question raised by the honourable Member does not fall within EPC competence.

92/405. Question No 1553/92 by Ms Cramon-Daiber and Mr Melandri (V) on economic and political cooperation with the Kingdom of Morocco

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

During its January 1992 part-session the European Parliament decided not to approve the Financial Protocol with the Kingdom of Morocco proposed by the Council because of Hassan II's obstructionist policy as regards the referendum on the independence of the Western Sahara and the serious human rights situation in Morocco. In reprisal, Rabat subsequently brought the negotiations on the EC/Morocco fisheries agreement to a standstill.

The Foreign Ministers meeting in Political Cooperation in Lisbon on 17 February 1992 called on the Commission to examine the possibility of signing a free trade agreement with Morocco, in blatant defiance of the European Parliament and the decision it had taken a few weeks [earlier] and seemingly giving in to blackmail.

1. What political considerations prompted the Ministers to propose that the Commission should consider an EC/Morocco free trade agreement?
2. Do the Ministers not think that they have ridden roughshod over the European Parliament's decision and the democratic legitimacy it represents?
3. What did Hassan II say to the Ministers in response to the European Parliament's criticism of the Moroccan Government's international policy that prompted them to do this?
4. Do the Ministers not think that in the current state of affairs (the economic situation in Morocco and the need to avoid any discrimination within the Arab Maghreb Union) a free trade agreement with Morocco is impossible?

Answer:

In reply to Oral Question No [H-]218/92 on this same subject tabled by Mr Melandri in February, the Community and its Member States stated that at their meeting on 17 February the Foreign Ministers had had an exchange of views on the situation in the Maghreb.¹ They noted that, due to economic and social difficulties, extremist tendencies in the region were coming to the fore and

considered that it would be timely to undertake an in-depth study of regulations between the Community and its Member States and the states of the region in the light of these developments.

During the General Affairs Council on 2 March, the Ministers stressed the need to develop political dialogue with these countries and to explore new ways towards broader cooperation in the economic and social fields in order to better contribute to the general stability of the region.

Against this background, the Commission received a mandate to study new possibilities of cooperation with Morocco, especially based on the idea of 'partenariat', and touching also on the possibility of concluding a free trade agreement. This is still under review.

The Lisbon European Council's declaration on the EC's relationship with the Maghreb sets out the principles on which the relationship should be based. These include respect for international law, the principles of the UN Charter and UN resolutions; respect for human rights and fundamental freedoms in civil, political, economic, social and cultural matters and for democratic values exemplified by free and regular elections: the establishment of democratic institutional systems guaranteeing pluralism, effective participation by citizens in the lives of their States and respect for the rights of minorities; and tolerance and coexistence between cultures and regions. The declaration also set out the economic principles underlying the relationship including, ultimately, by stages, the setting up of a free trade area; and noted that this approach had already been explored with Morocco. It proposed that a similar approach be adopted towards other countries in the region.

As stated in the answer to Oral Question No H-409/92, No H-437/92 and No H-487/92,² the Moroccan authorities are in no doubt about the importance which the Community and its Member States attach to respect for human rights. The Community and its Member States note with appreciation the announcement made by King Hassan II on the democratization process in Morocco and will continue to follow developments, closely, in particular in the field of human rights.

¹ *EPC Bulletin*, Doc. 92/101.

² *EPC Bulletin*, Docs 92/180 and 92/216.

92/406. Question No 1556/92 by Ms Lehideux (DR) on emergency humanitarian aid to the people of Iraq

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

In view of the fact that the Kurds are not the only people in Iraq suffering as a result of the Gulf war, and in particular since there is widespread indifference to the fact that a million Iraqi children are suffering from malnutrition, thousands have already died of starvation and tens of thousands more are facing the same fate, the continued imposition of a blockade risks amounting to nothing more or less than an act of genocide against Iraq's children.

Does European political cooperation not consider it essential that the Member States of the EC lift the blockade immediately and send convoys of medicines and food in order to save tens of thousands of innocent lives?

Answer:

The Community and its Member States share the deep concern expressed by the honourable parliamentarian over the fate of the civilian population in Iraq and in particular the plight of children.

They have repeatedly called upon Iraq to cease its repression and end the economic blockade against the civilian population in the North. The Iraqi regime carries responsibility for the deterioration in the humanitarian situation in the region. Iraq has not yet implemented Security Council Resolutions 706 and 712 which are mandatory and establish a mechanism for Iraq to export oil to finance the purchase of essential humanitarian supplies to relieve suffering throughout Iraq. The Community and its Member States continue to stress the need for an early and effective implementation of this mechanism. They hope that talks between the Iraqi Government and UN officials will lead to its implementation soon.

The Community and its Member States fully support the United Nations Inter-Agency Programme for the region, and significant cash and in-kind contributions have been made, both at Community and national levels. The UN agencies involved have a clear understanding of the humanitarian situation in the field, and the UN guard force of 500 is playing an important role in ensuring the safety of the population and of UN personnel. The Community and its Member States consider that the most effective way to help the civilian population is by acting in close cooperation with the UN effort.

The Community and its Member States have also repeatedly called on the Iraqi authorities to comply fully with the provisions of Security Council Resolution 688, which demands an end to the repression of Iraqi civilians, and to cooperate with the humanitarian relief programme of the United Nations. The Community and its Member States have also underlined the importance they attach to the full respect of human rights of all Iraqi citizens.

The Community and its Member States, through the EPC framework, have kept these issues under constant review and remain open to further actions in this area.

92/407. Question No 1558/92 by Mr Antony (DR) on humanitarian aid to the people of Croatia made victims of war

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

In seven months of war Serbian Communist troops have killed more than 10.000 Croatian civilians, driven 700.000 people from their homes, destroyed hundreds of schools, hospitals and churches, and ruined the Croatian economy.

1. What action will be taken under European political cooperation to provide humanitarian aid to the civilian population of Croatia, who are now the victims of the war of conquest launched by the Serbian communist authorities?
2. In the context of European political cooperation is it not reasonable to consider:
 - a) That the arrival of UN forces in the Croatian regions at war must now be followed by the return to their towns and villages of the Croatians driven out by the Serbian communist army?
 - b) That Serbian Communist authorities, responsible as they are for this war and for the atrocities committed in it, must now compensate its victims?
 - c) That the reconstruction of the Croatian regions ravaged by the Serbian communist armies must be financed by the communist Government of Serbia?

Answer:

The honourable Member will be aware that the humanitarian tragedy caused by the conflict in Yugoslavia has not been limited to Croatia alone but has, one way or the other, affected all the former

republics of the SFRY, Bosnia and Herzegovina in particular, as well as other European countries, including Member States of the Community. Assistance will therefore necessarily include all the stricken regions and populations, involving bilateral and multilateral donors.

Humanitarian assistance to the victims of the conflict is provided by a variety of donors, including the Community and its Member States. The European Council in Lisbon considered on 26 and 27 June 1992 that, in spite of actions already undertaken, in particular by UNHCR, further important financial help would be needed. The Commission would coordinate these efforts with the other G-24 countries. Member States, on a national basis, have also been making contributions for humanitarian assistance through multilateral channels, a.o. in the framework of UNSC Resolution 758.

In their declaration on 15 June,¹ the Community and its Member States expressed their readiness to assist the Secretary-General of the United Nations in any manner which would facilitate the immediate delivery of urgently needed humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina. Deploring the fact that, in particular, the reopening of Sarajevo airport had not been achieved, the European Council in Lisbon decided that further measures were required to accomplish this task. The European Council declared that EC Member States would propose to the legally competent body, the UNSC, to take, without delay, all necessary measures for the reopening of the airport and the effective delivery of humanitarian assistance to Sarajevo and neighbouring areas.

The European Community and its Member States would be ready to cooperate as far as it would be legally and practically possible for them to do so. While giving priority to peaceful means, the European Council did not exclude support for the use of military means by the UN to achieve these humanitarian objectives. In this context, the European Council, noting the declaration by the WEU Council of Ministers of 19 June 1992, welcomed the study being prepared by this organization of possible means in support of actions undertaken in the framework of the relevant UNSC resolutions.

In the field, the European Community Monitor Mission deploys a special team charged with monitoring and reporting on violations of the second additional protocol to the Geneva Conventions. The ECMM coordinates its activities with a.o. UNHCR, which has been asked by the United Nations Secretary-General to help with problems of displaced persons, and ICRC. In this context, arrangements were made during the siege of Vukovar to evacuate the sick and wounded from the local hospital. Under the same heading, the ECMM is involved in monitoring the exchange of prisoners. Also, quadripartite meetings take place regularly on humanitarian issues between representatives from Croatia, JNA, ECMM and ICRC.

At the initiative of the Presidents of Croatia, Bosnia and Herzegovina and Slovenia, international emergency meetings on assistance to displaced persons and refugees were held in Zagreb on 9 June and Ljubljana on 29 June. The Presidency and the Commission on behalf of the Community, and several Member States were present at these meetings.

The specific points raised by the honourable Member under 2(a), (b) and (c) are subject of discussion within the framework of the conference on Yugoslavia.

¹ *EPC Bulletin*, Doc. 92/226.

92/408. Question No 2698/91 by Mr McMahon (S) on Central America

Date of issue: 29 October 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 19 November 1991)

Have the Foreign Ministers meeting in European political cooperation recently discussed the Central American peace process and what has been the outcome of these deliberations?

Answer:

The honourable Member will be aware that the Community and its Member States and the Central American countries meet twice a year, formally in the framework of the San José process, and informally, in troika format, in the margins of the UN General Assembly.

In the period between the meeting in the margins of the 46th UN General Assembly (26 September 1991) and the San José VII Ministerial Conference in Lisbon (24 and 25 February 1992) European political cooperation, at working group level and in the form of the Political Committee, continued to monitor developments in the Central American isthmus. A particular welcome was expressed for the peace agreement in El Salvador and for efforts towards integration in the region. The Community and its Member States remained concerned at the apparent lack of progress in the peace talks in Guatemala between the Government and the URNG. They, together with other members of the international community, called on both sides to accelerate the pace of negotiations.

The Presidency would also refer the honourable Member to the final communiqué of the San José VIII Conference. Its provisions include the establishment of multi-annual programmes for the promotion of human rights in Central America and the setting up of a committee to revise the Luxembourg Agreement of November 1985, which forms the basis of the San José process, to take account of the changes in Central America. Without wanting to preempt the outcome of this revision, the Presidency wishes to point out that the Commission is in the process of preparing negotiations for a third generation agreement, which should be concluded before the ninth San José conference, to be held in San Salvador next year.

92/409. Joint declaration of the tenth meeting of the Foreign Ministers of the Association of the South-east Asian Nations (ASEAN) and the European Community (EC) in Manila, held on 29 and 30 October 1992 [extracts only]

Date of issue: 30 October 1992

Place of issue: Manila

Country of Presidency: United Kingdom

Status of document: Joint declaration, press statement

1. The tenth meeting of the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN) and the European Community (EC) was held on 29 and 30 October 1992, in Manila, under the co-chairmanship of the Philippines and the United Kingdom. The Ministers had a comprehensive and useful exchange of views on a number of political and economic issues.

2. The Ministers reviewed the developments in ASEAN/EC relations since their last meeting in Luxembourg on 30 and 31 May 1991. They expressed satisfaction over the progress of the relationship and agreed that there was a need to consolidate, deepen and diversify ASEAN/EC cooperation to enable it to keep abreast of global changes and to ensure an enduring and mutually beneficial relationship in an increasingly interdependent world.

Developments in ASEAN and the Community

3. The Ministers had an extensive exchange of views on the developments in ASEAN and in the Community since their last Ministerial Meeting in Luxembourg. They noted the rapid economic growth of ASEAN member countries and the increasing collaboration between them.

4. The Ministers noted the progress towards ratification of the Treaty agreed at Maastricht to establish a European Union, steps towards completion of the Single Market and prospects for enlargement of the Community. The ASEAN Ministers expressed the hope that such developments would enhance ASEAN/EC cooperation. The Ministers welcomed the lines established between the European Parliament and the ASEAN Inter-parliamentary Organization.

ASEAN/EC Relations

5. The Ministers noted that since the signing of the ASEAN/EC Cooperation Agreement in 1980, commercial, economic and development cooperation has made significant progress. Both groups being outward looking, GATT-consistent and supportive of the process of trade liberalization – the EC moving to a single market and the ASEAN to a free trade area – the Ministers agreed to continue to accelerate joint efforts in enhancing ASEAN/EC relations.

6. The Ministers underlined the importance they attached to the decisions of the fourth ASEAN Summit, in particular the decision to establish the ASEAN Free Trade Area which would contribute to the strengthening of the open multilateral trading system and would further expand trade and investment flows between the two regions. In this respect, they welcomed the offer of the European Community to share its experiences from the European economic integration process and to provide technical assistance to strengthen the institutional capacity of the ASEAN secretariat.

7. The Ministers discussed the four points for enhanced cooperation raised by the ASEAN side at the ninth ASEAN/EC Ministerial Meeting and expressed satisfaction at the progress made:

- Consultation in trade matters would be improved through better use of the ASEAN/EC Trade Experts Meeting (TEM) which would meet at the request of either side.
- The European Community had recently underlined the importance of industrial cooperation with third countries.
- The EC Council of Ministers agreed to extend on a case-by-case basis, the operations of the European Investment Bank to projects of mutual interest in countries with which the EC had concluded a cooperation agreement. Initially a total of MECU 250 a year would be made available during a three year period.
- ASEAN institutions have the possibility on a project by project basis to participate in certain areas of the EC Framework Programme III in research and development.

8. The Ministers welcomed the decisions taken at the tenth ASEAN/EC Joint Cooperation Committee on priorities for future cooperation and measures including the expansion of bilateral ASEAN/EC trade and investment, and the establishment of various specialized JCC sub-committees to propose suitable programmes in the priority sectors.

9. When differences exist, the Ministers considered that they should be settled in a peaceful and negotiated manner in accordance with the spirit of dialogue and cooperation existing between the EC and ASEAN and in accordance with the principles of the United Nations Charter.

[...]

Economic and Development Cooperation

18. The Ministers had a fruitful exchange of views on the basic principles and priorities guiding their economic and development cooperation policies.

19. The Ministers considered constructive the recent decisions taken at the ASEAN/EC Joint Cooperation Committee to improve the criteria for regional projects and programmes.

20. They noted that development cooperation would be aimed at poverty alleviation programmes conducted with individual ASEAN member countries.

Cooperation in Environmental Protection and Sustainable Development

21. The Ministers reaffirmed the importance of environment protection and sustainable development both for the present and future generations. They reiterated that environment protection and sustainable development are mutually reinforcing and interrelated.

22. In this regard, the Ministers welcomed the special resources which the EC had set aside for environmental protection including the conservation and sustainable management of the tropical forests. The Ministers underlined the urgent needs for plans of action on forestry cooperation.

23. The Ministers noted the launching of several programmes for the protection of the urban and industrial environment. The Ministers commended the forthcoming establishment of the EC/Singapore Regional Environment Technology Institute.

24. The Ministers agreed that the present and future needs of the ASEAN region in safeguarding the quality of the environment, the development of long-term plans, and the effective utilization of EC/ASEAN bilateral funding available for environmental protection should be pursued in the relevant ASEAN/EC fora.

Other Priority Sectors for Cooperation

25. Apart from the priorities above, the Ministers particularly noted that:

- On human resource development, joint training activities were already underway which concentrated on skills upgrading. They also welcomed the establishment of the ASEAN/EC Management Centre in Brunei Darussalam.
- On science and technology, the Ministers reaffirmed the importance of ASEAN/EC cooperation in this field. They welcomed the cooperation efforts of the EC to strengthen the institutional capabilities of ASEAN in this area as well as the rapid increase in joint scientific research under the EC's Life Science and Technologies for Developing Countries Programme contributing to sustainable development, and underlined the need for programmes promoting technology transfer capable of commercial applications in specific ASEAN industrial sectors.
- On energy cooperation, they welcomed the decisions taken at the tenth ASEAN/EC Joint Cooperation Committee to promote energy cooperation so as to assist the strengthening of energy planning and management capabilities by reinforcing energy technology in an environmentally sound manner in the ASEAN member countries and creating favourable conditions for a greater presence of European energy technologies in ASEAN.
- On the fight against narcotics, they emphasized the importance of increasing the efficiency of policies and measures to counter the supply and illicit traffic of narcotics and psychotropic substances, the laundering of financial proceeds from such activities and the diversion of trade in the precursor chemicals, as well as measures to prevent and reduce drug abuse.

Political, Security and Economic Issues of Common Concern

Global Issues

26. The Ministers held the view that the end of the Cold War presented unprecedented opportunities for enhanced cooperation between developed and developing nations. They called for renewed international cooperation to address the multifarious concerns of developing nations such as the eradication of poverty, debt relief, access to markets, transfer of technology and environmental protection.

Commodities

27. The Ministers acknowledged the need to enhance cooperation between the two regions to resolve both international and bilateral commodity issues, particularly in liberalizing the world trading system and bringing about better market access for processed products as well as better prices for primary commodities.

28. On the issue of eco-labelling, the Ministers urged all countries not to resort to actions not in accordance with international agreements such as GATT and ITTA. They agreed on the need for cooperative efforts in addressing this issue.

29. The Ministers took note of the negotiations for new international agreements for coffee, cocoa and natural rubber, which may over time result in better prices as well as price stability for these commodities. They also noted, on the eve of the renegotiation of the International Tropical Timber Agreement, that ITTA had provided a valuable forum for a constructive dialogue between major tropical timber consuming and producing countries, and had succeeded in developing principles for the sustainable management of forests, and agreeing on Target 2000.

Straits of Malacca

30. The Ministers recognized the Straits of Malacca as one of the busiest straits used for international navigation. Noting the recent spate of incidents, they agreed on an urgent need for the relevant littoral states, maritime nations and other users of the Straits to investigate the causes of the incidents and to find effective solutions in accordance with international maritime law, to ensure the safety of navigation as well as to safeguard the marine environment.

Follow-up to the Rio Summit

31. The Ministers agreed that the Rio Summit was a significant step forward in the recognition of interdependence and need for a global partnership for sustainable development and environment protection. They undertook to work together to further that cause.

World Conference on Human Rights

32. The Ministers reviewed the progress in the preparations for the World Conference on Human Rights, to be held in Vienna in June 1993.

33. They agreed on the need to finalize as soon as possible the conference agenda so that work could begin on the draft final document for the conference. Both sides were convinced that, given a positive political commitment on all sides, an agenda could be agreed, allowing all delegations to address relevant issues of particular concern to them.

34. The Ministers emphasized their common commitment, in accordance with the United Nations Charter and the Universal Declaration of Human Rights, to the promotion of and respect for human rights and fundamental freedoms, development, democracy and greater social justice and agreed to continue their dialogue and cooperation on these issues.

Regional Issues

Central and Eastern Europe and the Former Soviet Union

35. The Ministers reviewed developments in the countries of Central and Eastern Europe and the former Soviet Union and noted in particular the difficulties facing the Central Asian states. The Ministers welcomed the processes of political and economic reforms in those countries.

Situation in Former Yugoslavia

36. The Ministers expressed grave concern over the tragic situation in former Yugoslavia. They condemned the massive violation of human rights and the wanton disregard of the basic precepts of international humanitarian law. They called for an immediate end to the obnoxious practice of 'ethnic cleansing' principally in Bosnia and Herzegovina, with the return of displaced persons to their homes, and for the dismantling of camps, prisons and other places of detention. The Ministers supported the continuing efforts of Lord Owen and Cyrus Vance in Geneva to solve the problems in former Yugoslavia and in particular to bring about a political solution in Bosnia which commands the support of Bosnian Muslims, Croats and Serbs.

37. The Ministers called for full support of UN Security Council Resolutions No 770 (1992) relating to the effectiveness of the United Nations Protection Force (UNPROFOR) in carrying out its tasks of peace-keeping, protection and ensuring delivery of humanitarian relief throughout the former Yugoslavia, and No 780 (1992) providing for the creation of an impartial commission of experts to assist the UN Secretary-General in the collation and analysis of evidence of war crimes in former Yugoslavia.

Asia/Pacific

38. Determined to take advantage of the end of the Cold War and to reinforce security and stability in the Southeast Asian region, the EC Ministers welcomed the accession of Vietnam and Laos to the ASEAN Treaty of Amity and Cooperation in Southeast Asia and looked forward to wider cooperation in the entire Southeast Asia in ensuring lasting regional peace and stability in the Asia/Pacific region.

South China Sea

39. Emphasizing the need to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means and without resort to force, the EC Ministers endorsed the ASEAN declaration on the South China Sea issued in Manila in July 1992 and called on the regional powers to work to this end.

40. The Ministers noted that the workshops on the South China Sea held in Indonesia had contributed to a better understanding of the issues involved. They hoped that further talks among the concerned parties to explore possibilities of joint cooperation in the South China Sea could be held at an appropriate date.

Indochina

41. The Ministers underlined their commitment to the peace process in Cambodia and the importance of persevering with the implementation plan on schedule, despite the difficulties encountered in the implementation of phase 2 of the Paris agreements, particularly cantonment and demobilization and free access by UNTAC. They called on all the parties to observe scrupulously their obligations, as underlined by Security Council Resolution 783, allowing registration to proceed on time for elections to the Constituent Assembly in April/May 1993. They welcomed initiatives now underway to secure cooperation of all parties towards the final implementation of the Paris agreements. The Ministers noted the sizeable contribution that ASEAN and EC Member States were making to the UNTAC operations.

42. The Ministers reiterated their recognition of the leadership of Prince Sihanouk, Chairman of the SNC, as vital to the maintenance of peace and stability in Cambodia as well as to the rebuilding of that country.

43. The Ministers welcomed the success so far of the repatriation programme for Cambodian displaced persons and encouraged the UNHCR to complete the process in time for the elections in Cambodia in April/May 1993.

44. The Ministers welcomed recent political developments in Vietnam, efforts to move towards a market economy and closer economic relations with the rest of Southeast Asia. They recognized the importance of the early normalization of Vietnam's relations with the international financial institutions.

Comprehensive Plan of Action

45. The Ministers reviewed the implementation of the Comprehensive Plan of Action for Indochinese refugees. They welcomed the progress that has been made so far. They called on the international donor community to continue to fund generously the annual UNHCR CPA appeal and the various programmes for the repatriation to and reintegration of non-refugees in Vietnam, in particular the international programme initiated by the EC. The Ministers, noting the three-year time frame envisaged at the UN International Conference on Indochinese refugees held in Geneva in June 1989, called on the UNHCR to accelerate the resettlement of refugees in third countries, including in particular the long-stayers. They highlighted the need to repatriate soon the tens of thousands of non-refugees in the countries of first asylum in the region.

The Situation in Myanmar (Burma)

46. Bearing in mind the respective positions set out in various fora by the two sides, the Ministers expressed the hope that the Myanmar [Burma] Government would make further progress towards political and economic reforms.

Conclusion

47. Finally, the Ministers decided:

- to strengthen cooperation, building on the 1980 Cooperation Agreement, to their mutual advantage;
- to promote further ASEAN/EC bilateral trade and investments, taking account of their respective economic situations;
- to intensify their close dialogue on all areas of mutual interest and priorities of importance to both regions, through the mechanisms for consultation and dialogue agreed between them;
- henceforth to conduct their dialogue at the levels of both Ministers and Senior Officials; Ministers will meet at least once every two years and the Senior Officials will meet in the intervening years between the meetings of the Ministers.

92/410. Statement on Bosnia-Herzegovina: attack on Jajce

Date of issue: 2 November 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States condemn the recent attack on Jajce by Serb militia and the barbarous shelling of civilians leaving the town. They condemn such violations of international humanitarian law and re-emphasize the personal responsibility of those who commit or order them. These attacks must cease without delay.

92/411. Statement on Togo

Date of issue: 3 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States have been monitoring recent events in Togo closely. After a period of heightened political violence, they welcomed the extension of the transition period and the reduction in tension that this brought, in the hope that this would lead to more rapid progress towards democracy. They are concerned by the further postponement of elections and therefore urge all those involved to work together to overcome the remaining problems.

The Community and its Member States are deeply concerned by the recent siege of Parliament by the Togolese armed forces. Such action by the military constitutes a serious threat to Togo's return to constitutional rule. While they are aware of President Eyadema's condemnation of the soldiers' actions and of the setting up of an Investigation Commission, they are concerned that the President, in his capacity as Commander-in-Chief of the Armed Forces, has not been able to ensure the political neutrality of his soldiers. The Community and its Member States hope the Investigation Commission will act swiftly and that President Eyadema and the government will take appropriate disciplinary measures against those soldiers identified as responsible. Any repetition of such action by the armed forces would be deplorable.

The Community and its Member States again stress the need for all parties involved to facilitate the successful conclusion of Togo's return to constitutional rule. This must involve full respect for human rights and the rule of law which are necessarily conditions for the continuation of their economic and development cooperation with Togo.

