

PRESS RELEASE

11394/93 (Presse 250)

1725th meeting of the Council

- GENERAL AFFAIRS -

Brussels, 20 December 1993

President: Mr Willy CLAES
Minister for Foreign Affairs
of the Kingdom of Belgium

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Willy CLAES
Mr Robert URBAIN

Minister for Foreign Affairs
Minister for Foreign Trade and European Affairs

Denmark:

Mr Niels HELVEG PETERSEN
Mr Jorgen ØSTRØM MØLLER

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Germany:

Mr Klaus KINKEL
Ms Ursula SEILER-ALBRING
Mr Jürgen TRUMPF

Federal Minister for Foreign Affairs
Minister of State, Foreign Affairs
State Secretary, Foreign Affairs

Greece:

Mr Theodoros PANGALOS

Alternate Foreign Affairs Minister

Spain:

Mr Carlos WESTENDORP

State Secretary for Relations with the EC

France:

Mr Alain JUPPE
Mr Alain LAMASSOURE

Minister for Foreign Affairs
Minister with special responsibility for European Affairs

Ireland:

Mr Dick SPRING
Mr Tom KITT

Minister for Foreign Affairs
Minister of State at the Department of the Taoiseach with special responsibility for European Affairs

Italy:

Mr Beniamino ANDREATTA

Minister for Foreign Affairs

Luxembourg:

Mr Jacques POOS

Minister for Foreign Affairs

Netherlands:

Mr P.H. KOOIJMANS
Mr Piet DANKERT

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Portugal:

Mr José Manuel DURAO BARROSO
Mr Vitor MARTINS

Minister for Foreign Affairs
State Secretary for European Affairs

United Kingdom:

Mr David HEATHCOAT-AMORY

Minister of State, Foreign and Commonwealth Office

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Commission:

Mr Jacques DELORS
Sir Leon BRITTAN
Mr Manuel MARIN
Mr Peter SCHMIDHUBER
Mr Hans VAN DEN BROEK
Mr Karel VAN MIERT

President
Member
Member
Member
Member
Member

FOLLOW-UP TO THE EUROPEAN COUNCIL

The Council noted a statement by the Presidency outlining the work to be done in the different areas in response to the conclusions of the European Council meeting in Brussels on 10 and 11 December.

**FOLLOW-UP TO THE GENERAL AFFAIRS COUNCIL MEETING ON 15 DECEMBER 1993 -
URUGUAY ROUND**

The Council welcomed the fact that the draft Final Act concluding the Uruguay Round negotiations had been adopted in the GATT Trade Negotiations Committee on 15 December within the agreed time limits.

It noted the intention of the Community negotiators, in close co-operation with the Member States, to complete, on satisfactory terms, the market-access negotiations still pending and the final verification of texts.

It instructed the Permanent Representatives Committee to monitor the dossier in close co-operation with the Commission.

ACCESSION NEGOTIATIONS

The Council prepared for the accession negotiation sessions at ministerial level to be held with Austria, Sweden, Finland and Norway on Tuesday 21 December.

TUNISIA

The Council approved the directives intended to guide the Commission in its negotiations for a new agreement with Tunisia.

ISRAEL

The Council approved the directives intended to guide the Commission in its negotiations for a new agreement with Israel.

RELATIONS WITH THE BALTIC COUNTRIES

The Council heard the Commissioner Sir Leon Brittan present the Commission's recommendation that it should be authorized to negotiate new trade agreements with the Republics of Estonia, Latvia and Lithuania.

The recommendation was in response to the Copenhagen European Council's request to the Commission to submit proposals for converting the existing trade agreements with the Baltic countries into free-trade agreements, with the Community's aim continuing to be to conclude Europe Agreements with those countries as soon as the necessary conditions were met.

In the light of the current situation in the Baltic countries, the Council took the view that consideration should be given to the scope for expanding still further the content of the directives submitted by the Commission and instructed the Permanent Representatives Committee, in co-operation with the Commission, to finalize the text of the directives at an early date so that they could be approved by the Council at the beginning of 1994.

FORMER YUGOSLAVIA**- Meeting on 22 December 1993**

The Council prepared for the meeting to be held in Brussels on 22 December with the parties to the conflict in Bosnia-Herzegovina.

It heard a report from the President on the meeting that had taken place between the Presidency and the Commission and the Bosnian Government in Vienna on 17 December.

Humanitarian aid in Bosnia-Herzegovina

The Council approved the priority measures to be taken under the joint action adopted on 8 November on support for the conveying of humanitarian aid in Bosnia-Herzegovina, i.e.:

| | <u>MECU</u> |
|--|--------------------------------|
| (a) logistic reinforcements (47 lorries adapted to the terrain) for use by UNHCR and ECTF | 4 |
| (b) fuel (15 000 tonnes) for use by the UNHCR, to cover the purchase of fuel for operating convoys, electricity generators, water-pumps, etc. needed to provide people with vital goods and services | 4 |
| (c) delivery of approximately 250 electricity generators for use by the UNHCR to operate public centres, hospitals, bakeries, water-pumps, etc | 4,15 |
| (d) restoration of coal mines (emergency work) for use by the IMG (International Management Group) | 2 |
| (e) support for carrying out emergency minimum repairs for electricity, gas, water and shelters, for use by the IMG | 10 |
| TOTAL | ----- 24,15 ----- |

It also approved the arrangements for financing this amount from the Community budget.

