



EUROPEAN
UNIVERSITY
INSTITUTE

ISSN 0259-2290

**EUROPEAN
POLITICAL COOPERATION
DOCUMENTATION
BULLETIN**

1986 □ Vol. 2 □ No 1

Edited by
the European Policy Unit
at the European University Institute (Florence)
and
Institut für Europäische Politik (Bonn)

European Political Cooperation Documentation Bulletin

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Publication of the *European Political Cooperation Documentation Bulletin* is on a non-profit basis.

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1986 □ Vol. 2 □ No 1

Luxembourg: Office for Official Publications of the European Communities, 1988

ISSN 0259-2290

Catalogue number: OY-AA-87-001-2A-C

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Foreword

This third issue of the EPC Documentation Bulletin covers the term-of-office of the Dutch Presidency (1 January - 31 June 1986). It includes:

- the official declarations of the European Council, of the Foreign Ministers and of the “Twelve”, including statements in international conferences and organizations, as well as joint declarations made with other regional groupings;
- documents related to the European Parliament, i.e. replies to oral and written questions, abstracts related to EPC of the reports presented by the Presidency at the beginning and at the end of the Dutch term-of-office, as well as the reports on the European Council meetings, and so on.

Also included are several documents which for technical reasons could not be included in Volume 1985-2 (Luxembourg Presidency). These documents have a document number that differs from that of the documents issued in 1986. Whenever a document is published in a volume other than that of the year in which the document is enacted, it will have a document number which refers to the year in which the document is enacted, not to the volume or year of its publication. In the index a reference to such a document will be accompanied by a reference to the volume and issue of the EPC Bulletin in which the document can be found.

We would like to thank all those who helped us in collecting materials for this issue, and in particular Dr. E. Hofland from the Dutch Ministry of Foreign Affairs and Dr. Jean-Marc Hoscheit from the Luxembourg Ministry of Foreign Affairs. Our gratitude also goes to Angelika Lanfranchi, Emir Lawless, Annette Merlan and Maura O’Shea for their help in the preparation of this third issue.

The Editors

How to Use this Volume

The documents enacted in the framework of EPC are published in English or in French if no official English version exists. In each volume the documents are ordered chronologically. They have been given a unique key number according to the year and the order in which they were issued. Throughout the two volumes concerning one year, the documents are numbered consecutively. Thus, whereas "85/001" is the first document issued in the year 1985, "85/144" is the first document in the volume on the Luxembourg Presidency. The document number is for quick reference in the cumulative index of the Bulletin and can further be used for citation. It is our hope that the EPC Bulletin will become the standard citation reference for public domain European Political Cooperation documents.

At the beginning of each document basic information concerning the date of issue, the city of issue, the country holding the Presidency, the source of the document, and its status can be found.

The cumulative index can be found at the end of each volume. It has been developed by the editorial board of the Bulletin, composed of members of the European Policy Unit and the Institut für Europäische Politik, aided by a group of experts which included senior diplomats and scholars of several European Community Member States, and it is designed to cover all aspects of European Political Cooperation, its structure and activity. Thus one will find different classes of information for which the documents have been specifically analysed:

- The category *Status of document* permits the location of documents according to their type.
- The category *EPC structure and procedure* contains all references to statements of EPC which comment on or illustrate the working of EPC or its relation with the European Communities.
- The category *Contacts* reports all official relations with countries and organizations.
- *Geographical reference categories* indicate countries, regions and subregions, whenever these are intrinsically dealt with.
- The category *International organizations and political groupings* does the same for all international organizations, political groupings and conferences of relevance to EPC.
- Finally, issues are classified by subject matter in the general *Issues* category.

The index is open-ended to enable the inclusion of new issues as they arise on the agenda of European Political Cooperation. It is cumulative from one issue of the EPC Bulletin to the next. By consulting the index in the most recent volume, the user should thus be able to trace all EPC documents relating to a specific country or subject matter and issued during the entire period covered by the Bulletin.