92/412. Statement on Angola

Date of issue: 4 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States, recalling their statement of 22 October, express their grave concern about recent events in Angola and deplore the violence over the weekend of 31 October and 1 November which claimed so many lives. The Community and its Member States support the continued involvement of the United Nations in the peace process in Angola, and call on all parties to abide by 785 adopted by the UN Security Council on 30 October and to respect the cease-fire negotiated through the good offices of the UN Secretary-General on the night of 1 November. The only hope for peace in Angola is for both sides to refrain from violence and to continue to implement the peace agreements embodied in the Bicesse Accords, in particular as regards the demobilization and confinement of their troops and collection of their weapons; the formation of the unified national armed force, and the creation of conditions allowing the holding of a second ballot in the presidential election.

The Community and its Member States will hold responsible any party which obstructs the peace process, to which all parties have committed themselves and which has been democratically endorsed by the Angolan people.

92/413. Statement on Cameroon

Date of issue: 4 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States welcome the holding of multi-party elections in Cameroon on 11 October as an important step in the process of democratization. They have however noted with concern reports of irregularities in the election procedures in all regions. The Community and its Member States appeal to all the parties involved to seek to resolve differences through dialogue, avoiding any violence and safeguarding social peace. They call on all parties to refrain from action which could further increase tension, and on the authorities to ensure full support for fundamental human rights and political freedoms. The Community and its Member States will continue to follow developments in Cameroon with close attention.

92/414. Statement in the First Committee of the UN General Assembly on the Secretary-General's report entitled 'New dimensions of arms regulation and disarmament in the post-cold war era'

Date of issue: 11 November 1992

Place of issue: New York

Country of Presidency: United Kingdom

Status of document: Statement in international forum

The European Community and its Member States would like to thank the Secretary-General for his report 'New Dimensions of Arms Negotiations and Disarmament in the Post-Cold War Era', which he introduced in his statement on the occasion of the celebration by the First Committee of Disarmament Week. As we made clear in our contribution to the General Debate on 12 October, we share the Secretary-General's view of the dramatic changes which have occurred in the world and the significant progress that has been achieved in a number of important areas of disarmament. It is also true that while the world has become safer, particularly thanks to the ending of the Cold War, new uncertainties and challenges have appeared in the armed conflicts raging in a depressing number of parts of the globe. This underscores the Secretary-General's contention that disarmament remains centrally relevant to the international agenda.

The Secretary-General offered a pertinent perspective with his three key words: integration, globalization and revitalization. We would like to reflect briefly on these.

First, integration. It is very true that many problems of the world are interrelated. Security is indivisible and has many components. Disarmament matters affect, and are affected by, political and economic factors. Disarmament cannot, and never could be, isolated from the various aspects of the security of states. Furthermore, in the light of the changes which have taken place recently we agree with the Secretary-General that there is greater scope for integrating disarmament and arms regulation issues into the broader structure of the international peace and security agenda.

Thus, in addition to existing efforts to achieve increased security at the lowest possible level of armaments we need to give renewed emphasis to:

- the peaceful settlement of conflicts, in particular at the regional level;
- the need to curb the proliferation of weapons of mass destruction, which is a threat to international peace and security, as stressed by the Security Council on 31 January of this year,
- the growing importance of confidence-building measures and transparency with regard to armaments as well as transfers of high technology.

These interrelated aspects call for complementary approaches by the international community, through the relevant multilateral frameworks, maintaining and utilizing the appropriate expertise. This leads us to the concept of globalization.

Globalization. We completely share the Secretary-General's view that all states should be genuinely engaged in the process of disarmament. As he pointed out: 'The argument advanced by some states that the major military powers should disarm first is too often used to avoid practical

disarmament measures and is no longer valid', and 'The goal is to extend disarmament efforts to include not only bilateral agreements but also multilateral arrangements in a world-wide process involving all states'. In sum our view is that globalization implies giving appropriate weight to unilateral actions, to bilateral agreements and to multilateral arrangements at both regional and global levels.

The conclusion of the Chemical Weapons Convention is the most recent evidence of successful action at the global level. In the nuclear field, beyond the decisions of the two major nuclear-weapon states to reduce drastically their arsenals, other nuclear-weapon states have made reductions in some of their nuclear-weapons programmes, limitations on testing have been introduced by several nuclear weapon states, and the international community has an important role to play to further the process of nuclear disarmament. The 154 states parties to the NPT are preparing for the 1995 Conference which should lead, as the Secretary-General stressed, to the indefinite extension of that vital treaty. The United Nations has established the Register of Conventional Arms and is committed to considering modalities for its early expansion. We look forward to full participation in the register by Member States. The Conference on Disarmament has begun to address the means of increasing transparency in armaments and transfers of high technology with military applications. We should build upon this firm foundation. It is for each and every one of us to play our full part.

Revitalization. Recent breakthroughs in all aspects of arms control and disarmament – bilateral, global and regional – have created a real determination to continue the process effectively. We now must ensure that we have the tools to build on that success. In this regard, major developments are occurring in the United Nations System:

- With its historic summit meeting of 31 January 1992, the Security Council is enhancing its role as the supreme organ of the international community for the maintenance and restoration of peace and security, for the management of crises and the enforcement of international norms relating to the non-proliferation of weapons of mass destruction.
- The General Assembly and its subsidiary organs are working in a new spirit. The Disarmament Commission, as the United Nation's deliberative organ on disarmament, has streamlined its work and we support its efforts to focus on more concrete subjects. The First Committee is witnessing a growing sense of consensus on forward-looking and practical endeavours, which enable the Member States to take a global view of disarmament and security.
- The Secretariat is engaged in a process of restructuring which we welcome. We expect that this will allow it to continue to perform effectively the tasks assigned to it by the member States.
- The central role of the Conference on Disarmament as the single multilateral disarmament negotiating body of the international community has once again been demonstrated. With the conclusion of the Chemical Weapons Convention, the first world-wide treaty to eliminate in a verifiable way a whole class of weapons of mass destruction, the Conference on Disarmament has demonstrated its capacity to perform effectively challenging and complex tasks. As the Secretary-General notes the Conference on Disarmament has also decided to embark upon a process of review of its agenda, membership and methods of work so as to fulfil its role, taking into account the necessary interrelationship between the various aspects of international security. In order to enable it to fully assume its responsibilities, we support an early enlargement which would more adequately reflect the level of interest in its work of the international community as a whole. We trust that the conference will report to the General Assembly in the near future on the results of its consideration of these issues.

As the Secretary-General's report makes clear, much hard work lies ahead. All of us should do our utmost to ensure that the goals of the international community highlighted by the Secretary-General are indeed achieved. For their part, the Community and its Member States will spare no effort in this direction.

92/415. Statement on Guatemala and Belize

Date of issue: 12 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States warmly welcomed President Serrano's statement of 5 September 1991 recognizing Belize as an sovereign independent state, and the subsequent establishment of diplomatic relations between Guatemala and Belize. This defused a source of regional tension, opened the way for Belize to play her full part in the region's political and economic life, and represented a major step towards a settlement of the long-standing dispute between the two countries.

The Community and its Member States now welcome the Guatemalan Constitutional Court's ruling on the constitutionality of the constructive actions taken last year by President Serrano. They look forward to a full and final settlement of the territorial issue with Belize before long.

92/416. Statement on Ghana

Date of issue: 17 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The European Community and its Member States welcome the declaration of the international electoral observer teams that the presidential election was broadly free and fair. The election represents a major step towards the restoration of democratic government in Ghana. They also welcome the fact that election campaigning and the elections themselves were generally free from political violence. They urge all political parties to work together to ensure completion of a peaceful transition to constitutional democratic government.

92/417. Statement on the ratification by Denmark of the Treaty of Maastricht

Date of issue: 18 November 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: Madam President, on 30 October the Danish Government forwarded to her Community partners a document entitled 'Denmark in Europe'. This document was the basis for discussions in Denmark between the Danish political parties. It contains Danish ideas on the way forward. These fall into two categories: issues of common interest, one of which we discussed earlier this morning, subsidiarity; and issues of particular interest to Denmark. The document states that issues in the latter category will need to be embodied in a Danish agreement which must be 'legally binding' on all twelve EC Member States.

Let me go into a little detail on these issues of particular interest to Denmark. They fall into four categories: the defence dimension, stage 3 of economic and monetary union, union citizenship and the interior justice pillar under Article K of the Treaty. On defence, the Danes are talking about future possibilities, not about exemption from present arrangement. The Maastricht Treaty does not commit Denmark to join the Western European Union. On economic and monetary

union, the Danes wish to declare now that they will not participate in stage 3. As honourable Members will recall, the Danes already have a protocol integral to the Treaty enabling them to do just this. It is not clear to us at this stage whether their proposals go beyond this protocol. On union citizenship, Denmark is willing to implement the specific provisions of the Treaty. For example, the right to vote in European Parliamentary elections. Community citizens already vote in local elections. But they wish to implement these provisions as a matter of Danish policy, not an obligation imposed by the Treaty. We will need to discuss this in greater detail with the Danish Government. Finally, on interior justice arrangements, Denmark is again talking about future possibilities, I believe, rather than exemption from present arrangements. The Treaty does not commit Denmark to agree some time in the future to extend Community competence into the area of law and order.

The legal options for dealing with Danish concerns are for discussion among Member States. We touched on this during the Foreign Affairs Council on 9 November. We are, Madam President, in a unique situation following the Danish referendum, and it is impossible to say now precisely what remedy will emerge from these negotiations. The content of the Danish proposals will be the subject of detailed discussion amongst Member States. The Danish Foreign Minister intends to have talks with all the other Member States in preparation for the European Council. The Presidency will also discuss these issues with partners, whilst keeping in close touch with Denmark, with a view to reaching an agreement at the Edinburgh Council on a framework for a solution. The objective was agreed at the Birmingham European Council. The Danish Government has made clear that a further referendum will be held when a result which the Danish parliament can recommend has been achieved.

Madam President, our objective was clearly stated at Birmingham. The Community must develop together as Twelve on the basis of the Maastricht Treaty, whilst respecting, as the Treaty does, the identity and diversity of Member States. The Presidency is determined to do all that it can to secure this framework, and I think it should be made clear that we are determined to reach this solution at Edinburgh but that the Maastricht Treaty itself will have to be ratified in its present form.

[After the following debate, Mr Garel Jones stated:] Let me say to the honourable Member who has just spoken: at Edinburgh the British Presidency is not seeking a success for Britain. It will be seeking a success for the Community. The British Presidency does not seek enlargement as a British success. It seeks enlargement of the Community because it believes that the fact that a number of important and successfully European democracies are seeking to gain membership of the Community on the basis of the Maastricht Treaty underlines not only the value of the Maastricht Treaty itself but the success of the European Community.

There are three points I would like to make which have come out of this debate. Firstly, there is no question on the part of any Member State, including Denmark, of renegotiation of the Treaty. Secondly, it is apparent from all those who have spoken that every Member State – Mr Cheysson made that point in his remarks – wishes to bring Denmark with us. That is the wish of the Community and I believe it is the wish of the Danish Government and of the majority of the Folketing. Mr Bourlanges made an interesting point in his remarks that we have to seek, whatever these difficulties may be, to recognize that there has been and will be a continuing benefit to the Community from all of this. As the Danes themselves say, many of the issues that we are discussing – openness and subsidiarity – are of common interest to us all and if we make a success of those – as I believe we will at the Edinburgh Council – that will be to the benefit of the Community.

The only note about the debate which I did not find acceptable – and indeed it is hinted at in an amendment by Mr Herman – is what I regard as dangerous talk about Denmark's departure from the Community. This Community only has advanced and only will advance by solidarity and understanding amongst the Twelve. That is very difficult. But we want a Community, I believe, that

is not only comfortable for individual citizens but is comfortable for individual nations too – large nations and small nations. I repeat: small nations must be comfortable in the Community. I hope Parliament may feel as I do that the British Presidency is, in fact, uniquely qualified to broker the arrangements we need to make Denmark capable of advancing with us by using the creative imagination that Mr van der Waal referred to.

Madam President, I do not want to sit down without picking up some of the remarks that have been made by a number of honourable Members – Mr Planas Puchades, Mr Cheysson, Mr Penders and others – about the British position in all of this. So I will speak for a moment as a British Minister.

My government and my Prime Minister staked a very great deal indeed on the recent vote in our Parliament. I cannot overestimate what was at stake, not just for the Maastricht Treaty itself. So, Mr Penders, if you want leadership from Mr John Major, I think you should calculate the risks he took for the Maastricht Treaty a week or two ago in the British Parliament. It will not have escaped the notice of this Parliament that there were a couple of hundred allegedly pro-Maastricht votes that did not appear on that night. I cannot do better than use the words of Mr Cot: 'The British Labour Party is playing roulette with Maastricht'.

[...]

The British Government is not prepared to do that. We will proceed with caution and with certainty. I say this to the House: the score on Maastricht in the British Parliament for British socialists is, so far, two votes against and one abstention. I give this House the undertaking that as this difficult and complicated committee stage advances, which we will win, I will keep this House closely informed of the way in which British socialism supports Maastricht in Britain.

92/418. Question No H-900/92 by Mr Kostopoulos on human rights and minorities

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The extreme dogmatism which characterized the former East Bloc countries has given way to a wave of fanatical nationalism and islamic fundamentalism which is now engulfing parts of Asia and Europe, threatening to turn local conflicts into more generalized and bloody conflagrations. These conflicts are often caused by minorities demanding autonomy, secession or even independence. The solutions so far adopted by world leaders do not appear to be working. Do the Foreign Ministers meeting in EPC consider that the Community must at least provide a legal and practical framework for dealing equitably with minority rights?

Answer:

The Community and its Member States are deeply concerned over the increased scale and violence of minority conflict throughout Europe. The Community and its Member States played an active role in the CSCE Geneva Meeting of Experts on National Minorities and made a constructive contribution on this subject in subsequent CSCE meetings, particularly in the recent Helsinki follow-up meeting which agreed the creation of the post of High Commissioner on National Minorities.

At the Geneva meeting of CSCE experts on minorities and the Moscow meeting of the Conference on the Human Dimension of the CSCE, participating States of the CSCE agreed wide-ranging commitments on the rights of persons belonging to national minorities. The Community and

its Member States remain committed to the CSCE process and consider that attention should focus on the implementation of existing commitments on the rights of persons belonging to national minorities made in the CSCE. The appointment of the High Commissioner on National Minorities and the agreements on implementation reviews made at Helsinki are practical steps towards that goal. The Community and its Member States hope that the High Commissioner may be able to take up office soon.

92/419. Question No H-1053/92/rev. on the signing of the European Charter for regional or minority languages in the Council of Europe

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The draft Convention on a European Charter for regional or minority languages drawn up by the Council of Europe (and adopted by the Committee of Ministers at its 478th meeting on 22 June 1992) is available for signature. It represents an important advance in the protection of minorities and in the preservation of cultural diversity.

Do the Ministers meeting in EPC intend to use their influence to ensure that the Member States of the Community are the first to sign the convention and that they do so without delay and simultaneously, thus laying the best foundations for its general approval and ratification and its early entry into force?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The question raised by the honourable Member has not been discussed in the framework of European political cooperation.

Mr Langer (V): I am very sorry to hear that this question has not been discussed, Mr Minister. This is actually a splendid occasion for the Twelve to set a good example to the rest of Europe, and in particular to the Members of the Council of Europe. The Charter of regional languages was drafted at great length in the Council of Europe; and a convention was also drawn up which I regard as excellent and highly respectful of States' rights, I would say more so of theirs than of those of the minorities. But the fact is, some States, including France, the United Kingdom, Greece and Turkey – which is not part of the Community but is a member of the Council of Europe – have so far declined to sign the Charter.

I am sorry that Political Cooperation has not taken this up and I would like to know what you think can be done because this will come up again in the future.

Mr Garel Jones: I agree with the honourable Member that this is an important convention of the Council of Europe. He is right. So far only five Community countries have signed the convention: Denmark, Germany, Luxembourg, Netherlands and Spain. We are all agreed that it is important to promote and protect minority languages. But it will be, in the end, a matter for Member States to decide when they propose to do so. I have corresponded with the honourable Member about the position of my own Member State so I do not think I need add anything to what I have already said.

Ms Van Hemeldonck (S): Mr President, I must say I am a bit surprised that the Presidency is not following up such a topical matter. For this is topical not only within our Community, but also for

the first of the countries which have applied to join the EC and also for the countries of Eastern Europe. There is enormous interest in this. As chairman of the Intergroup on Minority Languages and Cultures, I had the pleasure of attending a conference a few weeks ago in Romania on minority languages and cultures, at which this subject was a central issue and where it was said: let us follow the example of what is happening in the heart of Europe in order to achieve greater brotherly cooperation, proper ways of dealing with minorities, and the solution of policy issues. Can the President-in-Office assure us that the Ministers will in future examine this matter and indeed consider its expansion?

Mr Garel Jones: I certainly share the honourable Member's view of the importance of minority languages, being a speaker of one of the European minority languages myself. The Member will agree with me, I am sure, that this is not an entirely appropriate subject for the General Affairs Council. The last time the General Affairs Council met, it started its work at 8.30 a.m. and finished at midnight. Even then it was quite difficult to squeeze everything into the agenda. In the end it is for Member States to decide on minority languages in their own territories and how and when to sign or apply any international conventions that exist. But I can assure the honourable Member, following up the remarks she made about her visit to Romania, that the protection of minority languages and indeed the protection of minorities in Eastern Europe forms an important part of the association agreements that are, as she will know, the corner-stone of the Community's policy towards these new democracies in Eastern Europe.

Mr Ephremidis (CG): Mr President, I asked to speak so that I can put a question to the President-in-Office of EPC, because the way in which he answered the questions by Mr Langer left a vacuum. Mr Langer said that Greece has not signed this agreement on the protection and development of minority languages. If, as seems to be the case, he was implying the Turkish language used, not by the Turkish but by the Muslim minority in Thrace according to the Lausanne Treaty, in Greece the minority in question are perfectly free to use the Turkish language, and not only that, but there are over 300 schools in Thrace, where that minority lives, in which Turkish is taught. We have, in fact, the phenomenon that relative to the population in question, the number of schools is five times greater than in any region of Turkey itself.

I would therefore like to ask the President-in-Office whether he was aware of that, so that when he gives answers they should be complete.

Mr Garel Jones: I do not have much to say. Certainly neither my reply nor, I believe, the question implied any criticism of those seven Member States who have not yet signed the convention. That and the way in which Turkish is taught in Greece is a matter for the Greek Government.

92/420. Question No H-1066/92 by Mr Alavanos on developments in the WEU and repercussions for security in Greece

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The decision to suspend Article 5 of the WEU Treaty and the probable decision to suspend Article 10 (according to statements by the WEU Secretary-General (Mr van Eekelen), will mean that Greece will be unable to invoke this Treaty to defend itself from threats from Turkey and will no longer be able to appeal to the International Court of the Hague to broker a peaceful solution to differences between Greece and Turkey.

How do the Foreign Ministers meeting [in] EPC view these developments in the WEU which affect the security of part of the Community and may have more widespread implications for the Community as a whole, given that the decision to admit Greece to the WEU forms part of the Maastricht package?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The question raised by the honourable Member does not fall within the competence of European political cooperation.

Mr Alavanos (CG): Mr President, that is what I thought the President-in-Office of the Council would say, but it is not acceptable. First, because last week the EC/Turkey Association Council met. Secondly, because Greece's accession to the Western European Union, and that of Turkey as well, as an associate member, have been decided within the framework of the Maastricht Treaty. Thirdly, I modify the question and ask the President-in-Office of the Council whether he thinks that to solve the differences between Greece and Turkey on the basis of international law and by recourse to International Courts is the right thing to do, and will the Community push for it with Turkey, irrespective of the Western European Union?

Mr Garel Jones: I am glad I did not disappoint the honourable Member the first time round. I will try not to disappoint him again. Although the declaration forms part of the Maastricht text – he is right about that – it was made by the Nine and not by the Twelve. European political cooperation covers the political and economic aspects of security only. So I think he should be directing his question to the Nine and not to the Council.

92/421. Question No H-1077/92 by Mr Dessylas on unacceptable treatment of illegal Iraqi immigrants by the Greek and Turkish authorities

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Seventyseven illegal Iraqi immigrants (including women and children), victims of Turkish traffickers, have been confined for two weeks on the ferry Kostakis sailing between Greece (Kos) and Turkey (Bodrum).

The Greek and Turkish Governments are refusing to accept them and to grant them political asylum, although this breaches international law and imperils their very lives: it is not long since 29 illegal Iraqi immigrants drowned in the same area because of this inhuman policy.

What action will the twelve Foreign Ministers of the Community meeting in Political Cooperation be taking in respect of these grave breaches of international law and human rights by the Greek and Turkish authorities?

Mr Garel Jones, President-in-Office of European political cooperation: The immigration policy of Member States does not fall within the competence of European political cooperation. Questions on this issue should be addressed to the relevant national authorities. The Member State concerned has informed the Presidency that the 77 illegal Iraqi immigrants referred to in the question were granted full care while they were on board the ferry and have been accepted on a temporary basis. They have not lodged requests for political asylum with the Greek authorities, who do not consider Greece liable for a breach of international law. The Turkish authorities are also aware of

the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in the CSCE documents, including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings and the conference on the human dimension of the CSCE and the report of the Geneva meeting of experts.

Mr Dessylas (CG): I am not at all satisfied by the President-in-Office's answer. First of all, we are talking about a serious violation of human rights by a Member State of the EEC, on the one hand, and a country associated with the EEC on the other hand, namely Greece and Turkey. This treatment of illegal Iraqi immigrants like 'ping-pong' balls between the Greek and Turkish authorities, as I also mention in my question, in one previous case led to the drowning of 29 illegal Iraqi immigrants. Greek local authorities and Greek residents asked the Greek Government to grant them political asylum, – and what the Council's President-in-Office said is not right – but the Greek authorities refused to do so. At first, they even refused to render them assistance. And after pleas by the residents and the local authorities, at last they helped them.

Does the President-in-Office not think that what we have here is a violation of the most basic human rights by the Greek and Turkish authorities?

Mr Garel Jones: I am sorry the honourable Member is not happy with the answer but I am afraid it is the answer. The answer is that this is a matter for the Greek Government and he should address his complaints, if he has any, to the Greek Government.

Mr Alavanos (CG): I would like to ask the President-in-Office of the Council whether the way he has answered the last few questions is consonant with the Council's new attempts to demonstrate transparency? I therefore ask whether he can tell me, since matters of asylum are not the concern of EPC but relate to the Schengen agreement, where for example I could find the Schengen agreement so that I can put a question to it as a Member of the European Parliament; or, in connection with the Western European Union, since this is a matter for the Nine and not the Twelve, where can I find those Nine so that I may put these questions?

Mr Garel Jones: It is not a matter of transparency. It is a matter of competence. Competence for immigration matters lies with Member States.

Mr Kostopoulos (NI): Where it suits us politically, it is a matter of competence, but where it does not suit us politically, then unfortunately things are quite different. Turkey is a country associated with the Community and the British Presidency – Mr Hurd – has made a special report on Turkey's promotion. as it were, in the context of cooperation with the Twelve. So, granted this peripheral weight we give Turkey, I would like to know, Mr President, whether the Twelve have made any approach to Turkey concerning the continual and systematic violations it practises in relation to illegal immigrants along its borders which, as you know – especially its coastal borders – are very extensive (Asia Minor is hundreds of kilometres from end to end). I would like to know whether any approaches have been made to the Turkish Government concerning those illegal immigrants, but only in Turkey.

Mr Garel Jones: One of the advantages of the recently agreed enhanced association agreement with Turkey – which was agreed at the last General Affairs Council – is that it does, of course, enable the Member States of the Community to have full and frank discussions with Turkey and, indeed, we had one such discussion at the last General Affairs Council, and Turkey is fully aware of the concerns of the Community and its Member States about human rights matters. I think one of the advantages of this new and enhanced dialogue that we have with Turkey is that it will enable us to discuss those matters with Turkey in a friendly and frank way.

92/422. Question No H-1103/92 by Mr Lomas on Cyprus – UN proposals

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Given that the Ghali report proposes to allow Turkey to retain the right to unilateral intervention in Cyprus affairs, that the proposed Turkish Cypriot federated state will have strategic control of 55% of the island's coastline, that Turkish fighter planes will have three minutes' flying time from Turkey to Lefkoniko airport in the north of Cyprus and that the Greek Cypriot (conscript) national guard will be dissolved, does the Council agree there is a danger that Turkey might some day exercise its 'unilateral right to intervention' on whatever pretext and occupy the entire island of Cyprus?

Answer:

Such a prospect does not seem likely. However, the Community and its Member States consider that the set of ideas on an overall framework agreement on Cyprus, endorsed by Security Council Resolution 774, constitutes the basis for the negotiations on Cyprus under the auspices of the United Nations Secretary-General. This set of ideas *inter alia* includes provisions on security.

The Community and its Member States hope that the terms to be agreed upon in this respect will guarantee the security of the future Federal Republic of Cyprus and its components against any external threat to territorial integrity.