The Council instructed the Permanent Representatives Committee to submit a proposal for its next meeting in February 1994 concerning the allocation among Member States of the other half of the overall budget of ECU 48,30 million adopted on 6 December.

It asked the Committee to submit at the same time a proposal on the horizontal issue of financing CFSP joint actions in the future.

MID-TERM REVIEW OF THE FOURTH ACP-EC CONVENTION

The Council noted an interim report on the work being done to draw up negotiating directives for the mid-term review of the ACP-EC Convention due to start next May.

It welcomed the progress that had been made on a number of issues of importance for the future of ACP-EC co-operation.

It instructed the Permanent Representatives Committee to consider these issues in detail and to submit a full report enabling it to comment on the whole dossier at its meeting in February 1994.

STABILITY PACT: JOINT ACTION

The Council adopted the Decision setting out the joint action on the Inaugural Conference on the Stability Pact (see Annex).

APPOINTMENT OF A EUROPEAN OBSERVER FOR THE CYPRUS PROBLEM

The Council agreed to send an EU observer to the intra-community talks on Cyprus being held under the aegis of the United Nations Secretary-General. It asked the President of the Commission to propose the appointment of an official from the Commission and asked the Political Committee to define the duties he would have to carry out.

EXPORT CONTROLS ON DUAL-USE GOODS AND TECHNOLOGIES

The Council noted an interim progress report from the Permanent Representatives Committee concerning the discussions on export controls on dual-use goods and technologies. It then held an exchange of views on this dossier, which it described as being a matter of importance.

It instructed the Permanent Representatives Committee to resume the examination of this dossier at the beginning of 1994 with a view to an early decision by the Council.

RELATIONS WITH AUSTRIA

With the German, Netherlands and Luxembourg delegations voting against and the Greek delegation abstaining, the Council adopted by a qualified majority two decisions on the withdrawal of tariff concessions for colour television sets manufactured by Grundig and gearboxes manufactured by General Motors in Austria, the aim being to avoid distortions of competition resulting from the official aid that Austria granted to these manufacturers.

APPOINTMENT OF MEMBERS OF THE COURT OF AUDITORS

The Council recorded its willingness to appoint the six members of the Court of Auditors on the basis of the proposals which had been submitted to the European Parliament, but postponed its decision until the European Parliament had delivered its final and complete Opinion either at its regular part-session from 17 to 21 January or at an extraordinary session to be convened under the second paragraph of Article 139 of the EC Treaty.

COMMITTEE OF THE REGIONS

The Council requested that those Member States which had not yet submitted their lists or which had to complete them to do so with all due speed so that the Council could appoint the members of the Committee of the Regions and the Committee itself could meet before 15 January 1994 in accordance with the conclusions of the European Council meeting in Brussels.

A written procedure will be initiated as soon as the necessary information has been sent to the General Secretariat.

PUBLIC ACCESS TO COUNCIL DOCUMENTS

With the Danish ⁽¹⁾ and Netherlands delegations voting against, the Council adopted by a majority a Decision implementing from 1 January 1994, as regards the Council, the code of

(1) "Denmark regrets that it has not been possible to reach agreement on better conditions for public access to Council and Commission documents. Denmark wishes that the efforts to strengthen the rules on public access to documents continue. Accordingly, Denmark reserves its right to raise the matter again in connection with the preparations for the intergovernmental conference to be held in 1996."

conduct on public access to Council and Commission documents.

ENFORCEMENT OF BUDGETARY DISCIPLINE

The Council discussed a key question still arising with regard to the Decision on budgetary discipline, namely the problem of charging to the Community budget the additional costs resulting from monetary realignments within the EMS.

The Council instructed the Permanent Representatives Committee to press ahead with the discussions so that it could take a decision on the subject as soon as possible.

JOINT IRISH-UNITED KINGDOM DECLARATION - COUNCIL STATEMENT

The Council heard a report from the Irish and United Kingdom delegations, outlining the Joint Declaration issued by the two Governments on 15 December 1993.

The Council welcomed the Joint Declaration and expressed the profound hope that it would provide a basis for a permanent end to violence and a lasting political settlement in Northern Ireland. The Council expressed the hope that organizations which have used or supported violence would respond positively to the Joint Declaration by committing themselves henceforth to using only democratic and constitutional means to advance their aspirations.

The Council agrees that, as the Joint Declaration says, the development of Europe will, of itself, require new approaches to serve interests common to both parts of the island of Ireland, and to Ireland and the United Kingdom as partners in the European Union.

The ending of the painful and bitter conflict in Northern Ireland would bring many social and economic benefits to the region, the Member States concerned and the European Union as a whole.

The Council notes the statement issued by President DELORS in this matter, in which he said that the "Commission wishes to give practical support to the peace process, and is willing to discuss with the two Member States most directly concerned how best this can be done".