List of abbreviations

ABM	Anti Ballistic Missile
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
ACP	African, Caribbean and Pacific States
A.C.P.	Pays d'Afrique, des Caraïbes et du Pacifique
A.G.	Assemblée Générale
A.E.L.E	Association européenne de libre échange
A.I.D.	Association internationale de développement
A.I.E.A.	Agence internationale de l'énergie atomique
A.N.A.S.E.	Association des Nations Unies de l'Asie de l'Est
ANC	African National Congress (South Africa)
A.N.C.	Congrès national africain (Afrique du Sud)
A.P.D.	Assistance publique au développement
ARC	Groupe arc-en-ciel (PE); Rainbow Group (EP)
ESA	European Space Agency
IDA	International Development Association
A.S.E.	Agence spatiale européenne
ASEAN	Association of South-East Asian Nations
Azapo	Azanian People's Organization (South Africa)
B	Belgium; Belgique
BLEU	Belgo-Luxembourg Economic Union
Bull.EC	Bulletin of the European Communities; Bulletin des Communautés européennes
C.A.C.	Comité administratif de coordination
C.A.E.M.	Conseil d'assistance économique mutuelle (COMECON)
C.C.I.	Corps commun d'inspection (N.U.)
C.C.Q.A.B.	Comité consultatif pour les questions administratives et budgétaires
CDE	Conference on Confidence- and Security-Building Measures and Disarmament in Europe
CDU	Christlich-Demokratische Union (Deutschlands)
C.E.	Communautés européennes
C.E.E.	Communauté économique européenne
CERD	Committee on the Elimination of Racial Discrimination
CMEA	Council for Mutual Economic Assistance (COMECON)
C.F.P.I.	Commission de la Fonction Publique Internationale
C.I.J.	Cour internationale de justice
C.N.U.C.E.D.	Conférence des Nations Unies sur le Commerce et le Développement
COM	Communist and Allies Group (EP); Groupe communiste et apparentés (PE)
COMECON	Cf. C.A.E.M., CMEA

CPC	Committee for Programme and Co-ordination
C.P.C.	Commission pour le programme et la coordination
C.P.E.	Coopération politique européenne
CPSU	Communist Party of the Soviet Union; Parti communiste de l'Union Soviétique
CSCE	Conference on Security and Co-operation in Europe
C.S.C.E.	Conférence sur la Sécurité et la Coopération en Europe
CSU	Christlich-Soziale Union (Bayern)
D	Federal Republic of Germany; République fédérale d'Allemagne
DK	Denmark; Danemark
Doc.	Document
DR	Group of the European Right (EP); Groupe des droites européennes (PE)
Dr	Drachme
EC	European Communities
ECOSOC	Economic and Social Council
E.C.O.S.O.C.	Conseil économique et social
Ecu	Unité monétaire européenne
ECU	European Currency Unit
ED	European Democratic Group (EP); Groupe des démocrates européens (PE)
EEC	European Economic Community
EFTA	European Free Trade Association
EMS	European Monetary System
EP	European Parliament
EPC	European Political Cooperation
EPP	European People's Party; Group of the European People's Party (Christian Democratic Group) (EP)
ESA	European Space Agency
F	France
FICSA	Federation of International Civil Servants Associations
F.I.C.S.A.	Fédération des associations de fonctionnaires internationaux
F.I.D.A.	Fonds international de développement agricole
F.I.N.U.L.	Force intérimaire des Nations Unies pour le Liban
F.I.S.E.	Fonds des Nations Unies pour l'enfance
F.M.I.	Fonds monétaire international
FRG	Federal Republic of Germany
GATT	General Agreement on Tariffs and Trade
G.A.T.T.	Accord général sur les tarifs douaniers et le commerce
GR	Greece; Grèce
I	Italy; Italie
IAEA	International Atomic Energy Agency
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization

