

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(92) 244 final

Brussels, 27 May 1992

441.2(70)

Proposal for a
COUNCIL REGULATION (EEC)

amending, with regard to the Republics of Bosnia-Herzegovina
and Montenegro, Council Regulations (EEC) No 3587/91,
No 545/92, No 546/92 and No 547/92

Proposal for a
DECISION OF THE GOVERNMENTS OF THE MEMBER STATES,
MEETING WITHIN THE COUNCIL

amending, with regard to Bosnia-Herzegovina and
Montenegro, Decisions No 92/150/ECSC and
No 92/151/ECSC

(presented by the Commission)



THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulations (EEC) No 545/92, No 546/92 and No 547/92¹ applied to the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro trade provisions equivalent to those of the Cooperation Agreement of 2 April 1980 between the European Economic Community and the Socialist Federal Republic of Yugoslavia, and Council Regulation (EEC) No 548/92,² complementing Regulation (EEC) No 3587/91,³ extended into 1992 their entitlement to generalized tariff preferences on certain agricultural products;

Whereas on 27 April 1992 the Assembly of the Socialist Federal Republic of Yugoslavia promulgated the constitution of a new Federal Republic of Yugoslavia, consisting of a federation of Serbia and Montenegro, which has remained unrecognized by the European Community and its Member States;

Whereas maintaining Montenegro on the list of beneficiaries of the positive measures adopted by the Council on 3 February 1992 could have the effect, notably as a result of diversions of trade, of allowing the measures concerned to benefit the new Federal Republic of Yugoslavia;

Whereas such a result would be particularly undesirable in the light of the civil war being fought on the territory of what was Yugoslavia and in particular in Bosnia-Herzegovina;

Whereas Montenegro should therefore be removed from the list of beneficiaries of the positive measures;

1 OJ L 63, 7.3.1992, p.1.

2 OJ L 63, 7.3.1992, p.49.

3 OJ L 341, 12.12.1991, p.1.

Whereas account should be taken of the fact that the Community and its Member States decided to recognize, from 7 April 1992, the Republic of Bosnia-Herzegovina;

Whereas the European Economic Community and its Member States, meeting in political cooperation, decided that steps should be taken to prevent the Republics of Serbia and Montenegro from continuing to violate the integrity and security of the Republic of Bosnia-Herzegovina, and to secure their cooperation in restoring peace and dialogue in the region,

HAS ADOPTED THIS REGULATION:

Article 1

In the title and first paragraph of Article 1 of Council Regulations (EEC) Nos 545/92, 546/92 and 547/92 the terms "Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro" shall be replaced by the terms "Republics of Bosnia-Herzegovina, Croatia and Slovenia and the Yugoslav Republic of Macedonia".

Article 2

The final paragraph of Article 2 of Regulation (EEC) No 3587/91 shall be replaced by the following:

"The following shall be added to Part A of Annex III to Regulation (EEC) No 3833/90:

093 Bosnia-Herzegovina
092 Croatia
091 Slovenia"

Annex III shall also be supplemented by a new section, namely:

"C. OTHER BENEFICIARIES

090 Yugoslav Republic of Macedonia"

Article 3

This Regulation shall not apply to products originating in the Republic of Montenegro which are exported before the date on which it enters into force.

Article 4

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,
Council,

For the
The President

Proposal for a
Decision of the Governments of the Member States,
meeting within the Council of,
amending, with regard to Bosnia-Herzegovina and Montenegro,
Decisions No 92/150/ECSC and No 92/151/ECSC

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

Having regard to the Treaty establishing the European Coal and Steel Community,

Whereas Decisions 92/150/ECSC and 92/151/ECSC¹ of the representatives of the Governments of the Member States, meeting within the Council, applied to the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro trade provisions equivalent to those of the Cooperation Agreement of 2 April 1980 between the European Coal and Steel Community and the Socialist Federal Republic of Yugoslavia;

Whereas on 27 April 1992 the Assembly of the Socialist Federal Republic of Yugoslavia promulgated the constitution of a new Federal Republic of Yugoslavia, consisting of a federation of Serbia and Montenegro, which has remained unrecognized by the European Community and its Member States;

Whereas maintaining Montenegro on the list of beneficiaries of the positive measures adopted by the Council on 3 February 1992 could have the effect, notably as a result of diversions of trade, of allowing the measures concerned to benefit the new Federal Republic of Yugoslavia;

Whereas such a result would be particularly undesirable in the light of the civil war being fought on the territory of what was Yugoslavia and in particular in Bosnia-Herzegovina;

Whereas Montenegro should therefore be removed from the list of beneficiaries of the positive measures;

Whereas account should be taken of the fact that the Community and its Member States decided to recognize, from 7 April 1992, the Republic of Bosnia-Herzegovina;

¹ OJ L 63, 7.3.1992, p.50.