92/423. Question No H-1104/92 by Mr Ephremidis on Turkish intransigence in the negotiations on a solution to the Cyprus problem

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

On 26 October the second round of negotiations aimed at bringing about a peaceful settlement to the Cyprus problem began under the aegis of the United Nations. The first round of negotiations had broken down owing to the intransigence of the Turkish/Cypriot side which, with the backing of the Turkish Government, has also refused to accept Security Council Resolution 774.

What type of measures does EPC intend to take within the framework of the UN, and notably in the Security Council, through those of its members who sit on this body and in its relations with Turkey, to bring pressure to bear on this country to adopt a more flexible attitude so as to ensure a just and viable solution to the Cyprus problem involving the restoration of full independence, sovereignty and territorial integrity for the Republic of Cyprus, and the withdrawal of the Turkish forces of occupation, full respect for human rights and the right of refugees to return to their homes?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States remain deeply concerned about the situation in Cyprus. They strongly support the efforts of the UN Secretary-General in the framework of his mission of good offices aimed at finding a just and viable solution to the Cyprus question which will respect the sovereignty, indepen-

dence, territorial integrity and unity of the country in accordance with the relevant UN resolutions including Security Council Resolution 774 and high level agreements. They stress in line with the Security Council Resolutions that the present status quo is not acceptable. Inter-communal talks resumed in New York on 26 October and adjourned on 11 November. In this respect, the Community and its Member States considered the Secretary-General's set of ideas including suggested territorial adjustments contained in its attached map as the basis for the negotiations on Cyprus. They hope that under UN auspices the two communities will work towards an overall framework agreement.

Mr Ephremidis (CG): The answer given by the President-in-Office of the Council was almost complete, and it also contained an element of sincerity. I am just afraid that this great concern felt by EPC, which has lasted now for 18 years with the situation in Cyprus, may put the health of the members at risk and even the institution of EPC itself. Because a concern that lasts 18 years, without result, raises the question of whether something may happen to the Council to make it self-destruct since it cannot do anything substantial under such circumstances. And it is the Council's role that is the point of my question. Some Members of EPC are also members of the Security Council. And since that is where the matter has ended up and the Secretary-General is commenting on the consequences of Turkey's intransigence, what will those members of the Community who are at the same time members of the Security Council do to see that, just as they decide upon sanctions in other cases, in this case too, even if they do not decide sanctions, they will at least exert what pressure is necessary to bring an end to Turkish intransigence – leaving Mr Denktash aside because he is a puppet in the hands of Turkish politics – so as finally to find a solution as the President-in-Office described.

Mr Garel Jones: Can I say to the honourable Member that I think one of the fruits which we hope will derive from the new relationship that the Community now has with Turkey would be the sort of discussion we were able to have with the Foreign Minister at the end of the General Affairs Council at its last meeting. We told him that we were disappointed that we had not seen more progress. We were also disappointed that some of the positions adopted by the Turkish/Cypriot side were incompatible with the set of ideas which, as the honourable Member knows, have been endorsed by a Security Council resolution. We have to use our enhanced dialogue with Turkey to ensure that Turkey uses its best influence possible to ensure that when the talks are resumed – I believe it is in March of next year – a more constructive attitude will be taken by Mr Denktash.

Mr Kostopoulos (NI): Mr President during the Portuguese Presidency, at Guimarães, our Foreign Minister was Mr Mitsotakis, the Prime Minister of my country. At that time Mr Hurd raised the issue of up-grading EEC/Turkey relations. I would like to ask you, Mr President-in-Office, very simply, what guarantees did Mr Mitsotakis receive from you concerning the solution to the Cyprus problem, that made him accept that upgrading of relations with Turkey?

Mr Garel Jones: I think the honourable Member will be aware that Mr Mitsotakis himself, together with Prime Minister Demirel are working extremely hard to improve bilateral relations between Greece and Turkey and that is something which we all welcome. I think it is also the case that, as I say, the enhanced political relationship that we the Community are now having with Turkey will enable us to talk to them in a friendly and frank way about a wide range of subjects, including, the one we are now discussing. And I have no doubt that that was one of the reasons why the Greek Government supported the decision that was taken to have this enhanced relationship in order that we might be able to talk about a wide range of problems but also this particular one with our Turkish friends.

Ms Green (S): I think from what he has said already that the President-in-Office would agree with me that the major player, when it comes to influence on the illegal regime in the north of Cyprus,

is the Government of Turkey. He talks about an enhanced dialogue with Turkey. We could all support that if it were liable to lead somewhere. But can he explain to us how the Council can justify a developed and strengthened relationship with Turkey which came out of the EC/Turkey Association Council last week, particularly with regard to Cyprus, when the Foreign Minister of Turkey returning to Ankara laid great stress on the development and strengthening of EC/Turkey relationships but said, with regard to Cyprus, that the Turkish side gave neither a comma nor a fullstop?

Mr Garel Jones: I do not think the Community will have any difficulty in justifying its desire to have an enhanced relationship with Turkey. Turkey is a country of enormous importance, not just for the security of Europe but I would say for the stability of Europe and indeed to its own regions, so the justification for an enhanced relationship with Turkey is easy to see. It is also the case that, as the honourable Member said, Turkey is clearly a very important player in any move towards a just and lasting solution in Northern Cyprus. We have only had one such meeting at the highest level in the Community so far but I have no doubt that the Community will be exerting what influence it has, and I think that influence is not inconsiderable, to get the support of Turkey in ensuring that when these talks reconvene in March the set of ideas is something on which progress can be made.

92/424. Question No H-1114/92 by Mr Pagoropoulos on genocide of the Kurdish people

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

According to international press reports the genocide of the Kurdish people by the Turkish armed forces is continuing both in South Eastern Turkey and in Northern Iraq. Will the Foreign Ministers meeting in EPC say whether they discussed this matter at the EC/Turkey Association Council meeting of 9 November and what position they adopted, what measures they intend to take in future to put an end to the genocide of the Kurds and what they have done so far to implement the EP resolution of 17 September 1992 on the human rights of the Kurds and the convocation of an international conference?

Answer:

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings of the Conference on human dimension of the CSCE and the report of the Geneva meeting of experts.

At the EC/Turkey Association Council meeting on 9 November, Ministers stressed the importance of respect for human rights. They decided to develop the Community's increasingly close relationship with Turkey through a regular dialogue bearing in mind our common attachment to democracy, respect for human rights and international law in line with the principles and practices of the UN Charter and the principles and practices of the CSCE including the principles of peaceful settlement of disputes using all available means provided by international law to this effect.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country and express their hope that the latter will take all necessary steps to this end.

92/425. Question No H-1116/92 by Mr Penders on the withdrawal of Russian troops from the Baltic states

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Are the Ministers aware of reports that Russia has annulled the agreements with the Baltic states on the withdrawal of its troops by 1994?

Are the Ministers prepared to express their concern at this development and insist that the withdrawal agreements are carried out?

Are the Ministers prepared to place this alarming development on the agenda in connection with the Conference on Security and Cooperation in Europe (CSCE)?

Answer:

The honourable Member should be aware that the Russian Government has decided to suspend temporarily rather than annul the withdrawal of its troops from the Baltic states.

The Community and its Member States continue to call for the early, complete and orderly withdrawal of troops. They were encouraged by the Russian/Lithuanian agreement of 8 September on the withdrawal of the troops by 31 August 1993, and look to Russia to agree to and implement similar timetables with Estonia and Latvia, in accordance with the terms of the Helsinki declaration of July 1992.

The Community and its Member States support the application of CSCE mechanisms and principles in the Baltic states and Russia, and welcome Estonia's decision to invoke the Human Dimension Mechanism.

92/426. Question No H-1137/92 by Ms Oddy on the peace process in El Salvador

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

What steps are the Foreign Ministers meeting in Political Cooperation taking to ensure that the Final Report of the *ad hoc* Commission on Human Rights Violations will be properly published and available for public discussion?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States are of course following developments in the peace process in El Salvador closely. EC ambassadors in San Salvador have pressed the Salvadorian authorities and the FMLN for full and timely implementation of all the provisions of the peace agreements, including those related to the *ad hoc* commission.

Ms Oddy (S): Is the President-in-Office aware that there is now a new timetable for the peace process in El Salvador? Will the Foreign Ministers review the implementation of this peace process

timetable on a weekly basis to ensure that there is no accumulation of government non-compliance, and bring pressure to bear on the Cristiani Government to avert a possible crisis in December.

Mr Garel Jones: Yes, I can assure the honourable Member that we will keep a close watch on that and we still very much hope to see completion of the agreements by 15 December. The signs are positive and we will certainly be monitoring the situation very closely indeed.

92/427. Question No H-1140/92 by Mr Alex Smith on land transfers in El Salvador

Date of issue: 18 November 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

What steps are the Foreign Ministers meeting in Political Cooperation taking to ensure that the programme of land transfers agreed under the peace process accords is being properly carried out?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States are fully aware of the importance of land transfers in the national reconciliation and reconstruction process in El Salvador and in the re-integration of the demobilized personnel of the Salvadorian army and the FMLN into civilian life. In their contacts, formal and informal, with the Salvadorian authorities and the FMLN, EC ambassadors in San Salvador have stressed the need for the full and prompt implementation of all the provisions of the peace agreements, including the land transfer programme.

Mr Alex Smith (S): I am glad that the President-in-Office appreciates how vitally important the question of land transfer is. I wonder if he is aware that President Cristiani is reluctant to demobilize the notorious Alcatel battalion? This obviously has an impact on the whole atmosphere at the negotiations. Would he not agree that if the land transfer agreement is not implemented in full and in good faith, it would be unrealistic to expect the FMLN to give up their arms in return for a simple promise from an untrustworthy government?

Mr Garel Jones: The honourable Member has raised two important points. First of all, so far as land redistribution is concerned, the United Nations, as the honourable Member knows, helped the two sides to reach what seemed to be an equitable compromise last month. The European Community and its Member States have made a contribution to the land banks. Demobilization is of course a very difficult issue but President Cristiani has agreed to implement the demobilization plans fully and United Nations mediation in this matter is proving very valuable. The European Community has contributed to the fund for the land bank.

92/428. Statement on Nigeria

Date of issue: 24 November 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States have noted with regret that the timetable for the transition to civilian rule, repeatedly announced by the Nigerian Government has not been adhered to. The

Community and its Member States, stressing the need for an early return to civilian rule, trust that the new timing will be respected.

92/429. Statement on the *coup* attempt in Venezuela

Date of issue: 30 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The European Community and its Member States condemned the *coup* attempt launched against the democratically-elected Government of Venezuela on 27 November 1992. They expressed concern at reports of continued fighting. The European Community and its Member States firmly support the maintenance of democratic institutions in Venezuela.

92/430. Statement on South Africa

Date of issue: 30 November 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States are encouraged by the intensified efforts of the parties in South Africa to give renewed momentum to negotiations designed to secure South Africa's peaceful transition. They hope that all parties will continue to play full part in the endeavours to resume multi-party constitutional talks at the earliest opportunity.

The Community and its Member States also hope that the National Peace Committee will be given every support in its efforts to promote dialogue amongst the parties on the urgent need for effective action to curb violence in South Africa.

92/431. Question No 2095/92 by Mr Kostopoulos (NI) on the maltreatment of people in Guatemala

Date of issue: 1 December 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Answer to written question in the European Parliament (from 1 September 1992)

The number of acts of violence perpetrated on children in Guatemala in the form of beatings, torture, abductions and extrajudicial executions is increasing. They are carried out by the security forces, particularly the police, sometimes with political backing, though at other times private security agents are involved. In view of this and the fact that there are currently 62 cases pending before the Guatemalan courts with more than 50 police officers facing charges and whereas in only a few isolated cases the investigations result in the culprits being tried, will European political cooperation ask the Guatemalan authorities to carry out investigations and bring the perpetrators of these crimes to justice?

Answer:

As the honourable Member will be aware, the Community and its Member States remain concerned by the human rights situation in Guatemala and in particular the plight of street children.

They have encouraged the Government of Guatemala to give high priority to the implementation of measures and policies designed to strengthen democratic institutions and achieve full respect for human rights. Practical assistance has been provided.

92/432. Question No 2096/92 by Mr Kostopoulos (NI) on the hunger strike by Turkish and Kurdish political refugees imprisoned in Greece

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

Seven Turkish and Kurdish political refugees being held in solitary confinement in Koridallos prison in Greece have been on hunger strike for three weeks. They are protesting at the unsubstantiated, serious charges levelled against them by the authorities, the unacceptable conditions in which they are being held and the threat of extradition to Turkey. Will the Ministers meeting in EPC ask the Greek Government to release these seven political refugees and grant them political asylum given that they are being persecuted by the Turkish authorities for their political activities?

Answer:

The question raised by the honourable parliamentarian does not fall within the competence of the European political cooperation.

92/433. Question No 2097/92 by Mr Kostopoulos (NI) on the situation in the Seychelles

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

The Seychelles has been governed by a dictatorship for the past 14 years. The last elected president, Sir James Mancham, intends to return to his country. Will the Ministers meeting in EPC exert pressure on the dictator Albert René to hold free, multi-party elections in the near future?

Answer:

The Community and its Member States are following developments closely in the Seychelles where a democratization process appears to be making headway. Constitutional commission elections have been held and will be followed by a referendum and then a general election. The Community and its Member States will continue to encourage this trend through their contacts with the authorities of the country.

92/434. Question No 2098/92 by Mr Kostopoulos (NI) on the progress of constitutional talks in South Africa

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

The prospect of peace and democracy in South Africa is once more in jeopardy following the recent Boipatong massacre and the failure of the subsequent visit to that area by President Frederick de Klerk. The leader of the African National Congress, Nelson Mandela, has broken off talks on the constitutional future of the country as a sign of protest against those responsible for the massacre. Will the Ministers meeting in EPC call for an investigation to be conducted by an independent commission to establish the causes of the massacre and determine who was responsible? Will they also call for the constitutional talks between representatives of both sides to be resumed?

Answer:

On 23 June 1992,¹ the Community and its Member States expressed their shock at recent appalling incidents of violence, particularly in Boipatong. They called on all parties concerned fully to respect their commitments under the National Peace Accord. They also urged the South African Government to investigate these incidents rapidly and thoroughly, so that those responsible are punished, and noted its commitment to do so. They also called upon the leaders of all parties concerned in South Africa to persevere with determination in the peaceful path to a non-racial democracy, representative of all South Africans, initiated in the framework of Codesa.

The Lisbon European Council² expressed its deep concern over violence. It noted that the South African Government had stated its readiness to allow foreign observers to participate in the investigation into the Boipatong massacre, and stressed the absolute need to ensure effective control of the police and security forces. The Council called on all parties to resume negotiations in the framework of Codesa, considering it vital that South Africa should not lose the substantial progress already made in that forum.

A troika of Foreign Ministers and the Vice-President of the Commission visited South Africa from 2 to 3 September. Agreement was reached on the development of EC observers to be coordinated with those of the UN and other organizations and in association with the Peace Accord, in accordance with SCR 772. The troika also made clear the willingness of the Community and its Member States to second experts to the independent task forces to be established by the Goldstone Commission and help in the field of police training as soon as all the parties in South Africa agreed that the time was right.

The Community and its Member States strongly condemned the killing and wounding of numerous ANC supporters in Ciskei on 7 September and other recent violent incidents, including the deaths of ten people in Natal on 4 September.³ They called on all parties to agree to the extension of the National Peace Accord to cover the so-called 'independent' homelands, and the South African Government to exercise firm control over the security forces throughout South Africa.

The Community and its Member States welcome the re-opening of dialogue between President de Klerk and Mr Mandela and hope that this signifies real and constructive progress and the road to peace and stability for South Africa. The Community and its Member States look forward to an early resumption of constitutional negotiations and hope that all parties in South Africa will play an active part in this.

¹ *EPC Bulletin*, Doc. 92/248.

² *EPC Bulletin*, Doc. 92/253.

³ *EPC Bulletin*, Doc. 92/312.

92/435. Question No 2099/92 by Mr Kostopoulos (NI) on Muslim fanatics in Egypt

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

For the third time in the last few months, Islamic fundamentalists have attacked Coptic Christians in Egypt, killing six and wounding eight. The last attack began after the Friday prayers: around 200 Muslims came out of the mosque in the village of Samalut and began to destroy houses and shops belonging to Christians. The Egyptian police intervened immediately, firing shots and killing the leader and deputy leader of the Islamic fundamentalists in the region. The fundamentalists renewed their attacks the following day, killing two more Coptic Christians and two policemen and wounding a number of other people, while engaging in further looting of houses and shops. A few weeks ago the Egyptian writer, Farag Foda, was murdered in Cairo by Islamic fundamentalists. Given that there are around six million Coptic Christians in Egypt out of a total population of 58 million and that they are therefore easy targets for attacks, will the Ministers meeting in EPC urge the Egyptian authorities to take effective action against the Muslim fanatics whose attacks are directed against Christians and moderates?

Answer:

The Community and its Member States have raised the issue of violence against religious minorities in Egypt with the Egyptian authorities. The Community and its Member States recognize the efforts which the Egyptian authorities have made to maintain the rule of law throughout the country. The Egyptian authorities are well aware of the importance the Community and its Member States attach to the rule of law and to strict respect for the undertakings to which Egypt has subscribed by her adherence to international conventions.

92/436. Question No 2122/92 by Mr Fernández-Albor (PPE) on the annual meeting of the Heads of State of Community countries

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

In March 1991 I submitted the following question (Written Question No 1230/91) to the Ministers meeting in Political Cooperation:

Meetings of the European Council have accustomed public opinion in the Community to the 'family portrait' of the Heads of State or Government, who meet three times a year and whose summits determine the main Community issues.

However, a large sector of public opinion in the Community often wonders why all of the Heads of State of the Community countries do not also meet on some occasions, in what would come to be a truly representative summit.

Do the Ministers thus consider that, in certain circumstances, meetings of the Heads of State of the Community countries should be organized, in order to authenticate their status as national representatives?

Since I have not yet received any reply to his question, could you inform me, in a written reply, of the reason for this considerable delay and could you give me a reply on the substance of the question?

Answer:

I would refer the honourable Member to the reply given to this Written Question No 1230/91¹ in June 1992.

¹ *EPC Bulletin*, Doc. 92/284.

92/437. Question No 2131/92 by Ms Oddy (S) on the execution of Bahman Samandari in Iran

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

In EPC aware that the above-named person was executed on 18 March 1992, that no advance information about the information was given in advance, that no subsequent announcement was made and no official charge or verdict was announced?

What steps will the Foreign Ministers take to express condemnation of this violation of human rights?

Answer:

I would refer the honourable Member to the replies given in response to oral question No H-544/92¹ and to Written Question No 1852/92² on this same subject.

¹ *EPC Bulletin*, Doc. 92/218.

² *EPC Bulletin*, Doc. 92/373.

92/438. Question No 2243/92 by Mr Ribeiro (CG) on arrest and torture in Spain – Catalonia

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

Recent reports in the Spanish press have raised serious concern with regard to the respect of human rights.

The arrest in Catalonia of about 30 people, seven of whom were subsequently released on bail and five unconditionally has unleashed a storm of protest across the political spectrum. It appears that the arrests were 'not, strictly speaking, legally justified but were politically motivated', that 'the principle of medical secrecy was infringed', newspaper editorial offices were raided without

any authorization or warrant, 'requests for legal assistance were denied' and 'people were arrested simply for their separatist views, to which they were perfectly entitled' (The President of the Catalan Autonomous Government). Moreover, during their detention the prisoners were tortured, as testified by Dr Oriol Marti in a press conference, where he said that 'Torture is practised in Spain and it is necessary to say so out loud'. Dr Marti, a member of the PCC leadership, was one of the five prisoners released unconditionally having been subjected to prolonged and brutal interrogation.

In view of the human rights issues involved, has the EPC adopted a position or does it intend to do so?

Answer:

As this subject does not fall within the competence of EPC, the answer to both questions is no.

92/439. Question No 2273/92 by Mr Langer on refugees from former Yugoslavia

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

The wave of refugees from the war areas of former Yugoslavia is increasing every day. In Rijeka and the surrounding area alone there are some 45.000 people waiting in degrading conditions for the end of the war. There is a lack of food and medical care, and living conditions are very unhygienic and very poor. Added to this there is a further worrying factor: young girls are continually being abducted from the camps by the militia against their will without any explanation and many of them have disappeared.

What resources is the Community at present making available to Croatia for the reception of refugees?

Is there any monitoring of the treatment of the refugees in these camps?

Will the Community simplify procedures for taking in refugees in the Member States and increase the quotas in order *inter alia* to relieve the pressure on those countries that are no longer able or willing to take in refugees and offer them decent living conditions?

Answer:

The honourable Member is referred to the reply given in response to Oral Question H-852/92¹ on the same subject.

¹ *EPC Bulletin*, Doc. 92/334.

92/440. Question No 2392/92 by Mr Kostopoulos (NI) on measures taken by the Twelve to implement the Lisbon decision on the non-recognition of Skopje under the name of Macedonia

Date of issue: 1 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 October 1992)

At the Lisbon Summit the Twelve decided not to recognize Skopje under the name of Macedonia. Will the Foreign Ministers meeting in EPC say:

1. What they have done to implement the above decision?
2. How they have reacted to the decision by President Yeltsin to recognize Skopje under the name of 'Macedonia', given that Russia is receiving vast amounts of aid from the Community, and also to the provocative statements made by Turkey on the recognition of the Republic of Skopje?
3. How do the 'Twelve' intend to react to the provocative stance taken by the United Kingdom, which currently occupies the presidency of the Community, and which, while adopting the Lisbon decision, has nevertheless allowed officials from Skopje travelling on passports bearing the name of Macedonia to enter the UK to attend the international conference?
4. Finally, how do the Twelve – including the United Kingdom – intend to implement the Lisbon decision following the economic and political concessions made by Greece to the Community so that Skopje should not be recognized under the name of Macedonia? This is important because the Greek people have the impression that this decision was merely a charade to calm Greek public opinion;
5. What measures do the Twelve intend to take if Skopje is recognized by third countries under the name of Macedonia?

Answer:

The honourable Member is referred to the replies given in response to Oral Question H-698/92¹ and H-867/92² on the same subject.

¹ *EPC Bulletin*, Doc. 92/267.

² *EPC Bulletin*, Doc. 92/335.

92/441. Statement on the detention of UNTAC Officers in Cambodia

Date of issue: 2 December 1992
 Place of issue: Brussels, London
 Country of Presidency: United Kingdom
 Status of document: Press statement

The Community and its Member States strongly condemn this latest attempt by the Khmer Rouge to undermine UNTAC's work in Cambodia. They call for the immediate release of the six UN military personnel currently being held by the Khmer Rouge in the Kompong Thom area, and an immediate end to such activities. They further call on the Khmer Rouge to honour fully its obligations under the Paris Agreements.

92/442. Statement on Zaire

Date of issue: 4 December 1992
 Place of issue: Brussels, London
 Country of Presidency: United Kingdom
 Status of document: Press statement

The Community and its Member States have noted with grave disquiet the presidential decrees communicated on 1 December concerning the unilateral dismissal of the transitional government.

The Community and its Member States reiterate their support for the Prime Minister elected by the Sovereign National Conference and the government which emerged from the Sovereign Na-

tional Conference. The Community and its Member States attach the utmost importance to the completion of the democratic process centred on the Sovereign National Conference. They condemn any initiative or act of violence which in any way impedes the non-conflictual development of this process.

92/443. Statement on Somalia

Date of issue: 7 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The humanitarian crisis in Somalia continues to cause the gravest concern. The increasing looting of aid supplies and obstruction to their distribution cannot be accepted.

The Community and its Member States fully support the adoption on 3 December of UN 794, which constitutes an important development in international law, since it authorizes the UN Secretary-General and Member States to cooperate to provide for a multinational force to establish a secure environment for the delivery of emergency and relief supplies. They welcome the humanitarian efforts made by the Community and its Member States and the contributions of a number of Member States to the force as a European initiative. The swift deployment of the force is vital to the success of the efforts of NGOs and international agencies to bring food to the starving in conditions of security. They attach particular importance to ensuring the safety of the personnel involved in the relief effort.

The Community and its Member States reaffirm their full support for existing UN operations and the efforts by Ambassador Kittani. They hope that the implementation of UN 794 will encourage national reconciliation that will lead to a lasting political settlement.

92/444. Question No 1126/92 by Mr Arbeloa Muru (S) on the arrest of bishops in Malawi

Date of issue: 7 December 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Answer to written question in the European Parliament (from 11 May 1992)

What is the assessment of the Ministers meeting in Political Cooperation of the grave human rights situation in Malawi and the arrest of eight Catholic bishops for signing a pastoral letter expressing a peaceful protest against this state of affairs?