List of abbreviations

ICARA	International Conference on Assistance to Refugees in Africa
I.C.A.R.A.	Conférence internationale sur l'assistance aux réfugiés en Afrique
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICSC	International Civil Service Commission
IDA	International Development Association
IFAD	International Fund for Agricultural Development
ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
IRA	Irish Republican Army
IRL	Ireland; Irlande
JO	Journal Officiel (des Communautés européennes)
JIU	Joint Inspection Unit
KGB	Komitet Gosudarstvdennoi Bezopasnosti; Committee of State Security (USSR); Comité de la sécurité d'Etat (U.R.S.S.)
L	Luxembourg; Luxembourg
L	Liberal and Democratic Group (EP); Groupe libéral et démocratique (PE)
LDC	Less developed countries, developing countries
LLDC	Least developed countries
MEP	Member of European Parliament
MFN	Most Favoured Nation
MNR	Mozambique National resistance
MPE	Membre du Parlement européen
NASA	National Aeronautics and Space Administration (United States)
NATO	North Atlantic Treaty Organization
NDP	New Democratic Party
NGO	Non-Governmental Organization
NI	Non-inscrits (PE); Non-attached (EP)
NL	The Netherlands; Pays-Bas
N.P.F.	Nation la plus favorisée
N.P.S.A.	Nouveau programme substantiel d'action
NPT	Non Proliferation Treaty, Treaty on the non-proliferation of nuclear weapons
O.A.C.I.	Organisation de l'aviation civile internationale
OAS	Organization of American States
OAU	Organization of African Unity
OCT	Overseas Countries and Territories
ODA	Official Development Assistance
O.E.A.	Organisation des Etats américains
O.I.T.	Organisation Internationale du Travail
OJ	Official Journal (of the European Communities)
O.M.I.	Organisation maritime internationale

O.M.S.	Organisation mondiale de la santé
O.N.G.	Organisation non-gouvernementale
O.N.U.	Organisation des Nations Unies
O.N.U.D.I.	Organisation des Nations Unies pour le développement industriel
O.L.P.	Organisation pour la libération de la Palestine
O.T.A.N.	Organisation du traité de l'Atlantique du Nord
O.U.A.	Organisation de l'unité africaine
PAC	Pan Africanist Congress
PE	Parlement européen
PFP	Progressive Federal Party of South Africa; Parti progressiste fédéral (Afrique du Sud)
PLO	Palestine Liberation Organization
P.M.A.	Pays les moins avancés
P.M.D.	Pays les moins développés
P.N.U.D.	Programme des Nations Unies pour le développement
PPE	Parti populaire européen; Groupe du Parti populaire européen (Groupe démocrate-chrétien) (PE); Group of the European People's Party (Christian Democratic Group) (EP)
P.V.D.	Pays en voie de développement (developing countries)
RDE	Groupe des renovateurs et du rassemblement des démocrates européens (PE); Group of the European Renewal and Democratic Alliance (EP)
Res.	Resolution(s); Résolution(s)
R.F.A.	République fédérale d'Allemagne
R.S.F.Y.	République fédérale socialiste de Yougoslavie
RSA	Republic of South Africa
R.S.A.	République sud-africaine
S	Socialist Group (EP); Groupe socialiste (PE)
SADCC	Southern African Development Co-ordination Conference
SALT	Strategic Arms Limitation Talks; Négociations sur la limitation des armements stratégiques
SARC	South Asia Regional Cooperation
SFRY	Social Federal Republic of Yugoslavia
SDI	Strategic Defence Initiative
S.M.E.	Système monétaire européen
SNAP	Substantial New Programme of Action
SWAPO	South West African People's Organization
T.N.P.	Traité de non-prolifération, traité sur la non-prolifération des armes nucléaires
TPA	Turkish Peace Association
TWA	Trans-World Airlines
UDF	Union Defence Force (South Africa)
UDI	Unilateral Declaration of Independence; Déclaration unilatérale d'indépendance
U.E.B.L.	Union économique belgo-luxembourgeoise
U.E.O.	Union de l'Europe occidentale

