



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.10.1996
COM(96) 508 final

Proposal for a
COUNCIL REGULATION (EC)

repealing Regulations (EEC) No 990/93 and (EC) No 2471/94
concerning the interruption of economic and financial relations with
the Federal Republic of Yugoslavia (Serbia and Montenegro),
the United Nations Protected Areas in the Republic of Croatia
and those areas of the Republic of Bosnia and Herzegovina
under the control of Bosnian Serb forces

Draft

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

repealing Decision 93/235/ECSC concerning trade between
the European Coal and Steel Community and the Federal Republic of Yugoslavia
(Serbia and Montenegro)

Draft

COMMON POSITION

defined by the Council on the basis of Article J.2 of the Treaty on European Union
with regard to the termination of the economic and financial embargo
concerning the former Yugoslavia

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Security Council of the United Nations has decided, in its Resolution 1022 (1995) paragraph 4, that it will terminate the embargo concerning the former Yugoslavia "on the tenth day following the occurrence of the first free and fair elections provided for in the Peace Agreement, provided that the Bosnian Serb forces have withdrawn from, and have continued to respect, the zones of separation as provided in the Peace Agreement." Elections have taken place on 14 September 1996, and the Security Council has taken the above mentioned decision.

Accordingly, the existing Community legislation regarding the embargo of the former Yugoslavia has to be repealed. This is the objective of the accompanying proposals for an EC Council Regulation, an ECSC Decision and a Common Position.

The present proposals will not affect, in conformity with paragraph 7 of Resolution 1022 (1995), Council Regulation (EC) No 1733/94, dealing with the prohibition of satisfying certain claims resulting from the embargo.

**Proposal for a
COUNCIL REGULATION (EC)**

repealing Regulations (EEC) No 990/93 and (EC) No 2471/94 concerning the interruption of economic and financial relations with the Federal Republic of Yugoslavia (Serbia and Montenegro), the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 73g and 228a thereof,

Having regard to the Common Position of 1996 defined by the Council on the basis of Article J.2 of the Treaty on European Union, with regard to the repeal of the embargo concerning the former Yugoslavia ¹⁾;

Having regard to the proposal of the Commission,

Whereas the Security Council of the United Nations has decided, in conformity with paragraph 4 of its Resolution 1022 (1995), to terminate the measures imposed by its Resolutions 757 (1992), 787 (1992), 820 (1993), 942 (1994), 943 (1994), 988 (1995), 992 (1995), 1003 (1995) and 1015 (1995);

Whereas, in the circumstances, Council Regulation (EEC) No 990/93 ²⁾ and (EC) No 2471/94 ³⁾ have to be repealed,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L,, p...

⁽²⁾ OJ No L 102, 28.4.1993, suspended by Regulation (EC) No 462/96 (OJ L 65, 15.3.96, p.1)

⁽³⁾ OJ No L 266, 15.10.1994, p.1, suspended by Regulation (EC) No 462/96 (OJ L 65, 15.3.96, p.1)

Article 1

Regulations (EEC) No 990/93 and (EC) No 2471/94 are hereby repealed.

Article 2

All assets and funds previously impounded or frozen pursuant to Regulations (EEC) No 990/93 and (EC) No 2471/94 may be released by Member States in accordance with the law, provided that any such assets that are subject to any claims, liens, judgments, or encumbrances, or which are the assets of any person, partnership, corporation, or other entity found or deemed to be insolvent under the law or the accounting principles prevailing in the relevant Member State, shall remain frozen or impounded until released in accordance with the applicable law.

Article 3

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

It shall apply from 4 October 1996

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

Done at Brussels, 1996

For the Council

The President

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

repealing Decision 93/235/ECSC concerning trade between the European Coal
and Steel Community and the Federal Republic of Yugoslavia (Serbia and
Montenegro)

(96/.../ECSC)

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

Having regard to the Common Position of 1996 defined by the Council on the basis
of Article J.2 of the Treaty on European Union, with regard to the repeal of the embargo
concerning the former Yugoslavia ¹);

Whereas the Security Council of the United Nations has decided, in conformity with
paragraph 4 of its Resolution 1022 (1995), to terminate the measures imposed by its
Resolutions 757 (1992), 787 (1992), 820 (1993), 942 (1994), 943 (1994), 988 (1995),
992 (1995), 1003 (1995) and 1015 (1995);

Whereas, in the circumstances, Decision 93/235/ECSC has to be repealed;

In agreement with the Commission,

¹) OJ L, 1996, p. ...

HAVE DECIDED AS FOLLOWS:

Article 1

Decision 93/235/ECSC is hereby repealed.

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 from 4 October 1996.

Done at Brussels, 1996

The President

Draft
COMMON POSITION

defined by the Council on the basis of Article J.2 of the Treaty on European Union with regard to the termination of the economic and financial embargo concerning the former Yugoslavia

(96/.../CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.2 thereof,

Having regard to paragraph 4 of Resolution 1022 (1995) and paragraph 2 of Resolution 1074 (1996) adopted by the United Nations Security Council,

HAS DEFINED THE FOLLOWING COMMON POSITION:

Article 1

The relevant restrictive measures concerning the former Yugoslavia, taken in accordance with Resolutions 757 (1992), 787 (1992), 820 (1993), 942 (1994), 943 (1994), 988 (1995), 992 (1995), 1003 (1995) and 1015 (1995) of the United Nations Security Council will be repealed.

Article 2

This Common Position shall be published in the Official Journal.

Done at Brussels, 1996

For the Council

The President

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