Answer:

The Community and its Member States remain concerned over Malawi's record on human rights and political freedom. This concern was reflected in the decision taken together with other bilateral aid donors at the Consultative Group meeting in May to restrict all non-humanitarian aid to Malawi. They note the recent steps taken by Malawi to address these concerns, including the decision to allow the ICRC to visit Malawian prisons. Although the amendment of the Preservation of Public Security Act may bring an end to the practice of detention without trial, the Community and its Member States believe that recent events have shown that much progress is still required.

The Community and its Member States will continue to make their views known to the authorities of Malawi as they did in the case of the intimidation of Catholic bishops after which they re-

ceived assurances that the bishops would be in no danger and free to move about and to conduct Church services.

92/445. Question No 1441/92 by Ms Goedmakers (S) on the violation of human rights at the Tcholliré camp in Cameroon

Date of issue: 7 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 16 June 1992)

On 9 April 1992 Amnesty International reported that, since December 1991, 70 prisoners at the Tcholliré prison camp had died of probably deliberate malnutrition and medical neglect. Quote: 'Each cell (with approximately 10 inmates) is provided with totally inadequate quantities of drinking water in a bucket which the occupants must also use as a toilet'. Most of the victims had been condemned to death; some had appealed.

Under Cameroon legislation, an inquiry must be held if a prisoner who is being held in solitary confinement dies; apparently, no such inquiry has so far been instituted.

Previously, too – in May 1989 and September 1991 – Amnesty International had expressed its concern about the poor treatment of prisoners in Cameroon and the number of deaths in its prisons.

1. Is EPC aware of this report?
2. Has it been able to determine the reliability of Amnesty International's report of 9 April 1992?
3. If the reports are true, what steps is it considering with a view to helping to improve the situation of prisoners in Cameroon?

Answer:

The Community and its Member States have taken note of the reports of Amnesty International of 9 April and August as well as on the research carried out by the National Commission for Human Rights and Freedoms in May 1992 concerning the harsh conditions at the Tcholliré prison camp in Cameroon, where some prisoners have died in the past.

They share the concern expressed by the Honourable Member about violations of human rights in Cameroon. The Community and its Member States will continue to monitor developments in this respect closely.

92/446. Question No 1960/92 by Mr Dessylas (CG) on the hunger strike of seven Turkish and Kurdish political refugees in Greece

Date of issue: 7 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

Seven Turkish and Kurdish political refugees who are being held in solitary confinement in Korydallou prison in Greece have now been on hunger strike for 17 days in protest at the unfounded and serious charges brought against them, the unacceptable conditions of detention and the threat to expel them to Turkey (seriously endangering their lives), despite the fact that they have requested political asylum from the Greek authorities.

Four of these (Tamer Erkots, Kosar Hasah, Kayer Eroglou and Uilmaz Ogoozan) are members of the left-wing organization Dev Sol. They have been in custody since 16 January 1992 without

any evidence being brought against them, purely and solely because the police authorities claim to have found the fingerprints of T. Erkots on a Molotov cocktail! They are asking for an end to solitary confinement, their immediate release and their trial to begin immediately.

The remaining three (Sayho Karznan and Sultan Taslioglou, members of the organization THKP-C Adzitziler, and Fariyk Kizilaslan, member of the 16 July organization) are wanted by the Turkish authorities on account of their political activities. There is a serious danger they will be expelled to Turkey, despite the fact that they have asked for political asylum from the Greek authorities.

Will European political cooperation (EPC) say what representations they intend to make to the Greek authorities concerning the above violations of international conventions and human rights, so as to ensure the immediate release and granting of political asylum to the seven Turkish and Kurdish political refugees on hunger strike?

Answer:

The question raised by the honourable Member does not fall within the competence of the European political cooperation.

92/447. Question No 2033/92 by Mr Schmid (S) on the involvement of European Community representatives in deportations in Croatia

Date of issue: 7 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

On 14 October 1991 the representative of the military command of the Yugoslav people's army, Dragoljub Arandjelovic, meeting in Sid with delegates from the villages of Ilok, Sarengrad and Bapska, represented by the major of Ilok, Mr Mrsic Ivan, and the Ilok police chief, Mr Brletic Mate, reached an agreement on the resettlement of the non-Serbian residents of these localities. It is claimed that the agreement was reached on the basis of what appears to be a highly questionable referendum.

1. Is EPC aware of this incident?
2. Is EPC also aware that this agreement was reached in the presence of EC observers Hugh Cunningham and Petr Kypr?
3. Were the EC observers responsible for monitoring the agreement? If so, does EPC consider that the creation of 'ethnically pure' (Serbian) localities in Croatia could in any way help to resolve the conflict? If not, would it be true to say that the EC observers have arbitrarily exceeded their terms of reference?

Answer:

On many occasions the House has been informed of the very clear, firm and unequivocal position the Community and its Member States adopt with regard to the rights and treatment of national or ethnic groups, in the former Yugoslavia and elsewhere. The 'Statement of Principles' endorsed by all participants at the London Conference on Yugoslavia, in particular paras IV, V and VI, reaffirms the importance the Community and its Member States attach to a universally supported commitment to respect for individual rights and fundamental freedoms and against practices like 'ethnic cleansing'.

With respect to the specific incident referred to, the individual monitors concerned have long since left the ECMM, but it would appear from the records that EC monitors attended a number of

meetings in the period 8 to 17 October 1991 with representatives on the JNA and with the local people of Ilok. The monitors reported the very critical situation in the area which, at that time, was totally surrounded by JNA forces. ECMM monitors were also present on 17 October at the evacuation of 3.368 people from Ilok to western parts of Croatia. But the ECMM has no record of any agreement under which these people left, nor of monitors attending the meeting on 14 October at which such an agreement is said to have been reached.

Several missions sponsored by the UN and CSCE have been or are about to go to the former Yugoslavia to assess and report on various aspects of human rights violations. The Co-Chairmen of the Steering Committee, of the International Conference on the former Yugoslavia, Lord Owen and Cyrus Vance, recently visited Banja Luka to check first hand allegations of 'ethnic cleansing'.

92/448. Statement on Iraq

Date of issue: 9 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

On 7 December, the Foreign Affairs Council approved a Council Regulation prohibiting the satisfying of Iraqi claims with regard to contracts and transactions whose performance was affected by United Nations Security Council Resolution 661 (1990) and related resolutions.

The Community and its Member States note with concern Iraq's persistent failure to comply with its obligations under SCR 687 and other relevant resolutions of the UN Security Council. The Community and its Member States underline the importance of paragraph 29 of SCR 687 and agree that Iraq must comply in full with the provisions of operative paragraph 29 of SCR 687, whether by legislation, renouncing claims, returning bonds cancelled to their originators or otherwise releasing parties to contracts and transactions from obligations under them. The Community and its Member States consider that, in deciding whether to reduce or lift measures taken against Iraq, pursuant to paragraph 21 of SCR 687, particular account must be taken of any failure by Iraq to comply with paragraph 29 of the same resolution. Iraq should not expect such measures to be reduced or lifted in the absence of full compliance with paragraph 29.

92/449. Conclusions of the European Council meeting in Edinburgh, held on 11 and 12 December 1992 [extracts only]

Date of issue: 11/12 December 1992
Place of issue: Edinburgh
Country of Presidency: United Kingdom
Status of document: Conclusions of the European Council

Part A

Introduction

The European Council met in Edinburgh on 11 and 12 December 1992 to discuss the central problems on the Community's agenda. The meeting was preceded by an exchange of views between the members of the European Council and the President of the European Parliament on the various issues of the agenda.

The European Council agreed on solutions to a very wide range of issues which are essential to progress in Europe. This paves the way for a return to confidence by its citizens in European construction, which will contribute to the recovery of the European economy.

In particular the European Council reached agreement on the following major issues:

- the problems raised by Denmark in the light of the outcome of the Danish referendum on 2 June 1992 on the Maastricht Treaty;
- guide-lines to implement the subsidiarity principle and measures to increase transparency and openness in the decision-making process of the Community;
- the financing of Community action and policies during the rest of this decade;
- the launching of enlargement negotiations with a number of EFTA countries;
- the establishment of a plan of action by the Member States and the Community to promote growth and to combat unemployment.

Treaty on European Union – state of the ratification process

The members of the European Council reaffirmed their commitment to the Treaty on European Union. Ratification is necessary to make progress towards European Union and for the Community to remain an anchor of stability in a rapidly changing continent, building on its success over the last four decades.

Having reviewed the state of the ratification process the European Council agreed to the texts set out in Part B of these conclusions concerning the issues raised by Denmark in its memorandum 'Denmark in Europe' of 30 October 1992. This will create the basis for the Community to develop together, on the basis of the Maastricht Treaty, while respecting, as the Treaty does, the identity and diversity of Member States.

Subsidiarity

On the basis of a report from the Foreign Ministers the European Council agreed the overall approach, set out in Annex 1, to the application of the subsidiarity principle and the new Article 3b. The European Council invited the Council to seek an inter-institutional agreement between the European Parliament, the Council and the Commission on the effective application of Article 3b by all institutions. The European Council discussed this aspect with the President of the European Parliament. It welcomed the ideas in the draft of an inter-institutional agreement presented by the European Parliament.

The European Council received a report from the President of the Commission on the first fruits of the Commission's review of existing and proposed legislation in the light of the subsidiarity principle. These examples are set out in Annex 2. The European Council noted the Commission's intention to withdraw or amend certain proposals and to make proposals for the amendment of items of existing legislation. It looks forward to the final report on the review of existing legislation, which the Commission will prepare for the European Council in December 1993.

Openness and transparency

The European Council reaffirmed its commitment at Birmingham to a more open Community and adopted the specific measures set out in Annex 3.

The conclusion with regard to access to the work of the Council will be reviewed at the end of 1994.

The European Council welcomed the measures the Commission has recently decided to take in the field of transparency. These include producing the annual work programme in October to allow for wider debate including in national parliaments; seeking closer consultation with the Council on the annual legislative programme; wider consultation before making proposals, including the use of Green Papers; making Commission documents public in all Community languages; and attaching higher priority to consolidation and codification of legal texts.

The European Council reconfirmed its invitation at Birmingham for the Commission to complete by early next year its work resulting from the declaration in the Maastricht Treaty on improving access to the information available to it and to other Community institutions.

Access of new Member States to the Union

The European Council in Lisbon agreed that official negotiations with EFTA countries seeking membership of the Union will be opened immediately after the Treaty on European Union is ratified and agreement has been achieved on the Delors II package.

Given the agreement reached on future financing and prospects for early ratification of the Treaty on European Union by all Member States, the European Council agreed that enlargement negotiations will start with Austria, Sweden and Finland at the beginning of 1993. These negotiations will be based on the general negotiation framework of which the General Affairs Council took note on 7 December. They will be transformed into negotiations under Article O of the Treaty on European Union once it enters into force, and can only be concluded once the Treaty on European Union has been ratified by all Member States. The conditions of admission will be based on the acceptance in full of the Treaty on European Union and the *acquis communautaire*, subject to possible transitional measures to be agreed in the negotiations. The European Council invited the Council of Ministers to take decisions on the opening of negotiations on the same basis with Norway as soon as the Commission's opinion on its application is available. Negotiations will to the extent possible be conducted in parallel.

It invited the Commission, in preparing its opinion on the Swiss application, to take into account the views of the Swiss authorities following the 6 December referendum on the EEA agreement. It welcomes the contacts now under way with the EFTA countries to identify the next steps in proceeding with the agreement.

GATT

The European Council welcomed the resumption of negotiations in Geneva on the GATT Uruguay Round. It reaffirmed its commitment at Birmingham to an early, comprehensive and balanced agreement and called on all the parties to complete the negotiations accordingly. It noted that the final package must be judged as a whole.

[...]

Free movement of persons

The European Council has had to take note of the fact that free movement of persons within the Community, in accordance with Article 8a of the Treaty of Rome, cannot be completely assured on 1 January 1993.

The work necessary to achieve this result without creating dangers for public security and compromising the fight against illegal immigration, although having progressed, is still under way. Further progress is needed in particular to complete the ratification process of the Dublin Asylum Convention, to conclude the External Frontiers Convention and to complete negotiations on a Convention on the European Information System.

However, noticeable changes benefiting travellers will occur during the course of next year: thus, the member States of Schengen will put into effect this agreement during 1993, as soon as the preconditions for its implementation are fulfilled; in this group of states, the abolition of controls will be effective from that date at internal land, maritime and air frontiers; other Member States have made known their intention to take various measures to lighten controls at borders on nationals of Member States of the Community.

Reaffirming its commitment to the full and rapid implementation of Article 8a, the European Council has invited the competent ministers to accelerate their work and has decided to come back to this issue at the next meeting of the European Council on the basis of a report from the ministers.

Justice and home affairs

The European Council noted the work of the coordinators group on the implementation of the justice and home affairs pillar of the Treaty on European Union. It requested the group to ensure that detailed plans are taken forward for the development of communication systems and other preparation.

The European Council welcomed the progress made by the ministers with responsibility for immigration under the work programme on immigration and asylum, and in particular the agreement in principle at their London meeting of resolutions on manifestly unfounded asylum applications, and on host third countries.

The European Council noted with approval the report of Celad on its past work, and its report on the coordination of drugs issues and its future role.

The European Council noted the report of the Trevi Ministers and looked forward to the early establishment of the Europol Drugs Unit.

Migration

Deeply concerned by the intensification of episodes of intolerance, which it has strongly condemned, the European Council has underlined that there must be no room for racism and xenophobia in today's Europe, and has reiterated its determination to oppose such attitudes with renewed vigour.

The European Council stressed the importance of protecting all immigrants from racist attacks and implementing fully their policies for integrating legal immigrants. It expressed its deep concern at acts of aggression against foreign immigrants.

[...]

Size of the European Parliament

The European Council agreed – based on the proposal of the European Parliament – on the following numbers of members of the European Parliament, from 1994, to reflect German unification and in the perspective of enlargement:

Belgium	25
Denmark	16
Germany	99
Greece	25
Spain	64
France	87
Ireland	15
Italy	87
Luxembourg	6
Netherlands	31
Portugal	25
United Kingdom	87
Total	567

The necessary legal texts will be prepared for adoption in due course.

Seats of the institutions

On the occasion of the European Council Member States reached agreement on the seats of the European Parliament, the Council, the Commission, the Court of Justice and the Court of First Instance, the Economic and Social Committee, the Court of Auditors, and the European Investment Bank.

[...]

The European Council, meeting at Edinburgh, discussed the question of migratory pressures.

It noted with satisfaction that profound political changes now permit greater ease of travel and contacts throughout Europe.

It reaffirmed its intention to ensure that the Community and its Member States remain open to the outside world, not only through personal and cultural exchanges, but also through their commitment to a liberal trading system, by playing their full part in assisting the developing world, and by establishing a framework of political and economic relations with third countries and groups of third countries. In this, the European Council reaffirms the principles of its declaration at Rhodes in December 1988.¹

The Member States of the European Communities reaffirmed their commitment to honour in full their obligations under the 1950 European Human Rights Convention, the 1951 Geneva Convention on the status of refugees and the 1967 New York Protocol.

It was conscious of the particular pressures caused by the large movements of people fleeing from the conflict in the former Yugoslavia particularly given the harsh winter conditions.

It noted the pressures on Member States resulting from migratory movements, this being an issue of major concern for Member States, and one which is likely to continue into the next decade.

It recognized the danger that uncontrolled immigration could be destabilizing and that it should not make more difficult the integration of third country nationals who have legally taken up residence in the Member States.

It stressed the need to reinforce the fight against racism and xenophobia in line with the joint declaration adopted by the European Parliament, the Council and the Representatives of the Member States, meeting within the Council, and the Commission on 11 June 1986 and with the declaration on racism and xenophobia adopted by the European Council in Maastricht.²

It was convinced that a number of different factors were important for the reduction of migratory movements into the Member States: the preservation of peace and the termination of armed conflicts; full respect for human rights; the creation of democratic societies and adequate social conditions; a liberal trade policy, which should improve economic conditions in the countries of emigration. Coordination of action in the fields of foreign policy, economic cooperation and immigration and asylum policy by the Community and its Member States could also contribute substantially to addressing the question of migratory movements. The Treaty on European Union, notably its Titles V and VI, once in force, will provide an adequate framework for this coordinated action.

It took note of the declaration adopted on the occasion of the Development Council on 18 November 1992 on aspects of development cooperation policy in the run-up to 2.000, including the recognition of the role which effective use of aid can make in reducing longer term migratory pressures through the encouragement of sustainable social and economic development.

It noted that, in line with the views of the United Nations High Commissioner for Refugees, displaced people should be encouraged to stay in the nearest safe areas to their homes, and that aid

and assistance should be directed towards giving them the confidence and the means to do so, without prejudice to their temporary admission also in the territory of Member States in cases of particular need.

It welcomed the progress made by ministers with responsibility for immigration matters under the work programme endorsed at the Maastricht European Council, and in particular the adoption of recommendations on expulsion, resolutions on manifestly unfounded applications for asylum and on host third countries and conclusions on countries in which there is generally no serious risk of persecution.³

It also welcomed the work on East-West migration of the Berlin and Vienna groups, and encouraged the Berlin group to prepare a draft resolution for agreement by ministers.

It resolved to take forward those more general migration-related issues set out in the Maastricht work programme that go wider than the direct responsibilities of the ministers with responsibility for Immigration matters.

It recognized the importance of analysing the causes of immigration pressure, and analysing ways of removing the causes of migratory movements.

It agreed that the approach of the Community and its Member States, within their respective spheres of competence, should be guided and informed by the following set of principles:

- they will continue to work for the preservation and restoration of peace, the full respect for human rights and the rule of law, so diminishing migratory pressures that result from war and oppressive and discriminatory government;
- displaced people should be encouraged to stay in the nearest safe area to their homes, and aid and assistance should be directed towards giving them the confidence and the means to do so without prejudice to their temporary admission also in the territory of Member States in cases of particular need;
- they will further encourage liberal trade and economic cooperation with countries of emigration, thereby promoting economic development and increasing prosperity in those countries, and so reducing economic motives for migration;
- to the same end, they will ensure the appropriate volume of development aid is effectively used to encourage sustainable social and economic development, in particular to contribute to job creation and the alleviation of poverty in the countries of origin, so further contributing in the longer term to a reduction of migration pressure;
- they will reinforce their common endeavours to combat illegal immigration;
- where appropriate, they will work for bilateral or multilateral agreements with countries of origin or transit to ensure that illegal immigrants can be returned to their home countries, thus extending cooperation in this field to other states on the basis of good neighbourly relations;
- in their relations with third countries, they will take into account those countries' practice in readmitting their own nationals when expelled from the territories of the Member States;
- they will increase their cooperation in response to the particular challenge of persons fleeing from armed conflict and persecution in former Yugoslavia; they declare their intention to alleviate their plight by actions supported by the Community and its Member States directed at supplying accommodation and subsistence, including in principle the temporary admission of persons in particular need in accordance with national possibilities and in the context of a coordinated action by all the Member States; they reaffirm their belief that the burden of financing relief activities should be shared more equitably by the international community.

The European Council urges those Member States who have not already done so to ratify the Dublin Asylum Convention as part of their coordinated action in the field of asylum; it will then be possible to extend such arrangements under a convention parallel to the Dublin Convention, giving priority to neighbouring European countries where these arrangements could be mutually beneficial. The European Council calls for the necessary action to be taken so that the External Frontiers Convention can come into effect at an early date.

[...]

Former Yugoslav Republic of Macedonia

The European Council examined its policy on recognition of the former Yugoslav Republic of Macedonia in the context of the Lisbon declaration⁴ and in the light of the report by the Presidency's Special Representative. It invites Foreign Ministers to remain seized of this question.

The European Council welcomes United Nations Security Council Resolution 795 authorizing the United Nations Secretary-General to establish an UNPROFOR presence in the Republic.

The European Council recalls its declaration at Birmingham on the need to prevent this Republic from bearing the unintended consequences of UN sanctions.⁵ In this context the European Council underlines the importance of providing access to funding from the international financial institutions and of the regular and properly monitored supply of oil.

The European Council agrees that in addition the Community should make available to the former Yugoslav Republic of Macedonia a substantial package of economic assistance. It welcomed the intention of the Commission to earmark MECU 50 of humanitarian and technical assistance to the former Yugoslav Republic of Macedonia. Member States also agree to provide a matching amount from their own resources.

Turkey, Cyprus and Malta

The European Council welcomed the positive results of the Association Councils held this year with Malta and Turkey, and looked forward to the forthcoming Association Council with Cyprus. It invited the Council to continue developing appropriate and specific links with these countries along the lines set out in Lisbon.

Central and Eastern Europe

The European Council welcomed the Commission's report *Towards a new association with the countries of Central and Eastern Europe*. It saw this as a positive response to the commitment of the Lisbon European Council to develop the Community's partnership with these countries within the framework of the Europe agreements and to the proposals in a memorandum from the Visegrad countries.

The European Council regards the Europe agreements as the means by which the Community intends to support and encourage political stability and economic growth in Central and Eastern Europe. It believes that they must be implemented speedily and in full in order to strengthen the associate countries' links with the Community. It welcomed the intensified political dialogue which has been established with the Visegrad countries at ministerial and Head of Government level, and called for this to be further extended.

The European Council called on the Council of Ministers to give early consideration to the Commission's recommendations and to promote a wide-ranging debate, involving interested parties in the Community and in these countries. The European Council at its meeting in Copenhagen will reach decisions on the various components of the Commission's report in order to prepare the associate countries for accession to the Union.

The European Council welcomes the start of negotiations with Russia on a partnership and co-operation agreement, and looks forward to swift progress in negotiations with the other states. These agreements will help the development of democracy and respect for human rights in all states of the former Soviet Union. The European Council recalls that the EC's ECU 1.25 billion humanitarian loan to the States of the former Soviet Union is being used to purchase food and medical products, and expects that this will be sufficient to meet needs given the improved harvest in 1992.

The European Council hopes that it will be possible to reach early agreement on a realistic and generous rescheduling of the external debt of the former Soviet Union within the framework of the Paris Club. The European Council also looks forward to early agreement between Russia and the IMF which would allow access to substantial resources from the IFIs and other sources.

Nuclear safety in Central and Eastern Europe and the former Soviet Union

The European Council welcomes the conclusions of the Council of Ministers on 7 December on nuclear safety in Central and Eastern Europe and the former Soviet Union. The Community will coordinate its efforts with other donors, and give the highest priority to implementing the measures identified by the Munich Economic Summit and adopted by the G24.

The Phare Programme

The European Council welcomes the more flexible operating guide-lines agreed for the Phare programme of technical assistance, and the Commission's intention to extend its cooperation with the European Bank for Reconstruction and Development.

European Energy Charter

The European Council reiterates its support for an early and successful outcome to the negotiations on the Basic Agreement of the European Energy Charter.

Iran

Given Iran's importance in the region, the European Council reaffirms its belief that a dialogue should be maintained with the Iranian Government. This should be a critical dialogue – which reflects concern about Iranian behaviour and calls for improvement in a number of areas, particularly human rights, the death sentence pronounced by a Fatwa of Ayatollah Khomeini against the author Salman Rushdie, which is contrary to international law, and terrorism. Improvement in these areas will be important in determining the extent to which closer relations and confidence can be developed.

The European Council accepts the right of countries to acquire the means to defend themselves, but is concerned that Iran's arms procurement should not pose a threat to regional stability.

In view of the fundamental importance of the Middle East peace process, the European Council also expresses the wish that Iran will take a constructive approach here.

Africa

The European Council confirms its commitment to improve conditions of life in Africa. During the last six months the Community and its Member States have provided substantial food, medical and other humanitarian assistance to help overcome the disasters of drought and famine. In those countries most affected, they have provided up to half of the total aid.

The Community and its Member States have also been closely involved in efforts to end conflicts. Individually and jointly, they have supported United Nations activities to end the civil war in Liberia and have made significant political efforts to encourage the implementation of the peace agreements in Angola and Mozambique. In Angola the European Council urges both sides, particularly UNITA, to abide by the peace agreement, respect the cease-fire, proceed with demobilization and with the formation of the new unified armed forces. It calls upon UNITA to accept unequivocally the results of the 29-30 September elections and encourages the government to continue the democratic process with a view to the reconciliation of the people of Angola.

The Community and its Member States fully support UNSCR 794 authorizing UN member States to use all necessary means to provide a secure environment for humanitarian relief operations in Somalia. The European Council welcomes the humanitarian efforts of the Community and its Member States and the contributions of a number of Member States to the UN force. It hopes that the implementation of UNSCR 794 will encourage national reconciliation and promote a lasting political settlement. It attaches particular importance to ensuring the safety of the personnel involved in the relief effort.

In South Africa the European Council notes that the prospects for a resumption of negotiations have improved. It urges the parties to proceed soon to a transitional government and fully democratic elections. The Community and its Member States hope that the presence of EC observers and the provision of development aid will help to put an end to all types of violence and assist a peaceful transition.

The European Council notes with concern reports from Kinshasa that President Mobutu has dismissed the Government and suspended the implementation of the democratic reforms decided by the National Sovereign Conference of Zaire. The European Council reaffirms the importance it attaches to the democratic process in Zaire, condemns any interference with this process and underlines its support for the present Government appointed by the National Conference.