**JOINT ACTION ADOPTED BY THE COUNCIL, ON THE BASIS OF
ARTICLE J.3 OF THE TREATY ON EUROPEAN UNION, ON THE
INAUGURAL CONFERENCE ON THE STABILITY PACT**

The **COUNCIL** of the European Union,

Having regard to the Treaty on European Union, and in particular **Articles J.3 and J.11** thereof,

Having regard to the conclusions of the European Council on 21 and 22 June 1993 on a Pact on Stability in Europe and the general approach of the European Council on 29 October 1993 whereby a Stability Pact to resolve the problem of minorities and to strengthen the inviolability of frontiers will be a staple component of joint action aimed at promoting stability, reinforcing the democratic process and developing regional co-operation in Central and Eastern Europe,

Having regard to the conclusions of the European Council on 10 and 11 December calling upon the Council to implement the initiative on a Pact on Stability in Europe as a joint action in accordance with the Treaty on European Union,

HAS DECIDED AS FOLLOWS:

Article 1. The European Union will convene an Inaugural Conference on a Pact on Stability in Europe, to be held in Paris around April 1994, to which the countries principally concerned by the initiative, the countries immediately neighbouring the countries principally concerned, States likely to make a particular contribution to the initiative, countries with an interest in stability in Europe by virtue of their defence commitments and countries which have association agreements with the Union (Albania, Austria, Bailleurs, Bulgaria, Canada, Cyprus, the Czech Republic, Estonia, Finland, the Holy See, Hungary, Iceland, Latvia, Lithuania, Malta, Moldova, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine and the United States) will be invited as participants, and representatives of international organizations concerned by the initiative (CSCE, Council of Europe, WEU, NATO and the United Nations). Those countries and organizations would be prepared to endorse the idea of and arrangements for the Conference adopted by the Union at the end of the formal consultations which it is to hold. Any other States participating in the CSCE which accepted that idea and those arrangements would also be invited as observers.

Article 2. The Inaugural Conference will put into effect preventive diplomacy aimed at fostering good neighbourly relations and encouraging countries, in particular through the conclusion of appropriate agreements, to consolidate their borders and to resolve the problems of national minorities which arise. Those agreements, and the complementary arrangements that accompany them, should constitute the basis for a Stability Pact which would be intended to be forwarded to the CSCE, which would act as its guardian.

Article 3. The Inaugural Conference will be preceded by a round of formal consultations held by the Union with all the countries and organizations interested in the project, with a view to preparing for it.

Article 4. The detailed arrangements which will have to govern the holding of this Conference, the negotiation process to be conducted and the Stability Pact to be concluded are laid down in the reports on the Stability Pact approved by the European Council on 10 and 11 December 1993.

Article 5. The Inaugural Conference will be organized by the host country in close co-ordination with the Presidency. This Decision entails no operational expenditure.

Article 6. Overall responsibility for the action to be taken by the European Union to attain the objectives of the Pact falls to the Presidency, which will be assisted, if need be, pursuant to Article J.5(3) of the Treaty on European Union, by the previous and next Member States to hold the Presidency.

Article 7. This Decision shall enter into force on this day. It covers the first stage of the joint action, which will end with the meeting of the Inaugural Conference. In due course the Council will take the necessary measures for continuation of the joint action.

Article 8. This Decision shall be published in the Official Journal.

MISCELLANEOUS DECISIONS

(adopted unanimously without discussion unless otherwise stated)

System of generalized Tariff Preferences for 1994

The Council adopted, in the light of the Opinion of the European Parliament, a Decision renewing on a transitional basis as from 1 January 1994 the provisions of Regulation No 3917/92 on the 1993 GSP. The preferential limits for the first half of 1994 correspond to half the amounts for the year 1993.

The transitional arrangements will be in force for six months and will therefore apply until 30 June 1994. They will automatically be extended until 31 December 1994 if the Council does not adopt the new GSP arrangements by 15 June 1994.

The Council considers it essential to carry out as soon as possible, in 1994, the GSP review scheduled for this decade, and accordingly asked the Commission to submit the necessary proposals at the earliest opportunity.

System of Generalized Preferences - Textile products

The Council adopted a Regulation supplementing Regulation No 3917/92 extending into 1993 the application of Regulations Nos 3831/90, 3832/90, 3833/90, 3834/90, 3835/90 and 3900/91 applying generalized tariff preferences in respect of certain products originating in developing countries and adding to the list of beneficiaries of such preferences. The Regulation is designed to include certain successor countries ⁽¹⁾ of the former USSR among the beneficiaries of the Community's GSP for textile products covered by the MFA (Multifibre Arrangement) as from 1 January 1994.

Trade policy

With Belgium and France voting against, the Council adopted by a qualified majority Regulations opening and providing for the administration of Community tariff quotas for certain mixtures of malt sprouts and barley screenings.

(1) To the countries already included in the proposal (Belarus, Ukraine, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Armenia and Azerbaijan) Kazakhstan, Kyrgyzstan and Georgia had been added.

The Council also adopted a Decision concerning the conclusion of Agreements in the form of Agreed Minutes on certain oilseeds between the EC and Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively, pursuant to Article XXVIII of the GATT.

It adopted two Regulations suspending wholly or in part the duties on certain agricultural products originating in Turkey and Malta (GSP) (1994).

Textiles

The Council adopted a Decision on the provisional application of agreements between the Community and certain third countries on international trade in textiles, the countries in question being Albania, Armenia, Azerbaijan, Belarus, Bulgaria, the Czech Republic, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Romania, the Russian Federation, the Slovak Republic, Slovenia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

Anti-dumping

The Council adopted a Regulation extending for two months the provisional anti-dumping duty on imports of fluorspar from China.