List of abbreviations

UK	United Kingdom of Great Britain and Northern Ireland; Royaume-Uni
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDC	United Nations Disarmament Commission
UNDP	United Nations Development Programme
UNDRO	Office of the United Nations Disaster Relief Co-ordinator
UNESCO	United Nations Educational, Scientific and Cultural Organization
U.N.E.S.C.O.	Organisation des Nations Unies pour l'éducation, la science et la culture
UNGA	United Nations General Assembly
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNIFIL	United Nations Interim Force in Lebanon
Unisa	University of South Africa; Université de l'Afrique du Sud
UNITAR	United Nations Institute for Training and Research
U.N.I.T.A.R.	Institut des Nations Unies pour la formation et la recherche
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
U.N.R.W.A.	Office de secours et de travaux des Nations Unies pour les réfugiés de Palestine dans le Proche-Orient
U.R.S.S.	Union des républiques socialistes soviétiques
US; USA	United States of America
U.S.A.	United States of America; Etats-Unis d'Amérique
USSR	Union of Soviet Socialist Republics
WEU	Western European Union
WHO	World Health Organization
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union

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85/334. Discours prononcé à la Conférence de Nairobi sur la décennie pour les femmes

Date of Issue: 16 July 1985

Place of Issue: Nairobi, Kenya

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Statement in international forum

M. Spautz: Madame le Président, je tiens en tout premier lieu à vous exprimer mes plus sincères félicitations pour votre élection, par acclamation, à la présidence de la Conférence. Cette élection témoigne à la fois de la confiance que nous avons en vos capacités personnelles, et de la haute appréciation que nous avons de votre pays. Par l'intermédiaire de la convention de Lomé le Luxembourg entretient avec le Kenya des rapports particulièrement étroits et a ainsi appris à estimer très hautement ce grand pays africain.

Mon pays a l'honneur d'assumer pendant le semestre en cours la présidence du Conseil des ministres de la Communauté européenne. Comme il est de tradition désormais dans les grandes réunions internationales, je vais donc commencer mon intervention par quelques réflexions générales faites au nom des dix Etats membres de la Communauté européenne. Réalité bien vivante et dynamique, la Communauté — qui va s'élargir à douze pays à la fin de l'année avec l'accession de l'Espagne et du Portugal — cherche de plus en plus à assumer en commun la responsabilité qui lui incombe en vertu de son rôle politique, de son potentiel économique et de ses liens multiples avec d'autres peuples. Dans cet esprit les Dix vont participer activement aux travaux de la Conférence de Nairobi.

Prenant part à une conférence qui se tient dans la capitale d'un pays africain, les Dix tiennent tout spécialement à exprimer leur solidarité avec les femmes africaines, dont beaucoup, hélas, vivent dans des zones géographiques dévastées par la sécheresse, et souffrent de la famine. Les Dix, comme en témoigne la 3ème convention de Lomé, ont à cœur le soulagement de ces souffrances.

La décennie qui s'achève représente sans doute une des étapes les plus importantes pour l'évolution de la condition des femmes dans tous les pays. Il est vrai, et je me permets de le rappeler en toute modestie, que la Communauté s'est engagée dès sa création, il y a plus d'un quart d'un siècle, dans la voie des réalisations en vue d'éliminer les discriminations à l'encontre des femmes. La proclamation de la décennie des Nations Unies pour la femme a été un stimulant pour progresser dans la voie tracée et surtout pour prendre une conscience juste des dimensions internationales, mondiales, des problèmes à affronter.

Ce n'est pas mon propos de décrire en détail les actions entreprises au niveau communautaire à cet égard. Le bilan vous en sera dressé plus tard au cours de ce débat par le représentant de la Communauté économique européenne, qui, en tant que telle, participe en tant qu'observateur à la conférence.