The European Council recalls that the Community and its Member States have had cause to express concern in recent months about the human rights situation in a number of African countries. It is nevertheless encouraged by the continuing efforts being made in many countries to apply the principles of democracy, good government, human rights and to implement sound economic policies. The Community and its Member States will continue to support these efforts.

El Salvador

The European Council notes with satisfaction the progress reached so far in the fulfilment of the Peace Agreement signed on 16 January 1992 between the Government of El Salvador and the Farabundo Marti National Liberation Front. It also welcomes the adjustment to the implementation programme, as proposed by the UN Secretary-General. It hopes that these positive developments will ensure national reconciliation thus putting an end to the armed conflict on 15 December.

The European Council calls upon both parties to show flexibility in order to allow the fulfilment of the remaining commitments and reaffirms the determination of the European Community and its Member States to maintain their contribution to the national reconstruction of El Salvador.

CFSP: preparatory work on security

The European Council notes the preparatory work already done by Foreign Ministers on security in connection with the mandate from the Lisbon European Council and invites them to continue their work with a view to defining the necessary basic elements for a policy of the Union by the date of entry into force of the Treaty.

¹ *EPC Bulletin*, Doc. 88/490.

² *EPC Bulletin*, Doc. 91/434.

³ The resolutions on manifestly unfounded applications for asylum and on host third countries and the conclusions on countries in which there is generally no serious risk of persecution have been accepted by Germany under the reservation of a modification of her fundamental law, and by Denmark and the Netherlands subject to a parliamentary scrutiny reservation. It recognized the importance of such measures against the misuse of the right of asylum in order to safeguard the principle itself.

⁴ *EPC Bulletin*, Doc. 92/254.

⁵ *EPC Bulletin*, Doc. 92/354.

92/450. Declaration on the former Yugoslavia

Date of issue: 11/12 December 1992

Place of issue: Edinburgh

Country of Presidency: United Kingdom

Status of document: Conclusions of the European Council

The tragedy in former Yugoslavia constitutes a serious threat to peace and stability in the region. It has created immense and unacceptable human suffering. The European Council fully supports the unstinting efforts of Lord Owen and Mr Vance, under the International Conference on the former Yugoslavia, to promote a cessation of hostilities and negotiations for a peaceful settlement. Despite these efforts, the parties have failed to implement many of the agreements reached at the London Conference. No real will for peace has been demonstrated.

The primary responsibility for the conflict, and its brutality, lies with the present leadership of Serbia and of the Bosnian Serbs. The principal victims of actions by all parties have been the Muslim population of Bosnia-Herzegovina. In defiance of UN Security Council resolutions, the Serb forces in Bosnia-Herzegovina have undertaken a savage campaign of military aggression, ethnic cleansing and the persecution and torture of civilians. The renewed attacks in Sarajevo are clearly part of a systematic campaign to seize territory and cities. Those responsible for all these crimes against humanitarian law by the different sides will be held personally accountable and brought to justice. The Serbian authorities in Belgrade bear an equal responsibility for fomenting the conflict and for failing to use their undoubted influence and resources to restrain it. The European Council calls on the Croatian authorities for their part to comply with all UN Security Council resolutions and to cooperate in good faith with the peace process, since they too carry a share of the responsibility for attacks on the Muslim population.

The European Council reiterates that the international community will not accept the acquisition of territory by force. Nor will it accept the partition of Bosnia-Herzegovina. The European Council strongly supports the efforts of the co-chairmen to arrive at a constitutional settlement based on the proposals made by Ambassador Ahtisaari and on a mutual recognition of the multi-ethnic character of Bosnia-Herzegovina. The right of existence of the different communities of Bosnia-Herzegovina should be respected and guaranteed.

The Serbian nation faces a clear and imminent choice. If there is a radical change of policy and genuine cooperation in the peace process, Serbia will be gradually readmitted to the international community. The European Council supports the efforts of those political forces who are trying to bring Serbia back from the brink. If, on the other hand, the Belgrade regime continues its present policies, the international community will take sterner action, including tightening and extending existing sanctions and preventing Serb participation in any international body, which will totally isolate Serbia for a long time to come. The European Community and its Member States will send observers to the forthcoming elections under the auspices of the CSCE. They will draw the appropriate conclusions if the present authorities do not follow fair and just procedures.

The European Council pays tribute to the courage and steadfastness of the forces in Unprofor and the airlift, and of the ECOMM, UNHCR, ICRC and the other organizations engaged in the dangerous task of relief provision. It endorses the measures to implement the commitments at the Birmingham European Council. It calls upon all parties to allow the safe passage of humanitarian convoys. More action is needed to provide protection to the civilian population through the development of safe areas and by providing refuge in the Member States for particularly vulnerable categories of refugees. The Community and its Member States will continue to respond generously to the urgent humanitarian requirements. The European Council reaffirms its support for UNSCR 787 which provides for the necessary measures, including military, to be taken to ensure the safe delivery of humanitarian assistance.

The European Council fully supports the action taken in the Adriatic by WEU and NATO to enforce UN sanctions and the arms embargo. The Community and its Member States will take further steps to assist in tightening sanctions on the Danube and urge the riparian states to play their full part. The European Council calls for the rapid despatch of observers to the border between Serbia and Bosnia-Herzegovina. In view of the many violations of UNSCR 786, the European Council believes the UN Security Council should examine the situation in the light of operative paragraph 6 of that resolution.

The autonomy of Kosovo within Serbia must be restored. The Serbian authorities must exercise restraint and the human rights of the inhabitants of Kosovo must be respected. The European Council is in favour of a UN presence in Kosovo. The European Council also reiterates its call upon the Albanian Government to continue to show the necessary restraint.

The European Council welcomes the decision by the co-chairmen to hold a meeting at ministerial level of the steering committee of the International Conference on 16 December. The meeting should discuss the series of measures necessary in support of the co-chairmen to intensify pressure on the parties to end the bloodshed and to negotiate seriously on a Bosnian constitution.

The European Council, which brings together the Heads of State or Government of countries which are profoundly peace-loving, will continue to give priority to political means in order to resolve the crisis in Yugoslavia. But given the gravity of this tragic situation, it has no choice but to promote and participate in further initiatives which the international community may be obliged to undertake.

92/451. Declaration on the Middle East peace process

Date of issue: 11/12 December 1992

Place of issue: Edinburgh

Country of Presidency: United Kingdom

Status of document: Conclusions of the European Council

The European Council reiterates its full support for the Middle East peace process in both its bilateral and multilateral aspects, and the role of the co-sponsors. It welcomes the commitment to the process of the incoming administration in the United States. The European Community will continue to play an active and constructive part in the process in accordance with its positions of principle on the basis for a just, lasting and comprehensive settlement.

The European Council is convinced that such a settlement is in the interests of Israel and its neighbours, of the Palestinians, and the Middle East region as a whole. The current peace process represents a great opportunity which must be seized if dangers to the stability of the region are to be avoided. The European Council calls on all parties concerned to press ahead with the negotiations constructively.

The European Council stresses the importance of assuring respect for human rights and of implementing confidence-building measures as a means of increasing the level of trust between the parties and taking the negotiations forward.

92/452. Declaration on Russia and the Commonwealth of Independent States

Date of issue: 11/12 December 1992

Place of issue: Edinburgh

Country of Presidency: United Kingdom

Status of document: Conclusions of the European Council

One year after the dissolution of the Soviet Union, the European Council renews its commitment to help the transition from Communism to democracy.

The peoples of the European Community are building new friendships with the peoples of Russia and of the CIS. Our goal is the full integration of these states into the world's political and economic systems. We are seeking to forge new and equal partnerships, based on respect for sovereignty; shared values of freedom, democracy, civil and political rights and social well-being; and market-oriented economies and free enterprise.

Substantial progress has been made in only one year, despite the inevitable difficulties. The Russian Government, under the authority of President Yeltsin, has brought in practical reform measures of historic significance. We strongly support the process of transformation now under way aimed at a free, united and prosperous Russia.

Cooperation between the Community and its Member States and countries of the CIS is developing rapidly. It is extending into unprecedented areas. Joint business ventures and new political relationships have been created. Friendly exchanges have been initiated at various levels. We are making joint efforts to handle international crises.

We pledge ourselves to build on this cooperation. We shall continue to give the strongest possible support to those striving for democracy. We shall seek to develop trade, investment and technical cooperation. We are acutely conscious of the many problems of national minorities, and shall work closely with those who seek to pre-empt confrontation and to find peaceful solutions where conflict has broken out.

The European Council sees partnership with members of the Commonwealth of Independent States as a long-term commitment to bring our peoples closer together over the next generation.

92/453. Declaration on the treatment of Muslim women in former Yugoslavia

Date of issue: 11/12 December 1992

Place of issue: Edinburgh

Country of Presidency: United Kingdom

Status of document: Conclusions of the European Council

The European Council is appalled by the systematic detention and rape of Muslim women. It strongly condemns these acts of unspeakable brutality, which form part of a deliberate strategy to terrorize the Muslim community in Bosnia-Herzegovina, in order to achieve the purpose of ethnic cleansing. Those responsible for these crimes against humanity will be held personally accountable and brought to justice.

The European Council demands that all detention camps and in particular camps for women should be immediately closed. Free and secure access must be given to humanitarian organizations so that all those detained in the camps can be assisted.

The Community and its Member States will consider favourably what further help could be given to the victims.

The European Council has decided on the rapid despatch of a delegation of all Member States, headed by Dame Anne Warburton, to investigate in all areas on behalf of the Community and its Member States the facts received until now and to report urgently to the Foreign Ministers. This delegation must be allowed free and secure access to the places of detention in question. The European Council calls upon the UN to adopt measures to support this mission.

92/454. Statement on the activity of the Community and its Member States in the field of human rights in 1992

Date of issue: 11 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The ministerial declaration of 21 July 1986, the European Council declaration on human rights of June 1991,¹ and the Development Council resolution of November 1991 define the basic principles and policies of the European Community and its Member States on human rights. Through the action they have taken during 1992, the Community and its Member States have reaffirmed their belief that the respect, promotion and safeguarding of human rights is an essential part of international relations. It forms one of the cornerstones of European cooperation and is an important aspect of relations between the European Community and its Member States, and other countries. This principle has been followed in the definition of guide-lines for recognition of new States, and in the updating of documents setting out the terms of the Community's formal relations with other countries and groups of countries.

The European Parliament has continued to play a significant role in raising public awareness, within and outside the European Community. By making use of the means at its disposal, and in particular by resolutions, parliamentary questions, and through the activities of its sub-committee on human rights, it has made a distinctive contribution to the promotion of respect for human rights.

The Community and its Member States refuse to accept that State sovereignty can permit any country to carry out violations of human rights. On the contrary, they insist that the promotion and safeguarding of human rights and fundamental freedoms is a legitimate and permanent duty of the world community. In their paper on preventive diplomacy, peace-making and peace-keeping submitted to the United Nations Secretary-General, the Community and its Member States stressed their growing concern at the lack of democracy in the world, at the massive violations of human rights which continue to take place and at the great number of internal conflicts. They called for specific measures to promote democracy, prevent human rights violations and put an end to internal disputes.

In addition to action at the UN General Assembly and the Commission for Human Rights, the Community and its Member States have issued over one hundred declarations and statements on specific human rights problems in 1992. These expressions of concern have concerned, for example, the situations in former Yugoslavia and the former Soviet Union, Peru, Sudan, East Timor and Burma. They have been given wide publicity and have been drawn to the direct attention of governments concerned, in the hope that this will bring about improvements in respect for human rights.

The Community and its Member States wish to pay tribute to those who suffer in the struggle for human rights, for their relentless and courageous efforts. During the last year, over one hundred direct approaches have also been made to governments by the Community and its Member States, to support those efforts and to raise specific human rights issues. The confidential nature of these approaches is designed to foster constructive dialogue while protecting the interests of the victims of human rights violations, and human rights activists.

The Community and its Member States have welcomed the report by the Commission on the implementation of the Development Council resolution on human rights, democracy and development of November 1991. They emphasize that a positive approach, coupled with open and constructive dialogue, will continue to receive a high priority. On 18 November 1992, the Development Council agreed on practical arrangements to facilitate coordination of development policy in this area. This will further enhance the implementation of the 1991 resolution.

The integration of human rights issues in political and economic relations, and in development cooperation with third countries, has increased. Human rights is now routinely addressed in cooperation agreements and specific human rights situations are discussed at consultative meetings. Direct support is given to human rights and democratization initiatives around the world, of which the many electoral assistance projects in which the EC is involved are the most obvious.

Over the last year positive changes have taken place in respect for human rights, and in particular in the respect for democratic freedoms. However, the overall situation still gives rise to concern: new-found freedom and extreme nationalism have combined to release waves of racism, xenophobia and ethnocentrism. This has led to political violence in many countries. The Community and its Member States have firmly condemned these manifestations, and will make every effort to discourage them wherever they may occur.

The flagrant and continuing violation of basic human rights and humanitarian law in the former Yugoslavia continues to be of particular concern to the Community and its Member States. They condemn such abuses unreservedly: the international community must not acquiesce in the results of the policy and practice of 'ethnic cleansing', for which the Serbian authorities bear primary responsibility. They have strongly supported the appointment of the UN Special Rapporteur, fully endorse his recommendations on human rights, and welcome the call at the recent extraordinary session of the Commission on Human Rights for his work to continue. They also strongly support the CSCE decision to send fact-finding missions to the former Yugoslavia, to investigate allegations of human rights abuse. The Community and its Member States, together with the United States, invoked the human dimension mechanism of the CSCE, to investigate atrocities in Croatia and Bosnia.

The Community and its Member States are very pleased that the Third Committee at the UN General Assembly approved the agenda for the World Conference on Human Rights by consensus on 4 December. The Community and its Member States continue to believe that the World Conference, which will take place in June 1993 in Vienna, is an important opportunity for the world community to pursue a constructive dialogue on ways and means of confirming the universality of human rights, improving their implementation and thereby helping to promote progress in development. They remain committed to a successful outcome of the Conference, including a focus on practical measures in support of efforts by individual countries to improve respect for human rights.

¹ *EPC Bulletin*, Doc. 91/194.

92/455. Statement on India

Date of issue: 11 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States express concern at the loss of life in India and elsewhere as a result of recent violence following the deliberate destruction of the Babri Mosque at Ayodhya, an ancient place of worship. They condemn those responsible for provoking violence and support the appeal by the Indian Prime Minister for calm. They hope that measures announced by the Indian Government will help calm the situation. They also support the principle of protecting religious minorities and they urge Hindu and Muslim communities everywhere, including in Member States of the European Community, to show restraint and to avoid further provocations or reprisals.

92/456. Intervention at the CSCE Council in Stockholm, held on 14 and 15 December 1992

Date of issue: 14/15 December 1992
Place of issue: Stockholm
Country of Presidency: United Kingdom
Status of document: Statement in international forum

1. We meet in Stockholm at the end of a tumultuous year. In Prague in January, we looked forward to the Helsinki follow-up meeting, which we encouraged to adapt the CSCE to face the new challenges of the nineties.

2. We welcomed the members of the Commonwealth of Independent States into the CSCE process. And, having done so, we agreed to make cooperative efforts to apply the principle of peaceful settlement of disputes to the disagreements over Nagorno-Karabagh.

3. We will talk in greater depth about the conflicts in Europe in our second session. But I mention Nagorno-Karabagh now, as it characterizes the CSCE year: one of innovation and adaptation to changing circumstances, complicated by new challenges arising continually.

4. The Community and its Member States would like to pay tribute to the efforts of the Czech and Slovak Federal Republic, and the Ministers who have been Chairmen of this Council, Mr Jiri Dienstbier and Dr Josef Moravcik. They have fulfilled their duties diligently at a time of great change not just in Europe but also within their own country.

5. We welcome you, Madame Chairman. The Community and its Member States wish you well, and assure you of their support.

6. We also express gratitude to one of our own partners, Germany, who today leave the CSCE troika after 18 months of heavy activity at the heart of CSCE business.

7. The Community and its Member States are themselves going through a period of evolution. But we cannot let ourselves be blinded by this to the wider Europe and its concerns. We wish to promote stability throughout the continent.

8. Our objectives in the CSCE are:

- to strengthen democratic principles and institutions;
- to ensure respect for human rights and fundamental freedoms;
- to promote the security of all CSCE states;
- to contribute to the prevention and settlement of conflicts;
- we shall also support the development of market economies and increase economic cooperation.

9. Our priorities for action are clear.

10. First, the CSCE has agreed on high standards of behaviour by our governments. These are expressed in undertakings, freely given. But experience of the past years has shown that good intentions are not enough. The implementation of commitments requires unceasing work by CSCE.

11. The first stage in this must be monitoring. Governments must keep an eye on their own performance, of course. If it falls short of the target, they should take action: bring in new laws, train officials better, start public education campaigns; whatever is necessary.

12. It is a good CSCE tradition that we can offer and accept criticism from other states about the implementation of our commitments. Frank, open debate and constructive criticism are accepted as part of the democratic process. The Community and its Member States believe that these should also be seen as natural in the CSCE. Participating States have a common interest in preserving stability in the region. Healthy democratic institutions in all our states, working effectively, are a key element in this.

13. Constructive criticism should lead to action. The Community and its Member States are ready to draw on their own experience and expertise for the benefit of other European states. We see CSCE as a channel by which those who would welcome advice can set out their priorities; and for those who wish to help, to do so in the most effective manner. If we want the common values of the CSCE to prevail, we must understand the problems faced by those confronting the task of building democratic institutions.

14. The Community and its Member States believe that cooperation on implementation also serves as the first stage of conflict prevention.

15. The people of our countries today receive comprehensive information about events in CSCE states; much more than ever before. The obstacles to information flow which so concerned our predecessors have almost entirely disappeared. But the news is frequently bad. The pictures are often of fearful, agonised Europeans. Our people ask how this can happen in 1992.

16. The tensions we have seen in Europe since 1989 have often been along ethnic lines. How we treat Europe's minorities will go a long way to determine whether we live in peace or in perpetual conflict. The Community and its Member States know that there is no universal solution. But we can see basic principles. Persons belonging to minorities should be able to express their distinctive traditions, while at the same time feeling that as citizens of their state they enjoy the same opportunities as members of other communities. They should feel they have a fair stake in the prosperity of the state. Exclusion and alienation will only lead to new conflicts.

17. The decision to appoint Max van der Stoep as High Commissioner on National Minorities is welcome. He will watch for potential problems and bring them to our attention in good time, so that we can act together to help prevent them worsening.

18. What else can CSCE do? The CSCE has plenty of mechanisms at its disposal. But these depend on political will. If we choose, we can take expert advice on human rights issues, or invite experienced conciliators to help us settle our disputes. But there is a continuing reluctance to do so.

19. We must make full, and sensible, use of these mechanisms as we are doing in former Yugoslavia, in Georgia, the Baltic states and over Nagorno-Karabagh.

20. We should also do what we can to make sure that our decisions are implemented effectively. The consensus rule gives us certainty that national interests will not be overridden: but consultation must not lead to undue delay. The Community and its Member States have suggested some institutional reforms; in particular, the creation of a Secretary-General to support the chairman-in-office, and the council.

21. We also welcome proposals to improve the way the Committee of Senior Officials meets, with more preparatory work being done by representatives in Vienna.

22. We remain firmly committed to developing open market economies. Economic prosperity is a cornerstone of stability and security on our continent. The Community and its Member States are

determined to see the success of the European Economic Area. We are pressing ahead with Association and Cooperation agreements with the states of Central and Eastern Europe.

23. This is a matter of enlightened self-interest. By cooperating, we hope our neighbours will become more prosperous. If they are, then so will we be. This is a crucial test for Europe in the next few years. The Community and its Member States will continue to encourage the reformers.

24. Looking at Europe today, some might be thrust into gloom at the prospect of increasing instability and a return to the warlike ways of the last century. This is not an option. We must use our existing institutions to forestall it. We must be more imaginative in our diplomacy. The Community and its Member States have an important role to play. We intend to do so in the framework of the CSCE, exploiting its strengths: the habit of ready consultation, the agreement on the values we are trying to defend, above all its ability to address any problem. In all this you will find us ready partners.

92/457. Statement on Haiti

Date of issue: 15 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The Community and its Member States firmly condemn the recent kidnappings and murders in Haiti and, more generally the repeated violations of human rights there. The Community and its Member States note that these serious violations are exacerbating the illegal situation created by the *coup d'état* of 30 September 1991 and demand a return to constitutional order.

92/458. Statement on the European Council meeting in Edinburgh, held on 11 and 12 December 1992, and on the term in office of the British Presidency

Date of issue: 16 December 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Statement in the European Parliament, Report on European Council

Mr Major, President-in-Office of the European Council: Mr President, thank you very much for that very warm welcome. Perhaps I may say how pleased I am to be here and to have the opportunity of addressing Parliament today.

I think it is fair to say, Mr President, that the recent European Council at Edinburgh took place against a background of one of the most difficult periods that the Community has faced in its history for very many years. Not for many years, perhaps ever, have so many internal and external events disrupted the normal activities of the Community and created especial difficulties and held back normal progress.

It was the United Kingdom's responsibility during this period to seek to steer the Council at Edinburgh to a successful conclusion. With the help and cooperation of all our partners in Edinburgh, I believe that is what we managed to achieve. We never expected at any stage in our Presidency that it would be an easy task to reach agreement on the many problems in front of us. Many of the individual challenges we faced were not unique but the scale and the number of those challenges were formidable.

We took the chair in mid-year as the Community had begun to come to terms with the effect of the Danish referendum on the Maastricht Treaty. Serious recession was beginning to afflict most of Europe and its impact was becoming daily more apparent. A stormy referendum in France was just in the process of beginning. And at the end of that campaign we experienced very great difficulties, very great volatility in the currency markets and that, alas, has continued and to a lesser degree continues yet. The need for a general agreement on GATT was perfectly clear; the importance of the Uruguay Round could scarcely be over-stated. But it was equally clear from the Munich summit that the obstacles to be overcome would be very great indeed. And we had war raging in the former Yugoslavia and instability across much of the rest of Eastern Europe.

That was the background to the beginning of our Presidency in mid-year. And against that background we were clear what our objectives were. We set those objectives out quite clearly, quite precisely, quite deliberately at the start of our Presidency. And even as those difficulties increased, as they surely did during the term of that Presidency until its conclusion, we were clear that it was important not to be blown off course. It is certainly the case during the British Presidency that a series of interlocking negotiations needed to be brought together – many of them complex, all of them necessary. We were acutely aware that if the larger and most detailed problems were not solved then many of the lesser, but nevertheless important matters might not have been concluded either.

As Douglas Hurd, the Foreign Secretary, made clear to Parliament in July, we set ourselves a number of specific tasks. We set ourselves the task of completing the Single Market by the end of this year – that will have been done; to agree a future financing agreement – that has been done; to implement subsidiarity and set its progress in train – thanks not least to the remarkable work done by the Commission, that has been done; and to make the Community more open and closer to its own citizenry – that has been done.

Externally, we wished to make progress on a GATT agreement – that has been done; to launch enlargement negotiations with our partners in the Nordic states – that has been done – to tackle some of the problems of the former Yugoslavia – that is being done and there is still much more to be done...

[...]

Well, it may be that some parliamentarians here would wish to debate that. I am happy to do so. And then perhaps they could bear in mind what might have happened had it not been for the progress at the London Conference. Perhaps they could bear in mind what might have happened had it not been for the humanitarian aid led by the British and the British troops in Yugoslavia.

[...]

Then there is the question of developing relations with the developing democracies to the East – and that is being done. We agreed in Edinburgh that in due course, when the Visegrad countries are ready that the Community will be ready to admit them into the Community. That opens up the possibility for a wider and better Community, more outward-looking, a new and fresh vision for us to look forward to over the next ten, twenty or thirty years. Those are the priority areas that we needed to tackle over the last six months. Many problems for the Community still lie ahead. That is certainly true. But at Edinburgh we solved the main problems that confront the Community at this moment and the Community can now go forward more confidently as a result of that. And I hope it will go forward more confidently with the positive support of this Parliament in the many issues that need to be dealt with.

Let me turn to something that underlies the whole agenda, namely the single overriding need, across the whole of Europe, for economic recovery. Too many Europeans throughout the Commu-

nity are at present unemployed, and the growth projections across the whole Community suggest that their number may well grow over the next year rather than fall.

[...]

At Edinburgh we agreed on supportive action at Community level – and yes, I say to the heckler, that was an achievement at Edinburgh.

[...]

We agreed it collectively, in a way that would not create inflation but would create investment. If the Member spent less time heckling and more time thinking, he would realize how valuable that was. We did that as part of a growth initiative to stimulate fresh investment and new jobs in every part of the Community, including no doubt his part of the Community. The most important element of this is, of course, the Community's success in completing the Single Market on time – the biggest free trade market in history – and it is that free trade market which will build the growth, the prosperity and, yes, the jobs that we will need in the future.

[...]