Europe Agreements and Interim Agreements

The Council adopted Decisions on the conclusion, with the **Czech Republic** and **Slovakia** respectively, of Supplementary Protocols to the Interim Agreement with the former Czech and Slovak Federal Republic.

The Council also decided to sign, subject to eventual conclusion, the Additional Protocols to the Interim Agreements with the following countries: **Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria.**

It adopted a Decision on the signing and conclusion of an exchange of letters with **Bulgaria** on the entry into force of the Interim Agreement.

It adopted Regulations implementing the Interim Agreements (agriculture) with **Romania and Bulgaria.**

Relations with Morocco

The Council adopted the following conclusions:

"Having received a communication from the Commission on combating drugs and developing the northern provinces of Morocco, the Council:

- endorses this analysis and expresses its appreciation as regards the broad outlines of the approach advocated which is in line with the recommendations of the European Plan to Combat Drugs, adopted by the Rome European Council in December 1990 and revised by the Edinburgh European Council in December 1992, and with the priorities identified by the Lisbon European Council in June 1992 with regard to the common foreign and security policy (CFSP);
- notes that the entry into force of the Treaty on European Union provides the foundations for greater co-operation with certain drug-producing and/or drug transit countries and that the contractual framework of a new agreement with Morocco provides for increased co-operation in this field;
- welcomes the determination expressed by the Moroccan authorities at the highest level to get to grips with the problem of cannabis cultivation and drug trafficking in Morocco;
- considers – further to the formulation on the Moroccan side of an overall strategy to combat drugs including an effective policy to stamp out large-scale traffic and, in addition, the setting-up of the Agency for the Development of the Northern Provinces and the provision of appropriate financial resources – that it is necessary to embark alongside Morocco, as suggested by the Commission, upon a phased pilot action programme which may lead to a multiannual programme for the elimination of cannabis cultivation and traffic and the development of the Northern Provinces, paying special attention to projects which could promote employment;
- notes that this initial pilot action programme, which covers both aspects of the communication, is designed firstly to define and study the problems at hand, assist with the establishment of the policies and bodies needed to initiate and carry out effectively projects in this area, and secondly to draw up, if necessary, a multiannual programme which would endeavour to tackle the substance of these problems;
- notes that the pilot action programmes will be within the available budget resources and may be implemented under all the relevant budget headings, and are intended to serve as an incentive and a basis for action so that the requirements of the proposed multiannual programme can be defined more precisely since the internal redeployment needed to carry out successfully the projects advocated must not prejudice the various co-operation programmes under way;

- points out that the problems addressed by the pilot projects could also be the subject of EIB intervention under the regional aspect of the New Mediterranean Policy (own resources and venture capital);
- notes that the Commission considers that, at a later stage, the probable scale of the proposed multiannual programme is bound to exceed the possibilities afforded by internal redeployment alone and will therefore require ad hoc or other forms of financing;
- calls upon the Commission and the Member States in this connection to appeal to the international organizations concerned and to potential donor third countries, with the Council being willing to examine, within the limits of the financial perspective, the possibilities regarding resources at a later stage;
- stresses also the importance of bilateral action by Member States, particularly at the technical co-operation level;
- notes the importance of close co-ordination and the exchange of information between the Moroccan authorities, on the one hand, and the European Union, on the other hand, also covering the projects carried out or to be carried out by the relevant international bodies, such as the United Nations Programme for International Drug Control, and on a bilateral level by the Member States;
- takes note, without prejudice to the respective powers of the Commission and the Member States, of the role conferred on the Commission also as regards co-ordination;
- points out the need to ensure a rapid exchange of information with all the parties concerned, also involving Member States and Commission delegations on the spot;
- on this basis calls upon the Commission, in co-operation with the Member States, to submit to it at the end of the third quarter of 1994 a report on the implementation of the pilot action programme, including an assessment of the desirability of embarking upon a multiannual programme concerning the two aspects."

Relations with the ACP States

The Council gave its agreement, as regards the Community, to the draft Decision of the ACP-EC Committee of Ambassadors adopting the budget of the Technical Centre for Agricultural and Rural Co-operation (CTA) for 1994, and decided to send the draft Decision to the ACP side with a view to its being approved by the ACP-EC Committee of Ambassadors.

The Council adopted a Decision laying down for the 1994 financial year the schedule of

calls for contributions from the member States to the sixth and seventh European Development Funds.

Own resources/General budget of the Community

The Council adopted two joint guidelines concerning:

- an amendment to Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources (entry of own resources corresponding to the reserves linked to external actions);
- an amendment to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities (creating a reserve for emergency aid for non-member countries and a reserve relating to loans and loan guarantees to non-member countries).

Legal protection of topographies

The Council adopted a Decision on extension of legal protection of topographies of semi-conductor products to persons and companies from the United States of America from 1 January to 1 July 1994, this being the time required to complete the procedure intended to result in the mutual granting of unlimited protection.

Credit institutions

The Council adopted a Decision authorizing the Commission to negotiate bilateral agreements with third countries providing for the supervision on a consolidated basis of credit institutions.

Sprint Programme

With the German delegation abstaining, the Council adopted a Decision amending Decision 89/286/EEC concerning the implementation at Community level of the main phase of the strategic programme for innovation and technology transfer (1989-1993) (Sprint Programme).