Whereas the European Economic Community and its Member States, meeting in political cooperation, decided that steps should be taken to prevent the Republics of Serbia and Montenegro from continuing to violate the integrity and security of the Republic of Bosnia-Herzegovina, and to secure their cooperation in restoring peace and dialogue in the region,

HAVE DECIDED AS FOLLOWS:

Article 1

In the title and first paragraph of Article 1 of Decisions No 92/150/ECSC and No 92/151/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, the terms "Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina, Macedonia and Montenegro" shall be replaced by the terms "Republics of Bosnia-Herzegovina, Croatia and Slovenia and the Yugoslav Republic of Macedonia".

Article 2

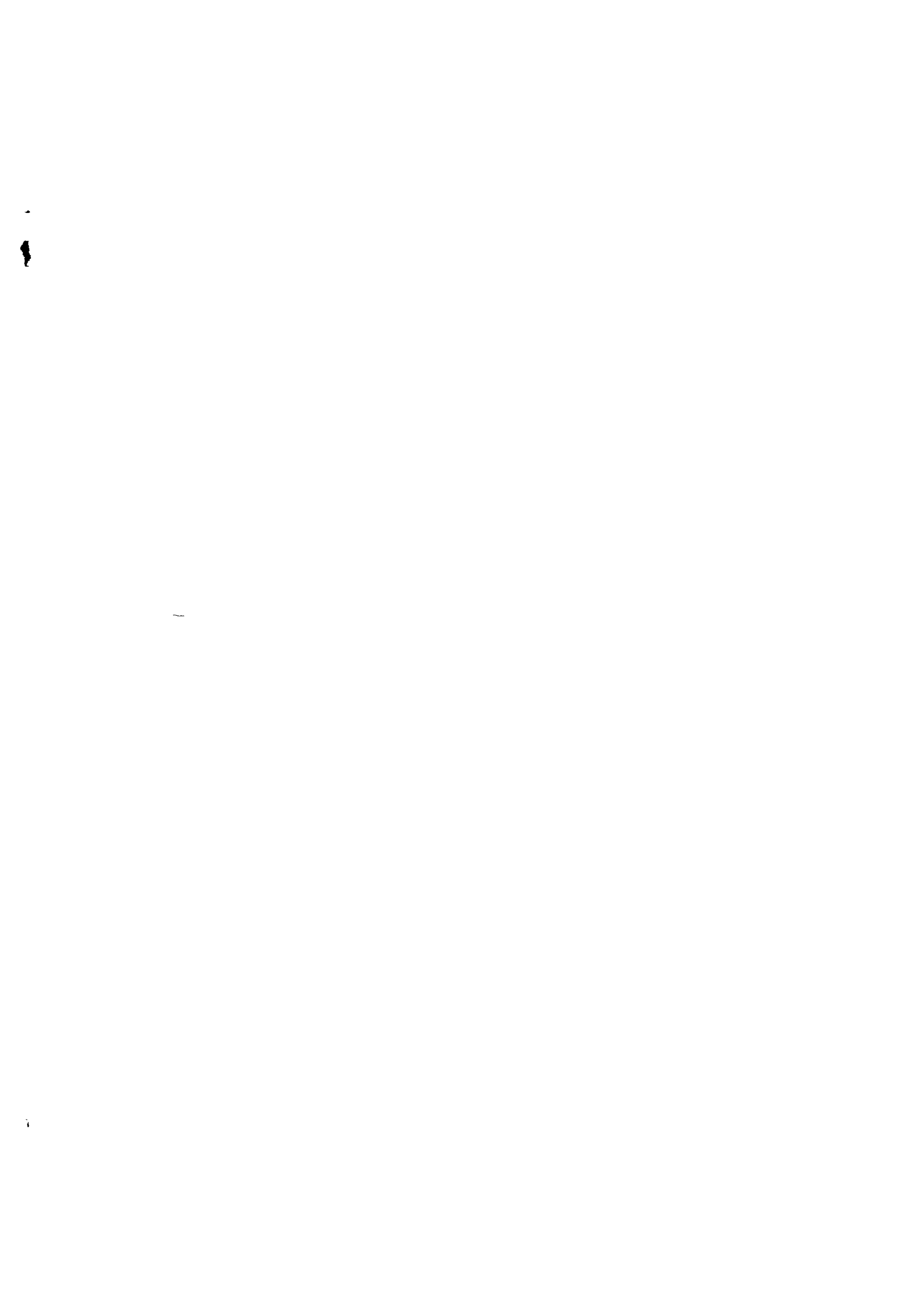
This Regulation shall not apply to products originating in the Republic of Montenegro which are exported before the date on which it enters into force.

Article 3

This Decision shall enter into force on the day following that of its publication in the Official Journal of the European Communities.

Done at Brussels,

For the Council,
The President



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11

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