Well, I am surprised that some people think creating jobs is funny. Perhaps they think they have a secure job here and they do not mind about the 17 million who do not!

[...]

But I do. And that is why we reached those agreements at Edinburgh. Some 500 measures have been passed since this programme began in the mid-1980s, breaking down barriers to trade and enterprise across the Community. That means new opportunities for all Britain's businessmen and competition to make the most of those opportunities. It should also mean lower prices and more choice for consumers right the way across Europe.

At the start of our Presidency in the summer the Single Market was already 90% complete, but inevitably, due to the nature of decision-making, some of the toughest pieces of legislation were left until last. Nonetheless, political agreement has been reached on a whole string of key directives in the last few months. After the end of this year there will still be areas where more can and will be done, for example, in transport, energy and telecommunications. But the cumulative work of the last six years, covering the Presidencies of all twelve Member States, amounts, for the Community as a whole, to a magnificent achievement that few people thought could be attained. And I would like, in this context, to pay a warm tribute to the work that has been done by the President of the Commission and the Commission as a whole, without whom the Single Market could not have been completed.

[...]

I also pay tribute to the cooperation with this Parliament which enabled that body of legislation to be created to help build a better future for Europe. The Single Market is now opening for business.

The agreement between the Community and the United States on agricultural issues was a remarkable and very hard-won breakthrough in the world trade negotiations.

There is more to be done. Much work now needs to be done very speedily in Geneva but negotiations have now resumed among all the parties to the Uruguay Round. The Commission is playing a positive and a leading role. And as the European Council confirmed, the Community must

press for an early, successful and balanced conclusion to the whole Uruguay Round. One estimate, perhaps the best one, by the OECD, puts the benefit to world income of a settlement at something like USD 200 billion a year. What is more, the benefits of that growth will be general, not specific to manufacturing countries such as the Community members in the north. Trade is worth far more than aid for boosting economic growth in developing countries. I have to make the point I think beyond any doubt that there is an oddity when people on one hand are prepared willingly and open-heartedly to hand out aid to developing countries but, on the other hand, seek to shut their markets to those same developing countries when opening the markets is more important.

[...]

We have now made progress both towards providing the aid and towards opening the markets and that is a principal benefit for many of the poorest nations in the world in each hemisphere. At Edinburgh we added a third element to the Community's endeavour to provide recovery and prosperity. We collectively agreed to establish a new European Investment Fund to guarantee loans to infrastructure projects and to small and medium-sized businesses and we agreed also a special loan facility at the European Investment Bank. These together will be able to support new investment of up to a total of £24 billion. Taken together with the other Community agreements to reduce the regulatory burdens on business and the national programmes to encourage investment and new jobs, this is intended to, and indeed should, achieve a new boost to confidence and economic recovery in each of the countries of the Community.

Recovery can, of course, be helped by such action at the international level but conditions need also to be right at the national level if that international action is to be at its most effective. That national action is crucial. We all agreed at Edinburgh, without any difficulty and without any exception, that we must improve efficiency, reduce subsidies and enhance competition. Sound finance, low inflation and firm control of public sector wage bills help to create the conditions for reductions in interest rates that are needed right across the Community. We agreed also in our discussions to give priority to capital spending and incentives to private investment.

If this Community is going to be increasingly effective, it needs the right institutional framework and it needs the right relationship with its citizens. At Edinburgh we found a solution to the problem of Denmark and the Maastricht Treaty, enabling the Community to move forward as Twelve. Maastricht is the best achievable basis for the Community's development. All the twelve Member States agreed that at Maastricht and again at Edinburgh. It will improve the working of the Community, making the institutions more accountable, strengthening the rule of law, giving the principle of subsidiarity for the first time a clear-cut legal base. By the end of this year, ten countries will have ratified. In Britain the House of Commons is now looking at the Treaty in great detail. We are committed to completing...

[...]

Against, I may say, important votes from the Labour Party at important moments!

[...]

We are committed to completing our ratification during the present session of Parliament. We need to take it line by line, unlike some other countries. We need strong opponents on both sides. And we need to take it against an opposition in the House of Commons that will vote tactically against it even though it claims to support the Treaty.

[...]

It was not our own backbenchers that voted against us in September led by Mr Smith.

So it is clear the difficulties we face – and Members of the European Parliament get a small sample of what we face in the House of Commons from what we hear just now.

[...]

It is beginning to make me feel quite at home...

[...]

In Edinburgh we had to tackle three Maastricht-related issues: the Danish issue, subsidiarity and openness. We had a specific Danish problem and we found a solution that was specific to Denmark. No one, including the Danish Government, wanted renegotiation of the Treaty or a new ratification process. But Denmark did require an additional and legally-binding instrument. So we confronted a delicate conundrum and we solved that delicate conundrum. We agreed to a decision binding in international law which will enable Prime Minister Schluter to go back to the Danish people and recommend a 'yes' vote in a second referendum next spring. This takes up the concerns in the Danish memorandum in a way that is consistent with the Treaty and this solution is designed specifically for Denmark. It is not a series of solutions that are available to fresh applicants to the Community in due course. The solution is specifically designed for Denmark.

The ratification process this year had thrown up doubts across Europe about some of the ways the Community was developing. There was a general fear, reflected in each of the referenda, that the Community was in danger of becoming too remote from its citizenry. It had to become more open. Decisions had to get closer to ordinary people and for the first time that principle of subsidiarity is now formally enshrined in a European Community Treaty. People everywhere it seemed were baffled by a paper principle – they needed to be persuaded by practice. So in advance of formal implementation, the Commission is showing what that principle will mean.

I would like to warmly congratulate the President of the Commission for his work in this respect. It is not easy to look through the body of Community law and readdress it in the way that the Commission has done. But they have done so in a very clear-cut way and I am most grateful to them for the work that they have put in to assuming that. The presumption is, as the Community document puts it, on national action not Community action, but subsidiarity will operate without disrupting the institutional balance. The Commission has published lists of proposals which it will not now take forward and of existing legislation which it wishes to see repealed. This Parliament, of course, will be consulted upon that.

Subsidiarity will be judged by actions not by assertions. Community action here is both positive and it is persuasive. The European Council welcomes the Parliament's ideas for a new inter-institutional agreement and the Council is now committed to negotiate one with the Commission and with this Parliament. Openness is just as important. At Birmingham we asked our Foreign Ministers to find ways of opening up the Community's work to greater scrutiny. Now the Commission has agreed on more consultation in advance of legislation and the Council has agreed to publish voting records and to let television cameras into some of the important Council discussions. That is a solid start – but that is all it is – a start upon which we can build in the future.

In that future, the Community institutions are going to need to cooperate even more closely. The Edinburgh Council was the first when there was a substantive political discussion with the President of Parliament at the beginning of our discussions. It put those discussions right at the start of the European Council in a wider context. You, Mr President, made a valuable contribution to that discussion. I hope for your part you found the occasion worthwhile. I am confident from my discussions with fellow heads of government afterwards that this will set a pattern for future European Councils.

[...]

Two decisions will be of interest to Members of this Parliament. We agreed new numbers of Members of the European Parliament for Member States. The main reason for this was to take account of the need to increase German representation after unification to include elected representation from the new eastern *Länder*. But we also had to make sure that the new arrangements made sense in the context of the future enlargement of the Community. The Council took up Parliament's resolution based on the De Gucht proposal on the composition of the Parliament from 1994. That was the basis of our final decision and indicates that the institutions are working properly together.

[...]

We also reached a final settlement on the sites of the main institutions. This, I know, is of direct interest to everyone in Parliament. Many interests had to be balanced. The European Parliament will have its seat here in Strasbourg and twelve monthly plenaries will be held here. Additional plenaries will take place in Brussels. I know some of you will not have liked that decision.

[...]

But it was an inevitable decision. And unless that decision had been made, we would not have reached a settlement on the other future bodies for which everybody in this room would wish to see sites agreed at some stage in the future. Far too many positions were entrenched and without those decisions in Edinburgh we would not have found a home for the new institutions, many of which should have been working for some time but are not because there are no sites.

The Community then turned to the question of financing. It needs a financial framework which gives it the resources it requires and which Member States are able to afford. At Edinburgh we agreed the future financing of the Community to the end of the decade. That was only possible because every Head of Government realized that any settlement had to balance two requirements: the need for a confident, cohesive Community and the need to take account of the economic realities faced in each Member State of the Community. I recognize that many called for a higher level of spending. I recognize, too, that some, but by no means all, Community spending substitutes for national spending and so does not add to total spending and to additional burdens on tax-payers. But the Council took the view that the Community collectively could not be exempt from the pressures individually to which every Member State is now subject to keep such taxation burdens down. The importance of reducing national budget deficits in the interests of convergence, lower interest rates and reaching the criteria set out in the Maastricht Treaty was stressed by everyone in the Council.

That is the background to the Edinburgh decision to keep the present own resources for a further two years. Thereafter there will be a gradual increase. Internally, Community spending will rise by over 30% between 1992 and the end of the agreement. On cohesion, total structural funds will increase by over 60% by the end of 1999. The Cohesion Fund itself will, in the final conclusion, be larger than originally proposed by the Commission. The commitments for Spain, Ireland, Greece and Portugal will double between 1992 and 1999. External actions at the end of the financial perspective will reach ECU 6.5b compared to ECU 3.5b in 1992, helping in particular to meet the real needs in countries as different as Russia and Somalia. This final outcome gives us the sound financial foundation without which we could not proceed. We are now committed to cooperating closely with this Parliament and reaching a new inter-institutional agreement. I hope we shall also reach a settlement this week on the 1993 budget.

At the end of this six months, I believe the Community can look forward and it can now plan more confidently than previously. I hope it will also look outward as well inward at our own diffi-

culties. In the last couple of years we have at times, because of the weight of internal matters to be determined, faced the risk of becoming too introspective although in the last six months we have held a constructive Community/Turkey Association meeting, a good Community/Asean meeting in Manila and a summit meeting with the leaders of the Visegrad countries. Tomorrow, with President Delors, I shall go to North America for the Community/United States and Community/Canada summits. All that is as it should be. But in Edinburgh we sent a new external agenda in two important respects.

First the way is now open for enlargement. We agreed that it was in the Community's interests to get negotiations under way as soon as we possibly could. They will now start formally in the New Year with the Austrians, the Swedes and the Finns. The technical preparations have been made by the Council and negotiations will also start before long with the Norwegians. A second priority for 1993 lies to the East. Russia and Eastern Europe are Western Europe's biggest challenges for the 1990s.

The Commission has put forward an important paper on the relationship between the Community and the countries of Eastern Europe. This paper, formally welcomed in the Edinburgh conclusions, calls for early trade, liberalization and full membership of the Community for those countries with association agreements as soon as they are ready.

We are also working to develop relations with the former Soviet Union. We are in the middle of negotiations for partnership agreements with Russia, Belarus, Ukraine and Kazakhstan.

It may seem that the Edinburgh Council was the main event of the Presidency. But although many subjects indeed came to a head at Edinburgh, the result of Edinburgh rested on the work undertaken earlier. We have laid particular stress throughout the last six months on the Community's external relations. With a long internal agenda it would perhaps have been pardonable if the Community had neglected the outside world but that has been far from the reality.

In one external area there have been precious little good news and that continues. I refer to the savage and disastrous civil war in Yugoslavia. The Community collectively has jointly led with the United Nations a determined international effort. In August we called the International Conference on the former Yugoslavia in London. The Community's representative is co-chairing a meeting of the conference's steering committee this very day in Geneva at ministerial level.

The former Yugoslav Republic of Macedonia could yet be the tinder-box to ignite a wider Balkans conflagration. At Edinburgh the European Council agreed to unblock Community and international assistance to Macedonia which will help stabilize that country. The Commission will allocate MECU 50 of humanitarian and technical assistance. Other Member States will provide a matching amount from their own resources. In addition, at Edinburgh, we unreservedly backed the United Nations' plan to put a battalion of soldiers in the Republic to monitor the peace there.

So the Community and its Member States have led the international humanitarian effort. Despite this activity, this determination, the situation in Bosnia shows no improvement. Throughout the world, I believe, there is disgust and contempt at the systematic detention and rape of Muslim women in Bosnia.

[...]

The European Council demanded that all detention camps close immediately and that secure access be given to humanitarian organizations. I have to say to you that it is appalling that as most of Europe comes closer together, burying old feuds in new cooperation, the Community should see on its doorstep a reversion to the savagery that has no place in the world of today or the world we hope to create tomorrow.

[...]

Those people who behave in this way cannot expect any relationship with us in the Community. For our Community is built on a system of values to which our common commitment is firm, as firm as our faith in freedom itself.

Let me add in conclusion a more positive message to this Parliament today. I know that earlier this year many people across the Community and many perhaps in this Parliament were uneasy, as I was, that the Community seemed, with the weight of events immediately in front of us, in danger of faltering. I firmly believe that the agreements reach[ed] by all twelve Member States at Edinburgh have dramatically changed that. Edinburgh leaves the Community pointing in the right direction. We have declared the Single Market open, we have confirmed our complete commitment to the Maastricht Treaty. The solution we have found for Denmark paves the way for a referendum there in the spring. We have begun the process of bringing the Community closer to its citizens. We have taken a significant initiative for economic recovery. We have settled some long-running internal problems, some outstanding for as long as thirty years, and we have provided the firm budgetary foundation that the Community needed. So the Community is now in a position to lift its sights as we look into 1993. I believe that is what the people right across the Community expect of us. We can now get on with the crucial business of finalizing the Uruguay Round which the world economy so desperately needs and with healing that division which still remains right across the heart of our own continent. The end of the Cold War two years ago broke down barriers. But the wound of those barriers was so deep and had festered for so long that the healing cannot come quickly and it will not come automatically. It is up to us collectively as a Community and individually as nation states to build bridges, to spread prosperity, to encourage hope from one end of Europe to the other. It is up to us collectively in this Community to give a lead. We have our responsibilities in this respect and we have an obligation to meet those responsibilities. Before Edinburgh the question being asked was: Can the Community give a lead? The answer at Edinburgh was: Yes, it can, and with cooperation between the Community and this Parliament it surely will.

[After the following debate, Mr Major stated:] Madam President, we have had a curate's egg of a debate over the last hour or so, and covered a wide range of subjects. I think it may be impossible, without detaining Parliament for a very long time, to deal with every aspect of every point that has been raised, but I will endeavour to deal with the more important points, some of which were addressed by a number of Members, and to respond to as many of them as I can.

I will take these points largely in the order in which they were raised, starting with the speech by Mr Cot. I thank him firstly for his courtesy in speaking in English, as no doubt the British press will – for he is becoming a familiar figure in our press. I congratulate him also on his command of English and thank him for the generosity of some of his comments, in which he supported a number of the achievements of this Presidency. He also clearly has a sense of humour, and I enjoyed that. He said that we have had a difficult six months in Europe, and indeed this is true. But I have to say – not just to Mr Cot but also to others – that the difficulties over these six months were due to a variety of circumstances. It was not the British Presidency that lost the Danish referendum. It was not the British Presidency which called the French referendum. Nor was it the British Presidency which created currency turmoil across Europe or blocked progress on GATT. And I would say this to the House: if I had taken some of the advice that I have been given today about the British parliament, not least the advice from Mr Cot, ratification of the Maastricht Treaty would have been impossible and we would not have been able to proceed.

Now, with respect to the House of Commons, I would like to say three things. It is from time to time a turbulent assembly. One has seen its extension make a guest appearance earlier on today. It is a place where people speak their minds. I am used to rough-and-tumble and have no objection to that. It adds to the liveliness of debates on long days when many opinions must be uttered. But there are two other things about it that I believe need to be understood by everyone in this assembly. The House of Commons is a very proud place as well. It does not like to be pushed around,

and it will not be pushed around. Seeking to give it a deadline to ratify under its own procedures would be totally counter-productive. It would not assist the ratification of the Maastricht Treaty, which is my objective as the British Prime Minister. There is another point about my parliament which I would like to make absolutely clear today. It is a place where those who speak with two voices and have a hypocritical tinge to what they say and do, are pretty soon detected. I support the Maastricht Treaty. I was there to negotiate it when many people thought my country would not and could not agree a treaty at Maastricht. I did agree it, and I have faced the political difficulties at home that have sometimes arisen from that. Others may claim to be *communautaire*, but when they find it convenient they vote against the Maastricht Treaty. Perhaps Mr Cot should turn his elegant advocacy away from me and in a direction where ears may be readier to listen to him, and where he may encourage people to vote for the Maastricht Treaty rather than against it when they have a chance of wrecking it.

[...]

I notice that Mr Cot is an influential figure in the British Labour movement. He is perhaps surprised to hear this, but he was quoted in the British parliament by the shadow foreign secretary as the justification for the Labour party voting against the Maastricht Treaty in September. I am not sure whether that was right. I am simply reporting what actually happened. And when he subsequently said 'do not play Russian roulette with the Treaty', I thought it was aimed against the Labour party, but today he tells us it is not, so I am not entirely sure precisely what the position is. But I note his support for the Treaty and the occasional opposition in the Labour party in London for the Treaty, so I hope they will be able to get their act together before too long.

Mr Tindemans made a distinguished speech this morning and I thank him for some of his generous remarks. He said that at Edinburgh we had taken decisions that went further than many people expected and that the Community had found its way again. I profoundly believe that to be an accurate judgement of what happened at Edinburgh. When we push away the disagreements, push away the things people are pleased about and those where people think it should have gone further, the fact is we had a crisis of confidence in where our Community was going and whether it was going anywhere. And that confidence was restored by the agreements that were reached at Edinburgh.

Mr Tindemans asked a vital question: Have we bridged the Danish gap? We reached an agreement at Edinburgh that will enable Mr Schluter to put the referendum back to the Danish people. It was vital that we achieved that. But we cannot yet celebrate totally. The Danes still have to win that referendum when it comes in late April or early May. So the question asked by Mr Tindemans is a good one: Have we bridged the gap? We have done as much as we believe can be done at Heads of Government level to do so. We must now hope that is sufficient to encourage the Danish people to support the Treaty in their next referendum.

Mr Galland – who is surrounded by some British flags and I commend him on them – was also courteous enough to speak in English in the earlier part of his speech in order to raise the particular question of the method of election to the European Parliament. I have to say to him I do not think there is a majority in the British parliament for the method he proposes. Not because it does not have some advantages. I concede that it does. I can see many of the equities of that approach. But I see two distinct difficulties with it that run very deep in the British instinct. The first is the one subsequently referred to by Sir Christopher Prout: that vitally important direct link British Members of Parliament and Members of the European Parliament believe, I think correctly, that they have with a constituency for which they are the sole representative; not nominated, not elected as part of a package and to which they are directly responsible. That does put special pressures but also special responsibilities on Members and runs very deep indeed in the British system.

He asked also – and other colleagues echoed that point later – when will the British ratify? I have made that point clear repeatedly: we will ratify the Treaty during this session of Parliament. We will debate it line by line, clause by clause.

The opponents of the Treaty have already put down over 300 amendments. There are opponents on both sides of the House of Commons. They are not restricted to the Conservative side. Anybody who thinks that some prominent members below the gangway in the House of Commons are advocates of the Maastricht Treaty, I invite them to the gallery of the House of Commons to listen to what they have to say about it on the opposition benches. There are threats of another 700 amendments to the Treaty. Under our system each of those may, if the chair calls them, be debated. And since this is a constitutional change, it has to be debated at length. That is the British system. That is the way in which we have to deal with our legislation. We cannot take it in a single day and ratify it as a whole. We have, because of our constitution and our parliamentary procedures, to take the bill line by line, clause by clause, amendment by amendment. And to preserve the Treaty I have to win every vote that is taken on that particular bill.

That is the reason why we need to take this Treaty in a measured way to ensure that we are successful and that we pass it. We have to win hearts and minds in the British House of Commons on this Treaty as well as votes if we are to ensure the future of Maastricht and the ratification of the Treaty in the United Kingdom.

Mr Paisley raised a question of Denmark and the legally binding agreements that were reached. Let me say to Parliament: We took very careful legal advice indeed, not least from the Council's legal services, about the agreement that was reached with our colleagues from Denmark. When we sought to reach that agreement we did so with two criteria in mind. It should not change the face of the Maastricht Treaty and it should not require reratification amongst Member States around the Community. We saw the difficulties and those were two unmoveable, unbendable criteria for the provisions that we made. The agreements we have reached are binding. If necessary – though I believe it is hugely unlikely – they could be judicable in the International Court of Justice and we hope we have provided a satisfactory clarification for Denmark to ensure that they can ratify.

As to the question about new applicants raised by Mr Paisley, but also by others, it is quite clear that they will apply on the basis of the Maastricht Treaty and not with derogations similar to those granted to Denmark. If Denmark fails to ratify – that question was also raised by a number of Members during this particular debate – the legal position is quite clear: the Treaty needs to be ratified by all twelve Members to come into effect. If all twelve Members do not ratify the Maastricht Treaty, the Maastricht Treaty as it is cannot in law come into effect. It is, therefore, vitally important that the Treaty is ratified.

Mr Musso raised a number of points. I think he said that Denmark had been given too much. He implied that the concerns of Denmark should be ignored. I have to say I do not remotely agree with a word of that. If Denmark does not ratify, as I indicated a moment ago, the Treaty as it stands cannot be ratified. I think nobody here would prefer that.

Ms Ewing raised a number of points. Let me deal with those I consider the more important – those I have not already touched upon. The choice of Objective 1 areas, where the Highlands and Islands will be strongly supported by Her Majesty's Government, will be taken forward during the Structural Fund review next year. As to the method of election – that I have referred to – it is for Member States to decide how to elect Members to the European Parliament.

On racism, that is a matter that was of great concern to colleagues at the Edinburgh Summit. The European Council in Birmingham agreed a strong statement condemning racism.¹ In August the Twelve endorsed the UN High Commissioner's recommendation that refugees should, as far as possible, be treated near their homes in Yugoslavia. The United Kingdom is taking around 4,000 people from Yugoslavia. There was further strong condemnation of racism and xenophobia in the conclusions of the Summit at Edinburgh.² This is a problem that has arisen in a number of

places, it is an intolerance that has sprung up – temporarily, I hope – in a number of places in Europe. It is an intolerance I passionately believe has no place in the sort of Europe that we wish to build, and that was the view of each of the heads of government at Edinburgh.

Mr Ford made a contentious speech. I will be gentle and not respond to it in detail – though it is very tempting to do so. But no doubt, were I to do so, some would assume I was back in the British House of Commons where I think Mr Ford must have imagined he was when he was making a speech on a large number of matters that, so far as I could see, had only a tangential reference to anything that was discussed at Edinburgh. I was not myself aware that GCHQ was a significant part of the agenda at the Edinburgh Summit, the British Presidency or any other matter we have discussed in the last six months.

[...]

Sir Christopher Prout argued passionately for enlargement and for the reasons for enlargement. Let me say this about that point. We, for understandable reasons, often look inward within our Community to deal with the difficulties, the instinctive national interests of the twelve nation States that form part of the Community. That the Community is now an entity with a world profile is very important. The Community's view matters outside the Community as well as inside the Community. We look back now on the founders of the Community and consider their vision of what the Community might be today. But I would say – and I think Sir Christopher Prout touched upon this – that what we have to do in our generation and in our time is to lift our vision to what the Community can become in 10, 20, 30 and 40 years hence.

When one looks back over the history of the 20th century, twice in this century, wars that engulfed the whole world have started here in countries in the heart of our Community. Such a development would be unthinkable today because of the interrelationship of trade and politics, self-interest and national interest that is bound together within the European Community. So when we enlarge the Community, there is more at stake simply than building a wider free-trade area or a larger pot of resources with which we politicians nationally and, in your case internationally, can play. It provides the prospect of adding a new dimension to the security of Europe from one end of the continent to the other – a new dimension to security for our grandchildren and their grandchildren – if we begin today to look at the enlargement that Sir Christopher Prout talked of and that I first spoke of at a Paris conference some eighteen months or so ago.

We have begun firstly with our close friends in the Nordic countries who are ready for entry into the Community and who I hope will enter by 1995. The newly democratic states in Central and Eastern Europe will take longer to enter. They are not ready yet and it would not be fair to them or to the Community for them to enter until they are economically ready. We can play our part in helping them. But that should not be the end of it. We should look not just to Poland, Hungary, the Czechs and the Slovaks. We can move, though perhaps not in our political lifetimes, beyond that, to create a wider and more important Community in the future, providing we lay the groundwork now to ensure that work will go ahead. That is something I passionately believe is the vision of the Community, that we must lift our eyes to, as we look not to next year or the year after, not to narrow sectional interests, but to the long-term future of our continent, from one end of it to the other. We are a factional Community now, a factional European Community, and until we embrace the whole of Europe, that is what we will remain.