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GENERAL AFFAIRS COUNCIL OF 20/21 DECEMBER 1993

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NOUVEL ACCORD UNION EUROPEENNE/ISRAEL

Le Conseil a formellement approuvé le mandat de négociation pour un nouvel accord qui devra remplacer l'accord de coopération CE/Israël de 1975 (cfr. note MEMO 38/93).

Le nouvel accord représentera un pas important dans le soutien de l'Union Européenne au processus de paix au Moyen-Orient. L'approche équilibrée de l'UE vis-à-vis des pays de cette région se traduira par des efforts visant à la fois à créer, dans les territoires occupés, les conditions d'un niveau économique satisfaisant et à soutenir activement le développement économique de la région dans son ensemble. À cet effet, l'appui à la coopération régionale entre tous les partenaires au Moyen-Orient sera complète par la revalorisation du dialogue de la Communauté avec chacun des pays concernés. (Cfr. la communication du 8 septembre 1993 sur le Moyen-Orient, note IP(93)733).

Les points principaux du mandat adopté sont les suivants: un dialogue politique plus vaste et plus structuré; l'élargissement du libre-échange aux services, qui devrait se solder par un meilleur équilibre des échanges entre la CE et Israël; la libéralisation des marchés publics, avec accès réciproque aux marchés respectifs; la possibilité d'associer Israël au programme-cadre de recherche et développement de la Communauté, qui est un secteur de coopération présentant un grand intérêt pour les deux parties; l'appui de la Communauté à des projets concernant Israël et d'autres pays de la région; un large éventail d'autres dispositions en matière de coopération dans des secteurs tels que l'énergie, l'environnement, la lutte contre le trafic de drogue, etc.

L'accord constituera une étape nouvelle dans les relations entre l'Union Européenne et Israël, qui devrait renforcer les mesures prises en faveur de la paix dans la région et resserrer les liens entre la Communauté et Israël.

ACCORD EUROMAGHREBIN UE/TUNISIE

Le Conseil a également approuvé les directives de négociation pour la conclusion d'un nouvel accord UE/Tunisie qui devra remplacer celui de 1976 (cfr. note MEMO 30/93).

Il s'agit d'un accord qui sera appelé à régir l'ensemble des relations économiques et commerciales entre l'Union Européenne et la Tunisie, avec notamment un volet financier, des dispositions relatives à la coopération dans le domaine social et culturel, ainsi qu'au dialogue politique et aux aspects institutionnels.

Suite à l'approbation du mandat de négociation avec le Maroc, et à la visite de M. MARIN à Rabat les 16 et 17 décembre dernier, la Commission

entamera incessamment, en consultation avec les Etats membres, les negociations avec la Tunisie dans le cadre des accords de partenariat Euromaghrebin.

REVISION A MI-PARCOURS DE LA IVeme CONVENTION DE LOME

Le Conseil a eu un echange de vues sur la revision a mi-parcours de la Convention de Lome, qui a permis d'avancer dans la voie deja fixee par le Conseil Affaires generales du 4 octobre 1993 et Developpement du 2 decembre.

L'Union Europeenne s'est fixe pour objectif de rendre la cooperation ACP-CEE plus efficace, mieux adaptee a l'evolution politique et economique recente et de mieux prendre en compte, dans ses relations futures avec les ACP, les priorites et finalites de la politique de cooperation au developpement de l'Union Europeenne telles que definies en particulier a l'article 130 U du Traite.

Plutot que de figer l'ensemble des dispositions de Lome IV jusqu'au terme normal de la Convention, le Conseil estime, comme la Commission, q'il convient de saisir l'occasion de la revue a mi parcours pour proceder, au-dela du renouvellement obligatoire du Protocole financier conclu pour cinq ans, a une revision partielle de la Convention.

Le Conseil a confirme son orientation vers une plus grande prise en compte de la promotion des droits de l'homme et de la democratie, vers l'introduction d'une programmation en tranches et d'un financement supplementaire incitatif, vers l'acceleration et la rationalisation des procedures visant a l'efficacite de l'aide.

Le Commissaire MARIN a vivement remercie le travail accompli par la Presidence belge et par M. CLAES personnellement dans ce dossier. La Presidence et la Commission ont exprime leur volonte de reexaminer ce theme dans la session de fevrier 1994 afin d'aboutir a une proposition qui serait ainsi presentee aux pays ACP.

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DATE DOCUMENT : 93/12/23

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GENERAL AFFAIRS COUNCIL OF 20-22 DECEMBER 1993

I . - Reunion des Ministres des Affaires Etrangeres avec les parties belligerantes d'ex-Yougoslavie :

Hier, au Palais d'Egmont, les ministres des Aff. Etrangeres de l'UE se sont reunis avec des representants politiques des parties en conflit en ex-Yougoslavie . En effet, etaint presents du cote, croate et bosniaque M. Tugman et M. Boban, du cote bosniaque-musulman M. Izetbegovic et M. Siladgic et du cote serbe et serbe-bosniaque M. Milosevic, M. Karadciz et M. Bulatovic.

Le rendez-vous s'est situe dans le cadre de la recherche d'une solution politique pour le conflit en ex-Yougoslavie et etait la suite directe de la reunion du meme type qui a eu lieu a Geneve le 29 novembre dernier. Depuis cette derniere reunion, des negociations se sont deroulees sous la direction des mediateurs Owen et Stoltenberg et qui ont eu lieu pour une derniere part a Geneve.

