## COMMISSION OF THE EUROPEAN COMMUNITIES

COM(92) 306 final

Brussels, 6 July 1992

41.2(70)

Proposal for a <u>COUNCIL REGULATION (EEC)</u> amending Regulation (EEC) No 1432/92 prohibiting trade between the European Economic Community and the Republics of Serbia and Montenegro

1

DRAFT-DECISION OF THE REPRESENTATIVES OF THE GOVERNEMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL amending Decision 92/285/ECSC prohibiting trade between the European Coal and Steel Community and the Republics of Serbia and Montenegro

(presented by the Commission)

- .
- .

- .

#### EXPLANATORY NOTE

- 2 -

. 4.,

5

.

1 ...

,

The Security Council of the United Nations has on 18 June 1992 adopted resolution 760 (1992) which allows the exports of goods for essential humanitarian needs to the Republics of Serbia and Montenegro. The export of these goods was prohibited by Security Council resolution 757 (1992).

In order to enable the export of these goods from the territory of the European Communities, Regulation (EEC) 1432/92 and Decision 92/285/ECSC, which prohibit in accordance with UNSC resolution 757 (1992) the trade between the European Communities and the Republics of Serbia and Montenegro, have to be amended in accordance with UNSC resolution 760 (1992). The present proposals for a EEC Regulation and a ECSC Decision contain the necessary amendments.

#### -COUNCIL REGULATION (EEC) Nº ...

amending REGULATION (EEC) N° 1432/92 prohibiting trade between the European Economic Community and the Republics of Serbia and Montenegro

÷ ب

۴

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Whereas under Regulation (EEC) No 1432/92<sup>(1)</sup> trade between the European Economic Community and the Republics of Serbia and Montenegro is prohibited;

Whereas the Security Council of the United Nations adopted on 18 June 1992 the resolution 760 (1992), which allows under certain conditions the export to the Republics of Serbia and Montenegro of commodities and products for essential humanitarian need;

Whereas it is neccessary to amend Regulation (EEC) No 1432/92 in order to allow under certain conditions of the exports to the Republics of Serbia and Montenegro of commodities and products for essential humanitarian need;

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

<sup>(1)</sup> OJ N° L 151 of 03.06.1992, p. 4

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

ž

. •

Article 1

Regulation (EEC) 1432/92 is hereby amended as follows:

1. Paragraph (a) of Article 2 is replaced by the following:

"(a) the export to the Republics of Serbia and Montenegro of commodities and products intended for strictly medical purposes and foodstuffs notified to the Committee established pursuant to Resolution 724 (1991) of the United Nations Security Council, as well as the export to these Republics of commodities and products for essential humanitarian need, which has been approved by the said Committee under the simplified and accelerated "no objection" procedure;"

2. Article 3 is replaced by the following:

"Exports to the Republics of Serbia and Montenegro of commodities and products for strictly medical purposes or for essential humanitarian need as well as foodstuffs shall be subject to a prior export authorization to be issued by the competent authorities of the Member States." Article 2

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Communities. It shall apply with effect from 19 June 1992.

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

Done at Brussels, . July 1992

For the Council

4

Draft-DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL of ... July 1992 amending Decision 92/285/ECSC prohibiting trade between the European Coal and Steel Community and the Republics of Serbia and Montenegro

-- 0 --

đ,

,

· •

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas under Decision  $92/285/ECSC^{(1)}$ , as amended by Decision  $92/314/ECSC^{(2)}$ , trade in the products covered by the ECSC-Treaty between the European Coal and Steel Community and the Republics of Serbia and Montenegro is prohibited;

Whereas the Security Council of the United Nations adopted on 18 June 1992 the resolution 760 (1992), which allows under certain conditions the export to the Republics of Serbia and Montenegro of Commodities and products for essential humanitarian need;

Whereas it is necessary to amend Decision 92/285/ECSC, as amended, in order to allow the allowance under certain conditions the exports to the Republics of Serbia and Montenegro of commodities and products for essential humanitarian need;

- (1) OJ N° L 151 of 03.06.1992, p. 20
- (2) OJ N<sup>•</sup> L 166 of 02.06.1992, p. 35

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Decision 92/285/ECSC, as amended, is hereby amended as follows:

1. Paragraph (b) of Article 2 is replaced by the following:

"(b) the export to the Republics of Serbia and Montenegro of commodities and products for essential humanitarian need, which has been approved under the simplified and accelerated "no objection" procedure by the Committee established by United Nations Security Council Resolution 724 (1991), as well as the export of commodities and products intended for strictly medical purposes;"

2. Paragraph (e) of Article 2 is replaced by the following:

"(e) any activity whose object or effect it is to promote directly or indirectly the transactions under the (a), (b), (c) and (d) of this Article."

3. Article 2 bis is replaced by the following:

"Exports to the Republics of Serbia and Montenegro of commodities and products for strictly medical purposes or for essential humanitarian need shall be subject to a prior export authorization to be issued by the competent authorities of the Member States."

### Article 2

This Decision shall enter into force on the day of its publication in the Official Journal of the European Communities. It shall apply with effect from 19 June 1992.

Done at Brussels, ... july 1992

-

14 14

•

~

**'**•

J

ISSN 0254-1475

\*\*\*

COM(92) 306 final

# DOCUMENTS

Catalogue number : CB-CO-92-320-EN-C

ISBN 92-77-46224-8

Office for Official Publications of the European Communities L-2985 Luxembourg