Let me say in conclusion, Madam President, that debate and repartee are an essential part of democracy. They are healthy and are actually rather enjoyable for the people who are engaged in the debate, even when the repartee comes from those who are seated and is perhaps not intended to encourage the person on his feet at the time – but it is part of democracy. However, what matters outside the fun we have debating these issues, are the decisions that we actually take. What are the facts of the decisions we took at Edinburgh? The facts are clear: agreement for the

Danes to go back with a fresh referendum, agreement on enlargement negotiations in the Community with the Nordic countries to start immediately, and agreement in due course for the Visegrad countries to come into the Community as well; agreement on future financing, agreement on an economic recovery programme. Many would argue that there should have been more, many had believed there would be none, but **there was agreement**.

Those are just some of the matters that were decided at Edinburgh. I would add just one final point in conclusion. I believe the three institutions, in almost uniquely difficult times in recent years in the Community, have worked well together over the last six months. The balance between them remains important and it has been respected. The legislative programme has been formidable, making heavy demands on this Parliament as well as upon the Council. The Council and Parliament collectively have risen to that challenge. What surprises and disappoints me a little is that some here seem to lay more stress on the areas of disagreement than the areas of achievement that collectively have been reached, not just in the last six months but over recent years. The glass is half-full and filling; why insist it is half-empty and suggest it is draining dry? We need to work together. None of us should be under any illusions about the concerns that exist right the way across Europe in the minds of the citizens of Europe. It is our job together – the national governments and the European Parliament and its Members – to sell the successes of the Community. There are plenty of those successes. Edinburgh has added to them. Let us not seek the politically and practically impossible but achieve the possible, and build on that and take pride in building on it. That is the way we will capture the affections of the people of Europe for our institutions as well as just ensuring they know that we are here. I believe we can be proud of what was achieved and I am delighted to have been able to be here today to express my thoughts about that.

[...]

[After the continuing debate, Mr Garel Jones, President-in-Office of the Council, stated:] Mr President, I should just like to make a brief response to Mr Herman. It may have escaped his notice but the Community is actually made up of Member States with all their imperfections.

[After the continuing debate, Mr Garel Jones stated:] Since I am not giving a formal wind-up I thought I would just pick up individual points as they arise.

Again, the honourable Member will be aware that the four countries he has mentioned as having what he calls normal treatment happen to be four of the richest countries in the Community and to have been until very recently – and I think this is still the case – net recipients. If he wants to go to a ‘normal’ – as he would call it – system for everyone, he must realize that, because this is a zero sum game, he is advocating that his own country should become a substantial net contributor, as mine is.

¹ EPC Bulletin, Doc. 92/377.

² EPC Bulletin, Doc. 92/449.

92/459. Statement concerning the report on behalf of the Committee on Foreign Affairs and Security on the establishment of the European Community's common foreign policy

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Statement in the European Parliament

Mr Garel Jones, President-in-Office of the Council: Mr President, can I begin by saying how interesting I found this short debate and thank Mr Verde I Aldea for the way in which he introduced it. I felt at the outset he was expressing some disappointment. He quoted a Spanish proverb and I would turn it on its head: in Britain we say 'Necessity is the mother of invention'. I do not know whether you have the same proverb in Spanish. But the fact is that the way in which the Member States are evolving their foreign policy is forced on them by events and I hope to demonstrate to him that it has been quite successful.

The other point I detected from his remarks, and perhaps some other colleagues who spoke in the debate, was that we have to recall that what we are focusing on here is inter-governmental cooperation. This is not a Community activity, it is an inter-governmental activity. And that means – and this is happening in my own parliament at home and, I daresay, in the parliaments of other Member States – that in a sense we have to go on inventing and finding ways of ensuring that these activities which take place under inter-governmental cooperation are activities that are discussed and debated between the Presidency of the day and the European Parliament. It is the evolutionary nature of the common foreign and security policy that is making it so successful.

My own government in the United Kingdom has always been a strong supporter of European political cooperation. Indeed, Lady Thatcher claims to have invented it herself. She has some justification for doing so because when the Single European Act was signed it was common ground and well documented that there was enthusiastic input from the United Kingdom and the British Foreign Office in the setting up of European political cooperation. So we, as Presidency, have worked very hard in the negotiations up to the Maastricht Treaty to obtain a satisfactory outcome on the common foreign and security policy which now is inscribed on the face of the Treaty.

European political cooperation has proven itself over the years – it has moved from what were meetings once every two or three months and rather vague declarations to a more systematic policy where Member States operating on consensus use their united voice to ensure that the Community and its Member States exert the maximum influence possible on the world stage. Of course it is true that events quite near us in Europe today not only demonstrate how important it is for the Community to act together as a force for moderation and good I would say in the wider sense of that word, but also how jolly difficult it is resolving disputes and disagreements of the kind that face us in Yugoslavia. That is not an easy problem and we want to be very careful, all of us, before falling into the trap of saying that because this issue has not been solved therefore our efforts at a common foreign policy have failed. That is not the case. The fact is that the situation in Yugoslavia would, I contend, be very much worse indeed were it not for the coordinated policy that the Member States of the European Community have put together in the face of that terrible crisis. I refer, of course, to the humanitarian effort being made by the Member States and, in parallel with that, the diplomatic efforts starting with the conference in London where the European Community and the United Nations are working jointly to provide the route back to the negotiating table which, in the final analysis, is the only place where conflicts of this kind can be resolved. I hope that we will not fall into the trap of expecting instant solutions to intractable and long-standing problems and then beating our breasts and saying that our efforts to form a common foreign policy are not being successful.

The Maastricht Treaty will consolidate the progress we have made under European political cooperation and provide the basis for a future strengthened cooperation. Maastricht opted for the right path – inter-governmental cooperation within a single institutional framework – and that will, over the years, build up a greater coherence between the Member States' foreign policy and between the common foreign and security policy and Community action where, as honourable Members will know, there is often some overlapping.

We also recognize in the Treaty the importance of involving the European Parliament in this work and there are provisions in Article J.7 on informing and consulting the European Parliament. The Presidency will have the responsibility to inform and consult, and I quote, 'on the main as-

pects and basic choices' and then to ensure that the views of the Parliament are taken into consideration. Moreover, the Presidency and the Commission must keep the Parliament regularly informed of developments within the common foreign and security policy. Within Title 5 there is also provision for possible joint actions. These will be operational and specific within broad outlines of policy discussed with the Parliament. The Presidency is committed under the Treaty to inform and consult the European Parliament on the main aspects and the basic choices.

The report before you emphasizes the important role played by the Commission in European political cooperation and in the CFSP. I agree with all that. The Commission is fully associated with this work and, indeed, has an important role to play in certain areas. An EPC perspective on the human rights situation in a given country is a vital element in the decisions subsequently taken within the Community framework on how assistance should or should not be provided.

The report advocates a greater use of majority voting on foreign policy matters. The approach under Maastricht is, as the honourable Member will be aware, different. Heads of Government – I think rightly – believe that the strength of a common foreign and security policy and of the EPC itself lies precisely in forging the policies which all can then support wholeheartedly.

Yugoslavia demonstrates this point as well as any other. A policy based on qualified majority voting could not have held together given the different interests of Member States. I believe – and we shall have to see how all this develops – that the common foreign and security policy will be much stronger because it is based on consensus. It will not have escaped the notice of the honourable Member, Mr Verde I Aldea, that his country has a considerable number of troops on the ground in Yugoslavia. I do not think his country, or indeed any other country, could be expected to take decisions in which they might be placed in a minority and their troops and their men might have their lives placed at risk. So when you move into a coordinated foreign policy where decisions may be taken which involve the deployment of troops, the way forward is by consensus and by moving together. That is what the Maastricht Treaty seeks to provide.

An honourable Member spoke of the arrangements at the United Nations. We have to bear in mind that the arrangements in the United Nations now offer good representation for Europe. Europe has two permanent members on the Security Council of the Community and that gives Europe a powerful voice in the international arena. This is very often supplemented, as it is at the moment and will be next year, by another Member State being elected onto the Security Council. So Europe has a strong voice on the Security Council of the United Nations and we want to be very careful before we seek to tamper with that.

This is recognized in Article J.5(4) which acknowledges the special rules which must apply for the common foreign and security policy in the Security Council. The arrangement which evolved from Maastricht reflects the special responsibilities which members of the Security Council have under the United Nations Charter. But having said that, cooperation between the Member States in New York is not only desirable but has been strongly encouraged under the British Presidency. I have no doubt that will continue and I believe that all Member States are now very happy with the way in which the Presidency has sought to discuss these matters with our partners on the Security Council. There have been regular briefings on developments and there is a far closer spirit of cohesiveness than existed hitherto. Within the General Assembly all Member States have long learned that they have more authority acting together than separately.

Mr President, the provisions of the Maastricht Treaty on the common foreign and security policy will, I believe, strengthen the Union's foreign policy. They are based on inter-governmental cooperation. Maastricht confirmed the relevance of this approach as being every bit as justifiable as one founded on the EEC Treaty itself. The nature of foreign policy and the interests of Member States demanded such an outcome. By definition therefore neither the Court of Justice nor the European Parliament can or should exercise control over the common foreign and security policy. But, as I have already explained, there are, and should be, arrangements for involving the Euro-

pean Parliament in the thinking that goes to shape the foreign policy. I myself have enjoyed a close cooperation with Mr Baron, the chairman of your Committee on Foreign Affairs and Security. I have no doubt that this Parliament and future presidencies will work together to build on that understanding that will be so important to the developing common foreign and security policy of the Union.

92/460. Question No H-1151/92 by Ms Oddy on the export industry in Sri Lanka

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Is EPC aware that Mr R. Premadasa decreed a new emergency regulation making it an offence to criticize any person or organization involved in the export trade and that this new offence carries an imprisonment term of between 10 and 20 years? Does not EPC find this unduly restrictive?

Answer:

The Community and its Member States recognize the improvements made by the Government of Sri Lanka in restoring respect for human rights and the rule of law and have urged them to continue their efforts.

92/461. Question No H-1153/92 by Mr de Vries on opposition access to television in elections in Serbia and Montenegro

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

On 20 December 1992 elections are to be held in Serbia and Montenegro. If the democratic opposition is to get off to a fair start it will be essential for the opposition to have free access to television.

Are the Twelve prepared to make immediate representations to Belgrade to ensure that one of the television transmitters (e.g. Belgrade II, or the armed forces' reserve transmitter) is made available to the opposition (in particular the DEPOS opposition alliance)?

Answer:

The Community and its Member States agree that access to the media is an essential element in the process of democratically held elections. It is still unclear whether or not opposition parties will participate in the 20 December elections. Pending a decision we are, nevertheless, going ahead with plans for observers from the Community and its Member States, under the auspices of the CSCE ODIHR, to monitor preparations for the elections, especially the question of access to the media. Several Member States have supported action through the UN Sanctions Committee in favour of funding radio and television stations in Serbia and Montenegro for the specific purpose of enabling the opposition parties to play their full part in the election process. Other possibilities are being considered by Member States.

92/462. Question No H-1156/92 by Mr Pierros on extermination of Kurds in northern Iraq by Turkish troops

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

According to General Gures, Chief of Turkey's General Staff, the Turkish army's operations to exterminate the Kurds in northern Iraq continue unabated, with the result that more than 2.000 Kurdish separatists have been killed. According to General Gures, once the operations in northern Iraq have been completed, the Kurdish Workers' Party inside Turkey will be the next target. What measures does EPC propose to take to stop this unprecedented aggression against the Kurds?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States condemn terrorism wherever it occurs, including the terrorism of the armed Kurdish Workers Party, PKK. At the same time, terrorism has to be tackled by legal and democratic means. The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE and UN documents, including the rights of persons belonging to national minorities as set out in the Charter of Paris, the documents of Moscow and Copenhagen, the meeting of the Conference of Human Rights Dimension of the CSCE and the report of the Geneva meeting of experts. The relationship of the Community and its Member States with Turkey is conducted through a regular dialogue, bearing in mind our common attachment to democracy, respect for human rights and international law, in line with the principles and practices of both the UN charter and the CSCE, including the principles of the peaceful settlement of disputes, using all available means provided by international law to this effect. The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country, and express the hope that the latter will take all necessary steps to this end.

Mr Pierros (PPE): In response to the violence in Bosnia and Herzegovina, the Community has imposed sanctions against Serbia, and rightly so in my opinion. In contrast, in Turkey's case, despite the atrocities against the Kurds, you are trying to strengthen EC/Turkey relations.

Do you not think, Mr President-in-Office of EPC, that such two-faced behaviour is unacceptable and cynical? Or is it that you consider Kurds to be children of a lesser god?

Mr Garel Jones: The Community and its Member States strongly condemn and acknowledge the difficult situation faced by the Turkish authorities in South-East Turkey. The fact is that over 2.000 lives have been lost this year in terrorist-related incidents and much of the terrorist activity was mounted from across the border. We understand that the majority of Turkish forces have now withdrawn from northern Iraq, but we understand the difficulty that the Turkish Government faces and we expect them to deal with this problem in a way that is consistent with democratic institutions and with human rights.

Mr Ephremidis (CG): The Council's representative constantly refers to 'terrorists', 'terrorism' and 'Kurds in Iraq'. However, since Monday there have been in our Parliament three Members of the Turkish National Assembly, of Kurdish descent, who have reported to all the political groups, with specific facts and figures, that in south-eastern Turkey – not towards Iraq but in south-eastern Turkey – an army of 150 thousand armed to the teeth with weapons from Germany and other

Community countries is literally waging war, laying waste, flattening villages, destroying dwellings, livestock and cultivations, and murdering people.

I ask the Council's representative: is this action against a few 'terrorists' or the slaughter of an entire people? And what is the Community doing? He tells us that the situation is under review, that it is desirable to have relations with Turkey, and that dialogue will solve the problems. But we have heard the same thing for years, namely that dialogue will make Turkey 'see sense'. When? When are you going to do something? You should practise what you preach!

Mr Garel Jones: The PKK is a terrorist organization – full stop. A substantial number of Kurds live peacefully within Turkey and we believe the political dialogue between the European Community and Turkey should be taken forward on the basis of a common attachment to democracy, respect for human rights and international law. These are matters that in the course of our dialogue with our Turkish friends, we will raise with them.

Mr Arbeloa Muru (S): Mr President-in-Office of the Council, you are very well aware that, behind the killings of Kurds, or by Kurds, all of them abominable, there lies a serious political problem. The European Parliament has called in countless resolutions for respect for the cultural and linguistic autonomy of the Kurdish people, in Iraq as well as in Iran and Turkey. Is Political Cooperation taking any steps or exerting any pressure in this direction?

Mr Garel Jones: That is a very good question. And, of course, precisely the reason why we wish to have this enhanced political relationship with Turkey is to be able to discuss matters such as the one the honourable Member has raised in a spirit of friendly frankness.

President: I should like to express my personal thanks for the way in which the President-in-Office has dealt with questions. He has been very full and very much to the point. Thank you very much.

Ms Roth (V): Mr President, I asked to speak on this question as soon as Mr Garel Jones answered the question and I ask you to allow me to speak. I do not know whether I was too far away for you to see, but I did actually ask to speak right away.

President: It was made quite clear from the Chair that I would take the questioner for a supplementary and two others. Your name came in after that. I am not prepared to take more than two otherwise we will not get through our business.

Ms Roth (V): Then I should like to have it recorded that I find that hard to understand. I saw quite clearly who asked to speak, and when, and I actually asked to speak right at the beginning.

92/463. Question No H-1158/92 by Mr Martin on the need to raise the issue of Burma at the United Nations General Assembly

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Is European political cooperation aware of the need for the Member States of the European Community to act together to put pressure on the State Law and Order Restoration Council (SLORC) to change its attitudes to democracy and human rights?

Is the President-in-Office prepared to raise Burma's case at the United Nations General Assembly?

Answer:

The Community and its Member States share the concerns expressed by the honourable Member about the situation in Burma and have made these concerns known regularly to the SLORC in public statements and *démarches*.

In the light of the Burmese Government's continued repressive policies, the Community and its Member States have suspended all non-humanitarian aid programmes, cut defence links and agreed a total ban on arms sales to Burma.

The Community and its Member States were closely involved in the drafting of, and co-sponsored, the resolution adopted by the Third Committee of the United Nations General Assembly on 4 December condemning human rights abuses in Burma and the lack of progress towards a return to democracy. The Community and its Member States look to the SLORC regime to improve its human rights performance and to institute democratic and economic reforms to allow the international community to re-establish constructive relations.

92/464. Questions No H-1168/92 by Mr van der Waal, H-1180/92 by Mr Alavanos, H-1236 by Mr Langer and H-1011/92 by Mr Kostopoulos on EC recognition of the Republic of Macedonia, the British Presidency and the implementation of the Lisbon decision, recognition of Macedonia and on 'Recognition' of Skopje by Australia

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral questions in the European Parliament

Question No H-1168/92:

In December 1991 an EC arbitration committee recommended, in an internal opinion, that Macedonia be recognized. However, the EC Member States have so far refused to recognize the Republic of Macedonia in the face of Greek resistance – although, as in the cases of Slovenia, Bosnia and Croatia, the conditions for recognition under international law have been fulfilled: namely, a clearly defined territory and a legally elected government which enjoys the support of the people.

Failure to recognize Macedonia has seriously destabilized the country: economically, as a result of the embargo on trade and aid, and, increasingly, at a political level. The armament of various ethnic groups is now proceeding apace. A civil war in Macedonia would also affect its neighbours.

Does EPC not consider that the 'Republic of Macedonia' should be recognized as soon as possible to prevent further escalation of its domestic problems?

Question No H-1180/92:

How has the British Presidency implemented the Lisbon decision on the Republic of Skopje. What initiatives has it taken to carry out the decision of the European Council and with what results?

Question No H-1236/92:

It has been reported in the press that Ambassador O'Neill, entrusted by the British [Presidency] with a special mission in connection with the former Yugoslav republic of Macedonia, has established criteria for resolving the problem of the diplomatic recognition of Macedonia by the EC Member States. What are these criteria, and what steps does EPC plan to take to encourage without further dangerous delay, the prompt recognition of Macedonia before that country becomes the object of a war?

Question No H-1011/92:

The decision by the Australian Government to recognize the validity of the passports recently issued by the Skopje authorities bearing the title 'The Republic of Macedonia' sets an unfortunate precedent which, if copied, will, in practice, undermine the decision taken in Lisbon and lead to the recognition of Skopje under the name of 'Macedoni'. Does EPC intend to support the Lisbon decision and ask the Australian Government to reverse this decision and fall in line with the Community in this matter?

Answer:

May I refer the honourable Member to my reply to Oral Question No H-867/92¹ by Mr Pierros on the same subject.²

¹ EPC Bulletin, Doc. 92/335.

² 'The recognition of States is an act under international law which concerns first and foremost the States directly concerned' (Annex of 16 September 1992, p. 19, col. 33-34).

92/465. Question No H-1170/92 by Mr Crampton on Iran's destabilizing activities and human rights' abuses

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The situation in Iran gives cause for concern, because of both the abuses of human rights inflicted on the population and the regime's destabilizing actions in the region. On 30 August 1992, Iran's Minister of Intelligence acknowledged his government's responsibility for terrorist operations against political dissidents and foreign nationals abroad. Iran's acquisition of nuclear plants from China and nuclear warheads from Kazakhstan has been reported. How does EPC propose to react to this situation? Will it consider an arms and oil embargo? Will it consider a trade embargo?

Answer:

The Community and its Member States will continue to express their serious concern about the human rights situation in Iran both in their dealings with the Iranian Government and in the relevant United Nations fora. The Community and its Member States condemn the assassinations of Iranian dissident figures abroad, whoever the perpetrators may be. They have made clear that

Iran's behaviour in a number of areas, particularly human rights, the upholding of the death sentence against the author Salman Rushdie and terrorism, will determine the extent to which closer relations can be developed.

The Community and its Member States attach the greatest importance to the non-proliferation of weapons of mass destruction and keep under constant review developments in this field. We are aware of the reports referred to but we have no direct evidence to suggest that Iran has acquired nuclear weapons. However, the Community and its Member States always treat such allegations with great seriousness. As a state party to the Non-proliferation Treaty (NPT) Iran is entitled to possess nuclear facilities and materials as long as they are subject to the appropriate safeguards and used for exclusively peaceful purposes. Iran is aware of the significance which we attach to Iran, and indeed all other states parties to the NPT, abiding fully by all their obligations under the treaty.

The Community and its Member States accept the right of countries to acquire the means to defend themselves, but are concerned that Iran's arms procurement should not pose a threat to regional security. Although there is no formal EC embargo, no Member State exports weapons to Iran.

92/466. Question No H-1176/92 by Ms Izquierdo Rojo on measures to promote the Conference on Security and Cooperation in the Mediterranean

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

The present state of the Middle East peace process and the international situation in general provide the European Community with a real opportunity to promote the setting up of the Conference on Security and Cooperation in the Mediterranean. What measures do the Ministers meeting in EPC intend to take in the near future to promote the setting up of this conference?

Answer:

May I refer the honourable Member to the answer given to his Oral Question H-974/92¹ on the same issue.

¹ *EPC Bulletin*, Doc. 92/392.

92/467. Question No H-1178/92 by Mr Papayannakis on the Anglo-Turkish communiqué on relations between the EC and Turkey

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

At the EC/Turkey joint council of 9 November 1992, the Twelve issued a joint communiqué in which clear reference was made to the Dublin decision, i.e. to the fact that the Cyprus question

affects relations between the EEC and Turkey. It also mentions that the opening of political dialogue at the highest level between Turkey and the EEC is conditional on the development of democracy in Turkey, respect for human rights and international law and full compliance with UN and CSCE principles. The following day a joint press communiqué was released on the responsibility of the British Presidency which contained no reference either to the Cyprus question or to the protection of human rights in Turkey. Can the President-in-Office say why the joint communiqué of the EPC and Turkey is not in the same vein as the joint position of the Twelve and whether, more generally, it considers that speaking with two voices when the Presidency of the EC is held by one Member State undermines the credibility of the European Community?

Answer:

The statement by the Presidency on behalf of the Community and its Member States adopted on the occasion of the EC/Turkey Association Council of 9 November 1992 reflects the common position of the Community and its Member States *vis-à-vis* Turkey.

92/468. Question No H-1185/92 by Mr Dessylas on the release of the activist Vardis Tsouris

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Vardis Tsouris, an activist who is being held in Chania prison for his part in a major demonstration organized in July 1990 in Chania (Crete) in protest at the presence of American bases has just completed a fifteen-day hunger strike.

His arrest and the charges brought against him and other activists taking part in the demonstration constitute a flagrant violation of basic democratic rights.

What representations will EPC make to the Greek authorities to persuade them to drop the charges against Vardis Tsouris and secure his immediate release?

Answer:

The question raised by the honourable Member does not fall within the competence of the European political cooperation.

92/469. Question No H-1193/92 by Mr Romeos on heroin production in Skopje

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Press reports claim that Israel is supplying chemical substances to a factory in Skopje which produces large quantities of heroin. As this is a problem affecting the whole of Europe, what action do the Foreign Ministers meeting in EPC intend to take to bring an immediate halt to the production and trafficking of drugs by Skopje?

Answer:

The specific issue raised by the honourable Member has not been discussed within EPC. As to the position of the Community and its Member States with regard to illicit drug production worldwide, may I refer the honourable Member to my reply to Oral Question H-931/92¹ on the same subject.

¹ EPC Bulletin, Doc. 92/386.

92/470. Question No H-1200/92 by Ms Ewing on human rights in China

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Will EPC concentrate its efforts for the release of prisoners in China, and in particular Mr Zheng Yafei who is still held in detention?

Answer:

The Community and its Member States share the concern expressed by the honourable Member about the detention of political prisoners in China. They have continued to express to the Government of China their concern about the human rights situation. A number of *démarches* have been made taking up the cases of individual political dissidents, seeking their release and requesting more information. The Member States of the Community, with others, introduced a resolution, which was not subsequently adopted, at the 48th Session of the Commission on Human Rights in March 1992 concerning the human rights situation in China.

The Chinese authorities are well aware of the importance which the Community and its Member States attach to scrupulous respect for human rights as set out in the declaration on human rights adopted by the Luxembourg European Council in June 1991¹ and the resolution adopted by the Development Council on Human Rights, Democracy and Development on 28 November 1991.

The specific case raised by the honourable Member has not been discussed in the framework of the European political cooperation.

¹ EPC Bulletin, Doc. 91/194.

92/471. Question No H-1206/92 by Mr Arbeloa Muru on European political cooperation and public opinion

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Does EPC think that its work on behalf of peace and development outside the Community is sufficiently recognized by the public in Europe? What measures and what amount of finance is it using to achieve this?

Answer:

The Community and its Member States use the inter-governmental process of consultation and co-operation in the framework of European political cooperation to give form and substance to their concept of peace and international security in accordance with the purposes and principles of the UN Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter. Their active and comprehensive involvement in finding a solution to the conflict in Yugoslavia is of course a relevant and visible example of such cooperation at all possible levels.

There is no lack of public interest in EPC and what it stands for and it is clear that both this interest and the EPC process are mutually reinforcing. Public opinion is kept informed through press statements and conferences and the constant flow of articles highlighting specific positions adopted by the Community and its Member States in the framework of EPC.