Le rendez-vous d'hier s'est deroule en plusieurs etapes a savoir :

1. session preparatoire des ministres de l'UE
2. session pleniere avec tous les representants ex-yougoslaves
3. reunion bilaterale consecutivement avec les serbes et les serbes-bosniaques, les croates et les croates-bosniaques et finalement avec les representants musulmans-bosniaques.
4. (apres le dejeuner informel,) reunion interne des ministres de l'UE
5. session pleniere et finale avec tous les representants ex-yougoslaves cites ci-dessus.

Les travaux ont ete clotures par une conference de presse donnee par le President M. Claes et accompagne du Commissaire van den Broek.

C'est a cette derniere occasion que M. Claes a resume les resultats des differentes reunions tenues en qualifiant la journee comme une 'journee pas facile !'. Ensuite, il a distingue certains points positifs en resultats de cette reunion ainsi qu'une serie de points negatifs, c'est -a-dire ou il n'y a aucun progres enregistres par rapport a la situation deja connue.

Les points positifs :

1. treve de Noel : a la demande de la presidence, les parties belligerantes se sont mises d'accord pour une treve de Noel pour tout le territoire en Bosnie-Herzegovine. Il etait entendu que ce cessez-le-feu implique egalement qu'il n'y aura pas de bombardement sur Sarajevo, libre-circulation pour les convois humanitaires et libre-acces pour les casques bleus de l'ONU.

Rappelant que aucun detail n'a ete convenu en ce qui concerne le calendrier precis de cette treve mais 'nous avons entendu hier soir qu'il etait convenu entre les parties de respecter cette treve pour

la periode du 23 decembre 93 jusqu'au 15 janvier 94'.

2. Les parties ont officiellement souscrit la these que la delimitation geographique des trois republicues a l'interieur de l'Union Bosnie-Herzegovine se compose d'une telle maniere que la republicue musulman-bosniaque couvre 1/3, c'est-a-dire 33,3% du territoire total de la Bosnie-Herzegovine tandis que la republicue croate devrait couvrir 17,5%.

3. L'acces a la mer : il a ete convenu que des facilites portuaires vont etre assurees pour les musulmans bosniaques a Ploce. En ce qui concerne la question de l'acces a la mer, deux options restent sur la table a savoir : un corridor entre la republicue musulmane-bosniaque et la ville Prevlaka ; cette option implique la construction d'une route d'environ 100 km pour permettre ainsi aux musulmans-bosniaques d'atteindre la mer.

Evidemment, les parties musulmanes-bosniaques ont ecarte une telle solution pour des raisons de securite ainsi que pour des raisons financieres et techniques.

La deuxieme option concerne l'acces pour les musulmans a travers la ville de Neum. Une option d'ailleurs qui fait partie des modalites en principe convenue entre les parties belligerantes sur le bateau Invincible le 20 septembre dernier.

Avec reference a cette derniere option, les musulmans ont suggere l'eventualite d'une gestion conjointe de la ville de Neum ou une sorte de condominium permettant ainsi l'acces aux croates ainsi qu'aux musulmans a la ville precitee.

4. Acces a la riviere Sava : le principe a ete acquis que les musulmans bosniaques auront acces en souverainete a la riviere Sava et notamment par la ville de Brecko, les modalites y afferentes devront encore etre definies.

5. Kreagina : les parties ont fait des progres pour arriver a un modus vivendi pour le territoire de Kreagina et ceci devrait comporter un cessez-le-feu ainsi que l'etablissement de confiance building mesures. Bien sur, un tel modus vivendi, ne peut avoir qu'un caractere temporaire en attendant une solution politique definitive pour le meme territoire.

Points negatifs :

1 Sarajevo : L'UE insiste sur l'acceptation des modalites convenues dans le cadre de l'accord Invincible et qui impliquent que la Sarajevo devrait etre placee pour une periode de deux ans sous l'administration de l'ONU.

M. Claes a du constater, qu'a cause d'un refus categorique du parti serbe-bosniaque (M. Karadzic), meme pas un 'debut de solution' pour cette question.

2. Mostar : L'UE se refere de nouveau a l'accord de l'Invincible qui prevoit une administration temporaire de la ville (2 ans) par l'UE. Un tel principe n'a pas ete ecarte par les parties et elles se sont

declarees pretes a en discuter sous certaines discussions.

3. Aeroport Tuzla :malgre l'insistance de l'UE, la partie serbe-bosniaque refuse carrement l'ouverture de l'aeroport de Tuzla , meme sachant qu'une telle ouverture n'est destinee que pour permettre la livraison de l'aide humanitaire et etant entendu que le controle des vols serait assure par l'UE en conformite avec les regles de controle appliquees pour l'aeroport de Sarajevo.

M. Claes a qualifie l'attitude de M. Karaciv a cet egard 'comme etant totlament incomprehensible' d'ailleurs une qualification qui a ete egalement ete utilisee lors des reunions entre les ministres et M.

Karadciz notamment par le Ministre francais M. Juppe.

En conclusion, M. Claes a du constater que de legers progres pour la recherche d'une solution definitive pour la Bosnie Herzegovine mais il a constate avec satisfaction que les parties belligerantes se sont declarees pretes de poursuivre des negociations immediatement et a Bruxelles sous l'autorite des mediateurs Owen et Stoltenberg.

