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R E P O R T

of the Committee on Foreign Affairs and Security

on relations between the European Community and the
republics of the former Yugoslavia

Rapporteur: Mr Arie OOSTLANDER

PART A: MOTION FOR A RESOLUTION

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A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

* = Consultation procedure requiring a single reading

**II = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

**I = Cooperation procedure (first reading)

*** = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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At the sitting of 14 December 1990, the President of the European Parliament announced that he had forwarded the motion for a resolution by Mr Blot on the growing danger of civil war in Yugoslavia and attempts at intimidation by the Communist Government of Serbia, pursuant to Rule 63 of the Rules of Procedure, to the Political Affairs Committee as the committee responsible.

At its meeting of 28 February 1991, the committee decided to draw up a report.

At its meeting of 22 March 1991, the committee decided to include in its report the following motions for resolutions which had been referred to it:

- B3-1941/90; author: Mr Avgerinos and others; subject: situation in Yugoslavia; announced in plenary sitting: 18 February 1991; responsible: Political Affairs Committee; opinion: Committee on External Economic Relations and the Committee on Social Affairs, Employment and the Working Environment;
- B3-2117/90; author: Mr Habsburg and others; subject: relations between the EC and the Republics of Croatia and Slovenia; announced in plenary sitting: 25 January 1991; responsible: Political Affairs Committee.

At its meeting of 24 April 1991 appointed Mr Oostlander rapporteur.

At its meetings of 30 August 1991, 20 September 1991, 6 November 1991, 26-28 November 1991, 21 January 1992, 16 March 1992, 14 April 1992 and 25 May 1992 the committee considered the draft report.

At the last meeting it adopted the resolution unopposed with one abstention.

The following took part in the vote: Baron Crespo, chairman; Cassanmagnago Cerretti, vice-chairman; Oostlander, rapporteur (for Poettering); Balfe, Belo (for Planas), Bethell, Canavarro, Cheysson, Coates, Cravinho, Dillen, Fernandez Albor, Gawronski, Habsburg, Hoff (for Sakellariou), Jepsen, Lagakos (for Pasmazoglou), Lenz, McMillan-Scott, Moran Lopez, Morodo Leoncio (for Capucho), Newens, Newton Dunn (for PirkI), Penders, Rawlings (for Catherwood), Reymann (for Bernard-Reymond), and Schmid.

The opinion of the Committee on External Economic Relations is attached to this report. The Committee on Social Affairs, Employment and the Working Environment decided not to deliver an opinion.

The report was tabled on 26 May 1992.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

MOTION FOR A RESOLUTION

on relations between the European Community and the republics of the former Yugoslavia

The European Parliament,

- having regard to the motions for resolutions tabled by:
 - (a) Mr Blot on the growing danger of civil war in Yugoslavia and attempts at intimidation by the Communist Government of Serbia (B3-1862/90),
 - (b) Mr Avgerinos and others on the situation in Yugoslavia (B3-1941/90),
 - (c) Mr Habsburg and others on relations between the EC and the Republics of Croatia and Slovenia (B3-2117/90),
- having regard to the report of the Committee on Foreign Affairs and Security and the opinion of the Committee on External Economic Relations (A3-0208/92),
- A. shocked by the immense human suffering and the social, cultural and material damage caused by the war on Croatian territory and in the republic Bosnia-Herzegovina which has been and is still being caused by the war,
- B. continuing to pursue the policy laid down in its resolutions on Yugoslavia,
- C. having regard to the measures taken and to the declarations made by the EC and the UN Security Council,

As regards the Yugoslavian Federation,

1. Considers that Yugoslavia has ceased to exist as a federation of six republics;
2. Believes that the rights and obligations of the former federation have devolved on the several republics;
3. Takes the view that the new Federation composed of Serbia and Montenegro cannot claim to take over all the international rights and duties of the former Yugoslavia;
4. Considers that provision must be made for payments to make good damage in the areas hit by war;
5. Believes that all other assets and liabilities of the former federation and its organs as at 1 January 1992 must be divided among the six republics;
6. Is of the opinion that, if necessary, an arbitration committee, to be set up by the Peace Conference, must supervise the distribution of these assets and liabilities;