Community action is furthermore outlined in the regular contacts of the Presidency with the European Parliament on progress towards European Union.

92/472. Question No H-1215/92 by Mr Ribeiro on the Community, East Timor and the imprisonment of Xanana Gusmão

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

This question is submitted following initiatives by other Members and the author's own earlier questions on East Timor. The imprisonment of Xanana Gusmão cannot be considered as arising from a failure to obey the law or an act of rebellion in respect of which one could legitimately call for humane treatment or a fair trial. Rather, it is yet another manifestation of the Indonesian occupation which points up even more clearly the urgent need for solidarity with the people of East Timor, as the victims of a genocidal policy, in order to ensure the exercise of their right to self-determination.

What is EPC's position on the imprisonment of Xanana Gusmão?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States have conveyed their concerns to the Indonesian authorities and welcomed their assurance about Mr Gusmão's treatment. The Community and its Member States have also pressed for early and regular access to Mr Gusmão by the International Committee of the Red Cross. The Community and its Member States have made clear that they expect those associates of Xanana Gusmão who have been detained to be treated in accordance with international norms and have stressed the importance of early and regular access by the International Committee of the Red Cross to both them and other imprisoned East Timorese.

Mr Ribeiro (CG): Mr President, it is not a question of mere guarantees, which moreover are very doubtful as far as humane treatment is concerned. It is a question of an extreme example of violation of international law and the occupation of a country. The answer has nothing to do with my question. So I repeat that I refuse to accept that such imprisonment may be regarded as a failure to obey the law or an act of rebellion in respect of which one could possibly call for humane treatment or a fair trial. And I wonder whether that was the answer of External Political Cooperation which was given me here, or, to put it another way, what was the reaction of European political cooperation to a matter relating to violation of international law and the attempt to prevent a peo-

ple from exercising its right to self-determination. It is by no means a problem exclusively in the field of human rights for which a call is made for such humane treatment or a fair trial, which cannot possibly be satisfactorily guaranteed.

Mr Garel Jones: The Presidency representative in Jakarta made representations on behalf of the Community and its Member States on 2 December 1992, following consultation among the partners. The UN Secretary-General's representative also reported to the UN Secretary-General and the International Red Cross have access to him. If the honourable Member has other suggestions as to what the Community could do then I suggest he raises them with the authorities in his own country and perhaps they can bring them forward in European political cooperation.

Mr Alex Smith (S): I too wish to thank Mr Garel Jones for his sojourn here. We have enjoyed his company. The last six months can best be described as a triumph of flannel over fact at times. However, we will miss him and the next six months will not seem the same.

Regarding my question, given that the Stockholm International Peace Research Institute tells us that between 1986 and 1990 the United Kingdom was second only to the United States in supplying of weapons systems to Indonesia, does not the present British Presidency feel any sense of responsibility for the dreadful situation in Indonesia? Does it not feel thoroughly ashamed of its contribution to this terrible plight?

Mr Garel Jones: I think the honourable Member's earlier remarks were intended as a compliment. If so, I thank him for them. As far as arms exports from individual Member States are concerned, my Member State has guide-lines for those sorts of things and they are strictly adhered to.

Mr Brito (CG): Mr President-in-Office, just to put this question in context: I cannot help feeling a little shocked by the answer you have given. I will tell you why – because in fact I think it is not a human rights problem. We have to regard this problem as that of the imprisonment of a citizen in his own country by an invading power, that is, a citizen who, in the legitimate exercise of the right recognized by the United Nations and the international community to defend his right to self-determination, is imprisoned in his own land by an invading power. This question cannot therefore be treated as being merely in the field of human rights. But more than that, and really what bothers me most is perhaps the web of hypocrisy which the Community seems to want to weave in the sphere of international relations.

Only today we heard about the possibility of military intervention in Yugoslavia to defend citizens, human beings. I am not questioning the crimes being committed in Yugoslavia by all sides. But in Timor tens of thousands of human beings have already been murdered. Why then do we not resort to the same international pressures? The Community has arguments in the field of cooperation, economic arguments and strategic arguments, to compel Indonesia to respect international law.

Mr Garel Jones: The Portuguese people and their government do, of course, have a very special interest in and concern about events in Indonesia and, as I understand it, are engaged in talks about East Timor under the aegis of the United Nations even as we speak. I am sure that the Portuguese Government will make a very constructive contribution to those talks. I do not believe that Indonesia has practised genocide. Of course we are all concerned about reports of large numbers of deaths over the years, but we believe that some of the figures quoted are exaggerated.

President: Mr Ribeiro, you may only ask one question. I will let you make a point of order, but if it is a question I will not ask the Council to answer.

Mr Ribeiro (CG): Thank you very much for your kindness, Mr President, but the Minister asked me what suggestions we could put forward. So far the suggestions are by no means ones to be put

to the Portuguese Government and we are not dealing with a problem facing the Portuguese Government, to which the Minister has repeatedly tried to consign it. It is a matter of European political cooperation. On the other hand I ask what is happening with the third generation agreements with regard to ASEAN. So he asks me what suggestions we can make. What is happening with regard to the arms trade...

President: Mr Ribeiro, you are repeating your question, which you are not allowed to do, so I must interrupt you there.

92/473. Question No H-1237/92/rev. by Mr Müller on the situation of men and women in Serbian prison camps

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

What immediate measures does the EPC intend to take to force the closure of the disgraceful Serbian prison camps and to prevent the abuse of male prisoners and the systematic rape of women?

Answer:

The specific issue raised by the honourable Member should be seen in the wider context of human rights abuses in the former Yugoslavia.

The Community and its Member States have repeatedly deplored military aggression and all human rights abuses in the former Yugoslavia, including the practice of ethnic cleansing in Bosnia-Herzegovina and the persecution and torture of civilians. In particular, the European Council condemned the systematic detention and rape of Muslim women. Those responsible for all these crimes will be held personally accountable and brought to justice. The Community and its Member States have also condemned the existence of detention centres, especially in Bosnia-Herzegovina and called for camps to be opened immediately to international inspection and shut as soon as possible. They have also insisted that all displaced persons should be enabled to return in peace to their former homes.

The Community and its Member States fully support the commendable work of the ICRC in visiting all detention camps and working to prevent the mistreatment of detainees while arranging for their evacuation. The Community and its Member States also welcomed the extraordinary session of the Commission on Human Rights and its decision to send a special rapporteur, former Polish Prime Minister Mazowiecki, to investigate allegations of human rights abuses throughout the former Yugoslavia, in particular in Bosnia-Herzegovina. His reports to the Secretary-General about massive and grave violations throughout Bosnia-Herzegovina underlined the need for further action. The Community and its Member States therefore welcome and support the CSCE rapporteur missions investigating detention centres throughout the former Yugoslavia and attacks on civilians in Bosnia and Croatia. They have supported the establishment of long-term CSCE missions in Kosovo, Vojvodina and Sandjak.

The Community and its Member States strongly endorse UNSCR 780 on war crimes and welcome the appointment of a Commission of experts to assist the Secretary-General in the analysis of evidence. The perpetrators of mass killings and other grave breaches of international humanitarian law will be held individually responsible for their actions and the Community and its Member States will cooperate with the UN and the relevant bodies in ensuring that justice is done.

This view was repeated at the recent CHR Special Session on former Yugoslavia, held in Geneva from 30 November to 1 December.

92/474. Question No H-1238/92 by Mr Cushnahan on relief supplies for Somalia

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

Would the EPC agree that the commitment which was shown by the international community in relation to the 'desert storm' operation in the Middle East should now be repeated in order to ensure the effective delivery of relief supplies in Somalia?

Will EPC support such action within the United Nations?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: The Community and its Member States fully share the concern of the honourable Member. The Foreign Affairs Council on 7 December issued a declaration welcoming UN Security Council Resolution No 794.¹ This authorizes the UN Secretary-General and the UN Member States to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. A number of Member States have offered to provide troops for the operation, which is being led by the United States.

Mr Cushnahan (PPE): As it is the President-in-Office's last appearance before this House in that role may I place on record that, although we do not exactly share the same vision of Europe and although he might not have given me the fullest answers to questions which I posed, I greatly appreciate the courtesy and, indeed, patience he has shown during his term-of-office in responding to questions I raised. May I also wish him a happy and peaceful Christmas.

Dealing with the subject matter, I very much welcome that there are troops now in Somalia, though I regret it has taken so long. I hope we show the same sense of commitment in dealing with the problems in Yugoslavia. While we have some breathing space through the presence of troops, would the Ministers meeting in European political cooperation support moves to create some democratic political structures in Somalia? Also would they support attempts by those forces to disarm some of the warring factions who have caused so many of the problems and prevented relief supplies getting to those who badly needed them?

Mr Garel Jones: I am grateful to the honourable Member for his remarks. It is the case, of course, that he is not alone in the Irish Republic in taking a close interest in Somalia. I believe the President of the Republic and the Foreign Minister have visited Somalia too. Yes, I agree with the honourable Member that it is essential that the United Nations resume local and regional consultations throughout Somalia as soon as possible to establish a framework of national reconciliation. The Secretary-General is due to report to the Council by 19 December on plans to resume UN operations after withdrawal of the coalition forces. And, like him, I would very much hope that those discussions of national reconciliation might lead to democratic institutions in government taking root in Somalia.

¹ EPC Bulletin, Doc. 92/443.

92/475. Question No H-1241/92/rev. by Ms Roth on acceptance of refugees from the former Yugoslavia

Date of issue: 16 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to oral question in the European Parliament

At its sitting of 19 November 1992 Parliament declared that it was 'appalled at the fact that many thousands of refugees and former concentration camp inmates are unable to leave Bosnia-Herzegovina because no country is prepared to accept them' and called on 'the Member States as a matter of urgency to open their borders and their funds to solve the refugee problem in accordance with the principles of equal burden-sharing' (PE 162.995).¹

What steps has the EPC taken to date to implement this call for action?

Answer:

Mr Garel Jones, President-in-Office of European political cooperation: As a reminder of previous contributions of the Community and its Member States to the humanitarian relief effort and the refugee problem, may I just recall, rather than repeat it, my reply to Oral Question [H-]852/92² on the same subject: Subsequently, the Birmingham European Council on 16 October agreed that immediate and decisive action was needed in the face of the impending major tragedy in former Yugoslavia as winter approached. It underlined the importance of providing winter shelter and of ensuring the delivery of relief supplies through the UNHCR, as highlighted in the Commission's action plan. The European Council called on other international donors to make a commensurate effort to support the UNHCR appeal and to speed up delivery of assistance under existing pledges.

As a result of the Birmingham Council, an EC task force has been set up to reinforce the efforts of UNHCR and a constant review of the Community's humanitarian response set in hand to ensure that its efforts are timely and well directed.

The UN stock-taking conference in Geneva on 4 December made clear that more action is needed to deal with the desperate suffering of refugees and to develop safe areas. And the Edinburgh European Council stressed that more action was needed to provide protection to the civilian population through the development of safe areas and by providing refuge in the Member States for the particularly vulnerable categories of refugees.

Individual Member States, in close cooperation with the UNHCR and ICRC, have contributed substantially to the humanitarian effort by providing finance and material and by offering places of temporary refuge for significant numbers of refugees and ex-detainees from Bosnia-Herzegovina. In addition, a number of Member States are contributing forces to UNPROFOR for humanitarian convoy protection and the escort of detainees from camps. The Community and its Member States will continue to respond generously to the urgent humanitarian requirements.

Ms Roth (V): Mr President, could the President-in-Office perhaps explain to the House what he understands by 'immediate' and 'assistance'. For months we have been hearing these concepts of 'immediate' and 'decisive'. Now he has added 'timely and well directed'. But what does this actually mean?

I asked what steps are being taken to take in refugees. We are dealing now with the greatest refugee catastrophe in Europe since the Second World War. What steps are actually being taken? Is EPC ready for example to reconsider or abandon the restrictive visa policy, which more or less amounts to nothing but a coordinated policy for keeping refugees out? Has there been any discussion of laying down a kind of quota at Community level to regulate the take-up of refugees? It is

really shameful if we look at the number of refugees taken in by the United Kingdom or France for example. There are about a thousand, although we are dealing here with three million exiles and refugees.

My second question is what steps are being taken to release people from the death camps? We are speaking of some 10.000 in all! Has there been any agreement to guarantee to take them over? Is there any help for Austria and Hungary, which have taken very many more refugees, and what is the outlook for help for the women who are being held in women's camps? Are there guarantees to take them over? Are we really ready to take people in here in the European Community? That is the question that I am concerned about. I am not impressed by fine, pious words so near to Christmas!

Mr Garel Jones: First of all, in terms of humanitarian aid, the Community has already provided MECU 240 of assistance and is about to take decisions to provide further assistance. I do not agree with the honourable Member. Of course I accept, as I think the whole Community does, that the Federal Republic of Germany is carrying an enormous and disproportionate burden in this instance. But I hope she does not feel that the policy being pursued by other Member States is one that is seeking to shuffle off responsibilities in these matters. What we are striving for, through the UNHCR, is to take the most difficult cases into our own countries. As far as my own country is concerned, through the good offices of the UNHCR we have so far taken in 4.272 people – refugees and their dependants. And I think coordination through the UNHCR is the right way to do it. Concerning the appalling stories that are coming out of Yugoslavia about the abuse of women, the honourable Member's own Foreign Minister, Klaus Kinkel, is especially exercised and angry about this. He has pushed this issue very hard, and at Edinburgh the European Council decided to send an EC mission to the area concerned. This mission will be headed by Dame Anne Warburton, a very experienced and senior former diplomat, who will be accompanied by a small specialist team. This team is due to leave at any moment, and will report back to the Council as soon as possible. This is a matter to which the highest importance is attached.

Mr Langer (V): Mr President, my supplementary question is, does the Council agree that many people from the former Yugoslavia are today in a situation similar to that of the Jews at the time of the Second World War? That is, they could be saved if someone would take them in. That applies in particular to ten thousand people at present, who are living in southern Bosnia and could get away if someone would take them in.

Mr Garel Jones: I certainly think that the reports we are getting from Yugoslavia indicate that we are facing a humanitarian crisis on a scale we have not known in this generation, and that is immensely serious. As far as my own country is concerned – for I do not have figures for any others – since the crisis began, over 40.000 former Yugoslav nationals have arrived in the United Kingdom. Of the total of 4.500 applications for asylum from the former Yugoslav nationals since the beginning of 1992, 2.000 were made in October alone, so the number is increasing. No one from a conflict area in the former Yugoslavia currently in the United Kingdom, whether they apply for asylum or not, will be forced to return. Nevertheless, we believe that the policy enabling people who are in difficulty to remain so close to their own homes – and, we hope, eventual points of return – is correct, and the United Kingdom is helping by providing resources for building temporary homes and shelters for them in safe areas as near to their homes as possible. But I would say again to the honourable Member: we are all very much aware of the burden that is being so nobly borne by his own country.

Ms Roth (V): I just wanted to ask you if I might put another question, but I can see I shall not be allowed to. But I should still like to say that my honourable friend, Mr Langer, has asked specifically about the death camps, Mr Garel Jones, from which 10.000 people could be released if there

were to be a guarantee from the European Community to take them in. It seems to me really monstrous that there is no guarantee for 10.000 people who could be released!

¹ Minutes of the sitting of 19 November 1992.

² *EPC Bulletin*, Doc. 92/334.

92/476. Statement on the situation in Israel and the Occupied Territories

Date of issue: 18 December 1992
Place of issue: Brussels, London
Country of Presidency: United Kingdom
Status of document: Press statement

The European Community and its Member States firmly condemn the Israeli decision to deport more than 400 Palestinians. They regret that the Israeli authorities failed to respond to the Presidency's appeal not to pursue the policy of deportations, which is a violation of the Fourth Geneva Convention, and, in this case, an infringement of the sovereignty of Lebanon. They urge the Israeli authorities to allow the deportees to return immediately. Recent events underline the fact that the peace process is the only way to resolve the problems of the region. The European Community and its Member States call on all parties to redouble their efforts to negotiate a just, lasting and comprehensive settlement.

92/477. Question No 1946/92 by Ms Izquierdo Rojo (S) on immigration and the new partnership with the Maghreb

Date of issue: 21 December 1992
Place of issue: Strasbourg
Country of Presidency: United Kingdom
Status of document: Answer to written question in the European Parliament (from 1 September 1992)

The demographic and socio-economic problems of the Maghreb and the resultant migration towards the Community are growing increasingly acute: in the past few months there has been a tragic increase in the number of illegal Moroccan immigrants who have died trying to cross the straits to Spain in conditions of extreme suffering and subhuman exploitation.

In view of the fact that the European Community cannot stand idly by in the face of these developments at its own frontiers which directly impinge on its policy of cooperation, and its defence of human rights, and in view of the draft document on the 'new Europe-Maghreb partnership' which will be considered at the next summit in Lisbon, does the European political cooperation intend to take any immediate steps to deal with the growing problems of migration from the Maghreb to Europe?

Answer:

The Community and its Member States are concerned at the growing number of people who risk their own lives trying to cross the Straits of Gibraltar in order to take up illegal settlement in the territory of certain Member States. In their declaration on relations between Europe and the Maghreb at the Lisbon European Council,¹ the Community and its Member States reaffirmed their determination to continue to contribute to the stability and prosperity of the Mediterranean region on the basis of an approach favouring partnership. In the social field, they acknowledge that prior-

ity consideration must be given to the problems raised on both sides of the Mediterranean by migration and living and working conditions of migrant communities, as well as to demographic imbalances and the attendant economic and social disparities.

¹ *EPC Bulletin*, Doc. 92/256.

92/478. Question No 1959/92 by Mr Nianias (RDE) concerning the role of Turkey today

Date of issue: 21 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

A few days ago Iran unleashed a verbal attack on Turkey, accusing it of being a destabilizing element, threatening peace in the region and seeking to control Muslims in the Balkan, the Caucasus and Central Asia.

Does the Community intend to discourage Turkish megalomania (which is not based on any economic, technological, intellectual or cultural superiority) so as to prevent certain tension in regions which are critically important for world peace?

Answer:

The Community and its Member States have engaged Turkey in a long-standing political dialogue on issues of mutual interest.

The Lisbon Council concluded that

'the Turkish role in the present European political situation is of the greatest importance and that there is every reason to intensify cooperation and develop relations with Turkey in line with the prospect laid down in the Association Agreement of 1964 including a political dialogue at the highest level. The European Council asks the Commission and the Council to work on this basis in the coming months'.¹

¹ *EPC Bulletin*, Doc. 92/253.

92/479. Question No 2064/92 by Mr Robles Piquer (PPE) on the European Union's military capacity, Atlantic cooperation and enlargement

Date of issue: 21 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

While American defence planners appear to be considerably altering the presentation of their priorities, the substance of the latter is being modified to a lesser extent. At the end of May 1992 *The Washington Post* obtained a copy of the document 'Defence Planning Guidance (1994-1999)', in which top priority was apparently being given to the preservation and enlargement of alliances. However, it was stated that American planners should also retain the option of acting unilaterally.

What view does EPC take of the present version of this document compared with the one published in March, in the light of the negotiations on the contribution of European military capacity to collaboration in the Atlantic Alliance?

The Commission's position on Community enlargement appears to be that any reference to the institutional changes which will be required should be avoided, at least until the Maastricht Treaty has been fully ratified. However, applicant countries are required to acknowledge the existence of foreign, security and defence policies as an *acquis communautaire*. Does EPC intend that the Franco-German corps in its present, or possibly an enlarged form, should be included in the institutional framework to be accepted by new Member States?

Answer:

The issues raised by the honourable Member do not fall within EPC competence.

92/480. Question No 2406/92 by Mr Robles Piquer (PPE) on renewed tension over the Spratly Islands

Date of issue: 21 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 6 October 1992)

Increasing tension has been reported over the Spratly Islands, in the South China Sea. The power vacuum caused by the former Soviet Union's withdrawal from its Vietnam bases and diminishing US presence in the Pacific has served to wet the appetites of those who covet these islands, which are thought to contain rich deposits of hydrocarbons. The Republic of Vietnam has occupied 24 of the islands, while the Chinese parliament has repeated its claim to sovereignty over the whole archipelago. Meanwhile, both the Philippines and Indonesia maintain permanent garrisons on some of the islands.

Does European political cooperation possess any information in addition to the above, and has it reached any joint agreement on the matter, involving as it does a region in which the Community's interests are likely to be perfectly harmonious rather than subject to national rivalries?

Answer:

The Indonesian Government does not claim any of the Spratly Islands and does not maintain garrisons there. It has been active in promoting peaceful discussion of the various claims and of the possibility of joint development of the Islands' potential resources. In addition to the countries mentioned, Taiwan, Malaysia and Brunei all claim some or all of the islands.

The Community and its Member States welcomed the adoption of a declaration on the South China Sea at the ASEAN Ministerial Meeting in Manila on 22 July 1992, which urged a peaceful resolution of the claims over the Spratly Islands. This was the first occasion on which the ASEAN countries had agreed a common stand on this territory, over which three ASEAN countries have sovereignty claims. Furthermore, two other claimant countries, China and Vietnam, supported the principles of the ASEAN declaration. These principles were reiterated in the 30 October joint declaration of the EC/ASEAN Ministerial Meeting in Manila.

The Community and its Member States hope that these developments will lead to concrete talks over the future of the Spratlys.

92/481. Question No 2480/92 by Mr Pierros (PPE) on torture and human rights violations in Turkey

Date of issue: 21 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 8 October 1992)

Reports from Turkey suggest that torture and human rights violations are as widespread as ever and the internal situation in the country is therefore a cause for great concern. Every day Turkish newspapers print accounts of brutal behaviour by the police, the armed forces and other organs of the Turkish State against ordinary citizens. They indicate that the situation has deteriorated since the adoption of a new law under which the presence of a lawyer is no longer mandatory during interrogation. These reports involve the beating-up of pupils and teachers, notably during religious instruction (the magazine *Towards the Year 2000*, 31 May 1992), night raids on artists' homes searching for illegal literature (*Hürriyet*, 7 June 1992), cases of torture by the Turkish State (*Zaman*, 17 April 1992), and the torture of detainees who have been beaten up, subjected to electro-shock treatment and maltreated by trained dogs (*Cumhuriyet*, 2 July 1992).

How do the Foreign Ministers meeting in EPC intend to deal with the problem of human rights violations in Turkey and what prospect do they see for the development of ties between the European Community and Turkey against this background?

Answer:

The European Council, at its meeting in Lisbon on 26 and 27 June 1992, underlined that the role of Turkey in the present European political situation is of the greatest importance and that there is every reason to intensify cooperation and develop relations with Turkey in line with the prospect laid down in the Association Agreement of 1964, including a political dialogue at the highest level.

The Turkish authorities are well aware of the importance which the Community and its Member States attach to the rule of law and the commitments to which Turkey has subscribed in CSCE documents, including the rights of persons belonging to national minorities, as set out in the Charter of Paris, the documents of the Moscow and Copenhagen meetings of the Conference on the Human Dimension of the CSCE, and the report of the Geneva meeting of experts.

The Community and its Member States will continue to monitor the situation closely in the light of the Turkish Government's commitment to improve the human rights situation in the country and express their hope that the latter will take all necessary steps to this end.

92/482. Statement on Cuba

Date of issue: 22 December 1992

Place of issue: Brussels, London

Country of Presidency: United Kingdom

Status of document: Press statement

The Community and its Member States have on a number of occasions drawn to the attention of the Cuban authorities the importance which they attach to respect for human rights and fundamental freedoms, in accordance with the Universal Declaration of Human Rights and other international agreements and undertakings to which Cuba has subscribed.

They have made known their concerns in private exchanges with the Cuban authorities, in public statements and in multilateral fora such as the United Nations Commission on Human Rights and the United Nations General Assembly. However, they note with deep disappointment the negative response of the Cuban authorities to a recent *démarche* made by EC troika Heads of Mission in Havana on the case of Sebastian Arcos. This unsatisfactory reaction and the recently increased harassment of human rights activists, in particular Elizardo Sanchez and Yanez Pelletier, can only reinforce the concerns of the Community and its Member States over human rights in Cuba.

92/483. Question No 2240/92 by Ms Piermont (ARC) on the EC protest at the stepping up of the US embargo on Cuba

Date of issue: 23 December 1992

Place of issue: Strasbourg

Country of Presidency: United Kingdom

Status of document: Answer to written question in the European Parliament (from 1 September 1992)

On 7 April 1992 the Commission, together with the Portuguese Embassy in the USA and with the support of the Swedish and Canadian Embassies, lodged a protest with the US State Department with a view to preventing the adoption of Bill No 4168/1992 tabled by Senator Torricelli.

1. What points in the bill were singled out for criticism and on what grounds?
2. What is the precise wording thereof?
3. What official (or unofficial) answer to the protest did the ministers receive?

*Answer:*¹

The Council would ask the honourable Member to refer to the reply given by the Council on 18 November 1992 to his question No H-1065/92.

¹ This reply has been given by the Council of the European Communities within whose province the question came.

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