C'est pourquoi, les parties belligerantes sont restees au Palais d'Egmont et il etait entendu qu'ils devaient se revoir entre eux des la soiree du 23 decembre toujours dans le but d'arriver a une solution globale pour les differents points enumeres ci-dessus si possible encore avant Noel ainsi les conditions seraient reunies pour convoquer la conference Londres II pour ouvrir ainsi les perspectives pour des pourparlers ayant comme but un accord definitif pour l'ensemble du territoire ex-Yougoslave.

II - Reunions ministerielles dans le cadre des negociations d'adhesion :

Avec reference aux reunions precitees qui ont eu lieu distinctivement le 22 decembre avec l'Autriche, Suede, Finlande et la Norvege, nous vous faisons parvenir le texte de 3 documents approuves en seance du Conseil par la bio 325 (suite 1) et qui concerne

1. libre circulation des marchandises - normes de preservation de l'environnement, de la sante et de la securite des produits.

2. Foreign and security policy - union common position

3. Union common position on Swedish and Norwegian requests concerning

Nous attirons votre attention sur le fait que les travaux ministeriel de mardi ont finalement permis a la presidence de constater une percee politique dans le processus de negociations d'adhesion. Tout en admettant que des problemes tres complexes doivent etre resolus (p. ex. : agriculture, politique regionale, residence secondaire, energie, peche) la presidence a constate des accords sur toute une serie de domaines et notamment depuis mardi pour les chapitres de Maastricht y compris pour la PESC mais excluant pour l'instant le chapitre UEM. En outre, un accord a pu etre enregistre avec les 4 pays candidats en ce qui concerne un chapitre tres epineux a savoir la preservation de l'environnement de la sante, de la securite des produits dans le cadre de la libre-circulation des marchandises.

A ce dernier sujet, une declaration commune a ete agreee (et dont le texte vous parviendra separemment) et qui stipule entre autre :

1. confirmation de la grande importance de promouvoir dans le cadre d'action communautaire un niveau eleve de protection en matiere de sante, de securite et d'environnement.
2. vu les conditions geographiques et climatiques particulierement, il a ete convenu pour des cas specifiques d'appliquer pour une periode transitoire (4 ans)
3. Il est entendu qu'a la fin de cette periode transitoire 'que l'ensemble de l'acquis communautaire sera d'application dans les nouveaux Etats membres dans les memes conditions que dans les Etats membres actuels de l'Union'.

Ce texte implique donc que les pays candidats pour certains produits specifiques peuvent maintenir des normes differentes par rapport aux

normes communautaires et il est entendu qu'on va essayer d'arriver lors de la periode transitoire, a une convergence entre la legislation communautaire et celle des pays candidats tout en sachant que apres cette periode transitoire l'acquis communautaire en l'etat sera applique.

Nous vous signalons que les pays candidats vont certainement avoir une interpretation differente a cet egard. Nous avons entendu des declarations publiques des ministres de ces pays candidats qui stipulent clairement qu'il ne peut pas etre question que les pays candidats a titre de resultat de cette adhesion devraient reduire leurs normes d'environnement, de sante et de securite des produits. Dans ce contexte, ils se referent implicitement notamment a l'application de l'Art. 100a Par. 4 du Traite de l'Union europeenne pour leur permettre ainsi de prolonger leur situation derogatoire si necessaire pour une periode illimitee.

2. En ce qui concerne les chapitres de Maastricht, une declaration conjointe a ete agreee qui explique les implications du fait que les pays candidats acceptent sans aucune reserve l'acquis communautaire en matiere du deuxieme pilier du Traite. En effet, les quatre parties declarent accepter les droits et obligations derivant de l'acquis communautaire et en ce qui concerne les obligations y relatives, ils declarent 'it is understood that on the day of accession the legal framework of the acceding countries will be compatible with the acquis'

Ceci implique donc, sans que cela ait ete dit specifiquement que notamment l'Autriche introduira les amendements juridiques necessaires par rapport a son propre acquis national pour permettre a ce pays d'accepter toutes les obligations et droit derivant du deuxieme pilier comme defini dans le traite de l'Union europeenne.

SNUSS :

En ce qui concerne le produit snuss, ce produit constituant un symbole pour la culture specifique suedoise et norvegiene, il a ete convenu de permettre une derogation pour ces deux pays par rapport a l'acquis communautaire. En effet, par une telle derogation, des echanges pour ce produit restent permis entre la Suede et la Norvege. Il est toutefois entendu que la Commission veillera de quelle maniere la Suede et la Norvege respecteront l'interdiction de l'exportation de ces produits

vers d'autres pays et qu'un rapport a ce sujet va etre soumis au Conseil
trois ans apres l'adhesion de ces 2 pays. Ce rapport, comportant si
necessaire, des propositions appropriees.

L'acceptation de l'UE de cette derogation ne manque son importance
psychologique et donc politique pour les deux candidats. Ces derniers
pays ayant beaucoup insiste sur la necessite absolue d'obtenir une
derogation en la matiere pour pouvoir demontrer ainsi a leur propre
population que leur identite culturelle ne risque nullement d'etre mise
en cause par l'adhesion a l'Union Europeenne.