As regards recognition policy,

7. Considers that republics of the former Yugoslavian federation may be recognized as internationally independent only if they fulfil all the criteria and conditions laid down in the 'Declaration' by the Council of Ministers of 16 December 1991 and only if the preambles and provisions referring to territorial claims, thereby encouraging and justifying propaganda for such claims, are removed from their constitutions; considers that the European Community has a duty to uphold peace and stability on European territory;
8. Believes that the 'Guidelines on the Recognition of new States in Eastern Europe and in the Soviet Union' and the associated 'Declaration on Yugoslavia' have formed a just basis for policy on recognition;
9. Is of the opinion that recognition of the republics of Slovenia, Croatia and subsequently of other republics, which comply with the criteria laid down in the above-mentioned 'Guidelines' and 'Declaration', should be welcomed, and trusts that any remaining friction over these criteria will be removed in the context of the peace conference;
10. Considers that the EEC and the international community should demand full compliance with the 'Treaty Provisions', particularly as regards respect for the rights of the Albanian population of Kosovo and the Hungarian minority of Vojvodina before recognizing the new federal entity composed of Serbia and Montenegro;
11. Believes that recognition would immediately entail more binding obligations for the UN and the EEC in respect of military action against Bosnia and Croatia since such action would officially be deemed to be a violation of international law by a Federation in respect of two independent states;
12. Takes the view that the continuing oppression of the Albanian population of Kosovo is unacceptable and constitutes an obstacle to normal relations between Serbia and the EC;

As regards the rights of minorities,

13. Considers that the exploitation of ethnic conflicts for political ends must be opposed;
14. Calls for the displacement of population groups from Slavonia and Bosnia-Herzegovina to cease immediately;
15. Considers that practical steps must be taken to establish true democracies which make provision for human rights and minority rights, as laid down in the 'Treaty Provisions for the Convention' drawn up for the peace conference;
16. Believes that bringing constitutions in line with the 'Treaty Provisions' creates conditions conducive to such development and that guarantees must be provided in this way for a just solution for the Serbian population of Croatia, the Albanian speakers and other population groups in Yugoslavian Macedonia;

17. Takes the view that, in Bosnia-Herzegovina in particular, arrangements must be made to protect the rights of the various ethnic groups in line with the 'Treaty Provisions';
18. Is convinced that the establishment of majority dictatorships in the 'cantons' must be rejected;
19. Considers that measures must be taken to enable the population everywhere to return to their homes in peace;
20. Calls for recognition and restoration of the rights of the people of Kosovo, including the universal right of self-determination, followed by the granting, in accordance with the above-mentioned 'Treaty Provisions', of an appropriate degree of autonomy within the Serbian State, as this is the only way - apart from self-determination in the form of a secession - to satisfy the rightful demands of the people;
21. Calls for an end to the intimidation of minorities in the province of Vojvodina and the restoration of the autonomy of that province, as demanded in the 'Treaty Provisions';
22. Considers that a court for minority rights, accepted by all republics, and in which the EC would participate in accordance with the proposals laid down in the 'Treaty Provisions', is a necessity;
23. Believes that free and diversified sources of news must be encouraged and that the EC must, if necessary, support initiatives to that end;
24. Takes the view that at least as much stress should be placed on the establishment of a democratic and pluralistic society - as a requirement for countries applying for EC membership and associated countries - as on the introduction of a social market economy;

As regards human rights

25. Demands that all parties to the conflict respect internationally-recognized humanitarian principles and protect human rights; that complaints of torture and mistreatment of prisoners be investigated and the guilty parties brought to trial; that information be provided on missing persons arrested by the armed forces and that lawyers, doctors and relatives immediately be granted access to citizens who have been placed under arrest;

As regards borders

26. Considers that the borders within Yugoslav territory must be respected, as they are the historic and internationally recognized expression of administrative, political, ethnic, cultural and economic traditions, and considerations of territorial integrity;
27. Is convinced that new, self-governing entities may be formed within the republics, where the minorities can enjoy their specific rights, in accordance with the 'Treaty Provisions';

28. Is of the opinion that borders may be only be altered with the full and freely expressed authorization of the relevant authorities and peoples and, in view of the imbalance of power, following negotiations conducted under international supervision;
29. Considers that the imposition of ethnic homogeneity through intimidation and forced migration is to be utterly condemned;
30. Believes that ethnically mixed communities which maintain internal peace and cooperation deserve the highest respect of the international community and its full support;
31. Considers that the constitutions of the republics should have removed from them any suggestion that a republic has an administrative or political responsibility for persons of the same ethnic group who are citizens of other republics;
32. Believes that this rule should not be circumvented through the offer of 'dual nationality' (in the sense of citizenship) to persons of the same ethnic group who are citizens of another state;
33. Considers that all relevant provisions, as stipulated in paragraphs 3 and 4, be deleted from the preamble and other sections of the constitution of the former federal republic known as 'Macedonia'; as for the name by which this former Yugoslav republic may be recognized internationally, the conditions set by Greece are aimed at safeguarding peace, cooperation and stability throughout the region, and are therefore of crucial importance for the European Community; it is also necessary that the views of the Albanian-speaking minority in this former Yugoslav republic should be taken into account as far as possible;
34. Believes that recognition must, inter alia, contribute to an improvement in the domestic and international legal order;

As regards the armed forces

35. Demands that all Yugoslav National Army units refrain from supporting Serb militias and from all forms of oppressive action in respect of the territories of the republics of the former Yugoslavia;
36. Calls for the disarmament and dissolution as a priority of the irregular militias;
37. Demands the permanent demilitarization of ethnically mixed regions and the airspace and territorial waters of disputed coastal areas;
38. Calls for army units to comply with the instructions of the legitimate government of the republic where they are stationed, or to evacuate the republic in question forthwith;
39. Calls for all other troops and armed civilians to withdraw immediately to the republics from which they came;

40. Considers that the disappearance of federal Yugoslavia means that there is no longer any legal basis for the federal army nor, inter alia, any legal right to call up conscripts or reservists to serve in that army;
41. Takes the view that the federal army must be dissolved in an orderly fashion under UN supervision and taking into account the interests of those involved;
42. Believes that the EC should provide aid to retrain federal army personnel in non-military duties;
43. Considers that commanders who do not obey the orders of the legal authorities and who perpetrate atrocities must be identified, as war crimes must not a priori go unpunished;

As regards observers and peace-keeping troops

44. Expresses its appreciation for the efforts of the EC monitors, who did what they could to achieve peace, often risking their own lives, and expresses its profound sympathy with the relatives of those who lost their lives in the process;
45. Considers that the presence of EC monitors may help to foster a sense of security in regions threatened by tensions and that they therefore have a useful role to play both in regions which have been at war and elsewhere (e.g. Bosnia-Herzegovina);
46. Is convinced that all combat areas must be accessible to EC monitors, Red Cross personnel and UN forces;
47. Believes that the EC should express its appreciation of the EC monitors through a symbolic gesture, as is the custom with peace-keeping operations carried out by UN personnel;
48. Considers that the deployment of UN peace-keeping troops in regions which have been at war and in Bosnia-Herzegovina is an important factor for peace and that, if necessary, UN peace-keeping marine units can also be deployed to ensure peace in the coastal region;
49. Takes the view that the EC and the UN should take firm action against those responsible for the military aggression against Bosnia-Herzegovina, including sanctions;
50. Considers that UN peace-keeping troops must have access to adequate resources to guarantee their own safety and carry out any policing tasks which may be necessary;
51. Is convinced that the Community Member States have a fundamental responsibility in terms of financing and staffing to facilitate wider UN deployment in the former territory of Yugoslavia;

As regards the regulation of relations between parties

52. Believes that the proposals laid down in the 'Treaty Provisions' form a sound basis for the regulation of common interests and responsibilities in

the fields of the economy, internal trade, transport, the environment, the legal system, foreign policy and legislation;

53. Considers that the success of these negotiations depends on the degree of mutual trust and that the EC's role in this sphere is limited to encouragement, as the republics must be able to support any arrangements made on the basis of their own conviction;
54. Feels that the EC must take steps to ensure that the interests of the various republics are catered for proportionately and equitably, and that the more the republics succeed in achieving this, the better their prospects of favourable relations with the Community;
55. Advocates that the EC conclude cooperation agreements with those republics which satisfy the 'Treaty Provisions' and which cooperate in the peace conference and the UN operation and considers that negotiations may now be initiated for a cooperation agreement with the Republic of Slovenia;

As regards ways in which the EC can bring its influence to bear

56. Considers that diplomatic instruments, and in particular the peace conference, are important for peaceful coexistence in the future, and that such instruments are more effective if Europe speaks with a single voice;
57. Believes that the EC monitors are a visible symbol of the Community's interest in the republics of Yugoslavia;
58. Is convinced that the selective establishment of economic relations provides an incentive for cooperation with the peace conference and puts pressure on uncooperative republics;
59. Takes the view that an arms embargo must go hand in hand with efforts to restrict the domestic military industry, as the embargo will otherwise have a very one-sided impact; the military industry, particularly in Bosnia-Herzegovina, must be converted to civil production with financial and technical support from the EC;
60. Considers that selective economic boycotts, including an oil boycott, are useful instruments for conveying serious disapproval and showing the population that its government is heading for disaster and must be forced to change its policy;
61. Hopes that the EC will continue to develop democratically controlled powers in the field of foreign policy and defence, to avoid constantly falling short of the expectations of peoples who, on the basis of its economic power and size, overestimate its power to prevent and resolve conflicts;
62. Hopes that the EC will develop methods to promote the convergence of foreign policy, as it has done with economic policy;

As regards reconstruction and aid

63. Hopes that dialogue between population groups will be encouraged, a process in which churches, political parties and social organizations in the six republics and the EC Member States can be involved;
64. Hopes that aid programmes will be instituted to assist the hard-pressed population of Bosnia-Hercegovina, make good damage in the areas hit by war, get the economy going again and re-establish or repatriate expelled population groups;
65. Believes that the Commission should draw up an economic aid programme to help overcome the enormous problems affecting Slovenia, Croatia and Bosnia-Hercegovina in particular as a result of the growing number of refugees and displaced persons;
66. Instructs its President to forward this resolution to the Commission, the Council, the governments of the six republics in the former territory of Yugoslavia and the Presidents of the Parliaments of Kosovo and the province of Vojvodina.