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Ref: BIO/93/325/1

DATE DOCUMENT : 93/12/23

GENERAL AFFAIRS COUNCIL - ENLARGEMENT NEGOTIATIONS

Voici le texte de 3 documents qui ont été approuvés en séance du Conseil :

1. SECRETARIAT GENERAL DU CONSEIL

AUTRICHE - SUEDE - FINLANDE - NORVEGE

NEGOCIATIONS D'ADHESION A L'UNION EUROPEENNE

Chapitre 1 : Libre circulation des marchandises

- Normes de préservation de l'environnement, de la santé et de la sécurité des produits

PROJET DE DECLARATION COMMUNE

'Les Parties Contractantes soulignent la grande importance de promouvoir dans le cadre d'actions communautaires un niveau élevé de protection en matière de santé, de sécurité et d'environnement, en conformité avec les objectifs et selon les critères définis dans le Traité sur l'Union européenne. Elles se réfèrent également dans ce contexte à la Résolution du 1er février 1993 concernant un programme communautaire de politique et d'action en matière d'environnement et de développement durable.

Conscientes de l'attachement des nouveaux Etats membres à la préservation des normes qu'ils ont mis en œuvre dans certains domaines, en raison notamment de leurs conditions géographiques et climatiques particulières, les Parties Contractantes sont convenues, à titre exceptionnel et pour des cas spécifiques, d'une procédure d'examen de l'acquis communautaire existant, avec la pleine participation des nouveaux Etats membres, dans les termes et conditions précisés dans les Traités d'adhésion.

Sans préjuger l'issue de la procédure d'examen agréée, les Parties Contractantes s'engagent à tout mettre en œuvre pour mener cette procédure à son terme, avant l'expiration de la période transitoire définie. A la fin de cette période transitoire, l'ensemble de l'acquis communautaire sera d'application dans les nouveaux Etats membres dans les mêmes conditions que dans les Etats membres actuels de l'Union'.

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2. SWEDEN - NORWAY

CONFERENCE ON ACCESSION TO THE EUROPEAN UNION

Chapter 29 : Other

- Union common position on Swedish and Norwegian requests concerning 'snus'

a) Sweden (doc. CONF-S 21/93) and Norway (doc. CONF-N 9/93) have requested that the provisions in Council Directive 92/41/EEC concerning the marketing of tobacco for oral use shall not be applicable to 'snus' in Sweden and Norway.

b) The EC side can accede to the Swedish and Norwegian requests by granting Sweden and Norway a derogation from the prohibition in article 8a of Directive 82/622/EEC as amended by Directive 92/41/EEC concerning the placing on the market in Sweden and Norway of the product defined in article 2.4 of Directive 86/622/EEC, as amended by Directive 92/41/EEC, without prejudice to the prohibition of sales of 'snus' in forms resembling food products.

This derogation will be granted on the condition that Sweden and Norway introduce an export ban to those other Member States for which Directives 89/622/EEC and 92/41/EEC remain or become fully applicable. Therefore, within the Union, trade in 'snus' will be possible only between Sweden and Norway.

The Commission will monitor the actual implementation by Sweden and Norway of this export ban and will submit to the Council, three years after Swedish and Norwegian accession, a report on this issue accompanied if necessary by appropriate proposals.

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3. AUSTRIA - SWEDEN - FINLAND - NORWAY CONFERENCE ON ACCESSION TO THE EUROPEAN UNION

Chapter 24 : Foreign and Security Policy - Union common position.

In the light of the examination of the 'acquis communautaire', conducted by the Presidency in the presence of the Commission with all the applicant countries, the Union notes that Chapter 24 (Foreign and Security Policy) is considered non-problematic by all the applicant countries. The Union proposes therefore that the Conference :

- takes note of the confirmation by the applicant countries of their introductory statements made on 1 February 1993 and 5 April 1993;
- records agreement, on the basis of the present 'acquis communautaire' on Chapter 24, subject to the two principles of negotiation agreed at the 1st meeting of the Conference at Deputy level;
- further recalls that, in order to prepare the applicant countries for full and active participation in the foreign and security policy, they will be closely associated with CFSP activities as part of the arrangements in the interim phase leading up to accession;
- agrees to enter into the final Act, with regard to the Common Foreign and Security Policy of the Union, the following declaration :

'1. The Union notes the confirmation by Austria, Sweden, Finland and Norway of their full acceptance of the rights and obligations attaching to the Union and its institutional framework, known as the 'acquis communautaire', as it applies to present Member States. This includes in particular the content, principles and political objectives of the Treaties, including those of the Treaty on European Union.

The Union and Austria, Sweden, Finland and Norway agree that :

- accession to the Union should strengthen the internal coherence of the Union and its capacity to act effectively in foreign and security policy;
- the acceding States will, from the time of their accession, be ready and able to participate fully and actively in the Common Foreign and Security Policy as defined in the Treaty on European Union;
- the acceding States will, on accession, take on in their entirety and without reservation all the objectives of the Treaty, the provisions of its Title V, and the relevant declarations attached to it;
- the acceding States will be ready and able to support the specific policies of the Union in force at the time of their accession.

2. With regard to Member States' obligations deriving from the Treaty on the European Union concerning the implementation of the Union's Common Foreign and Security Policy it is understood that on the day of accession the legal framework of the acceding countries will be compatible with the acquis. '

END OF TEXTS

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