Les Etats membres de la Communauté européenne considèrent que la conférence aura en premier lieu la tâche d'identifier les objectifs de la décennie qui n'ont pu être atteints, ainsi que les obstacles qui en ont été la cause. Nous attendons de cette analyse — que nous souhaitons objective et réaliste — un résultat important, à savoir la détermination des stratégies à suivre pour compléter l'œuvre entreprise et arriver ainsi progressivement à l'amélioration de la condition des femmes, ainsi qu'à la complète élimination des discriminations à leur égard, discriminations qui ont été — et qui sont encore — une réalité dans l'histoire et dans la vie sociale de tous les pays.

C'est dans cette perspective que nous avons participé aux travaux préparatoires menés par la Commission de la condition de la femme et par l'E.C.O.S.O.C. Les Dix se félicitent surtout des progrès substantiels accomplis lors de la reprise de la troisième session préparatoire à New York, qui a permis un réel échange d'expériences et d'informations, des efforts considérables ont été faits de toutes parts pour avancer dans l'élaboration des stratégies pour l'avenir.

Néanmoins un accord d'ensemble doit encore être trouvé. Les difficultés, qui ont pu être identifiées à suffisance, devront être affrontées avec énergie et dans un esprit constructif afin de trouver rapidement des solutions acceptables par tous. A cet effet, les pays membres de la Communauté s'engageront activement dans des négociations avec toutes les parties concernées, sur tous les problèmes en suspens qui ressortent du mandat donné à notre conférence par l'Assemblée générale.

Les Dix sont convaincus toutefois que toute action visant à une politique d'égalité en faveur des femmes doit s'adresser, en tout premier lieu, aux problèmes spécifiques des femmes. Nous reconnaissons évidemment que les questions touchant les femmes ne peuvent être détachées des problèmes politiques, économiques et sociaux qui existent dans beaucoup de parties du monde.

A notre avis, toutefois, si la Conférence de Nairobi passe trop de son temps sur des questions qui tombent dans la catégorie des zones conflictuelles internationales ou des divisions internes, sociales ou politiques, questions qui touchent sans doute les femmes très durement, mais qui sont traitées de façon constante par d'autres organes des Nations Unies, alors la conférence aura des difficultés à remplir son mandat spécifique.

Parce que nous sommes conscients des lourdes entraves que de telles situations opposent à l'amélioration des conditions des femmes, nous sommes prêts à travailler sur ces problèmes, dans le contexte de la stratégie d'avenir, et en nous concentrant sur les méthodes les plus efficaces pour aider les femmes qui se trouvent dans de telles situations.

Il importera aussi que nous soyons tous inspirés par la plus grande compréhension réciproque et un maximum de disponibilité au dialogue. Notre conférence faillirait à sa tâche si elle ne parvenait pas à déterminer une stratégie pour l'avenir à laquelle nous pourrions coopérer tous dans les années futures. Quel que soit l'usage que nous ferons des règles de procédure adoptées, les Dix considèrent que la recherche du consensus dans la rédaction des documents de la conférence, et en particulier, des textes sur la stratégie d'avenir, permettra seule d'assurer le véritable succès de nos travaux. Un document final adopté par consensus serait une conclusion digne de la décennie des Nations Unies pour la femme, mais serait surtout une base solide pour l'action future.

85/335. Déclaration relative à la Conférence de Nairobi sur la décennie pour les femmes

Date of Issue: 27 July 1985

Place of Issue: Luxembourg

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Declaration

1. La Communauté économique européenne et ses Etats membres se félicitent qu'un consensus ait pu se dégager pour l'adoption du document sur les stratégies d'avenir. Tous les efforts entrepris, toute l'énergie et la volonté politique investies n'auront pas été inutiles. Il faut nous féliciter de ce que la communauté internationale ait pris conscience de la nécessité d'élaborer un document pour l'avenir qui recueille le consensus. Nous voulons rendre un hommage particulier à toutes celles et ceux qui ont permis par leur patience, leur esprit de compromis et leur qualité de négociateur de parvenir à ce résultat. Notre reconnaissance et nos félicitations s'adressent notamment à la Présidence du Groupe des 77 qui sans cesse a démontré sa modération et ses nombreux talents de diplomate sur lesquels nous avons pu sans cesse compter.

La Communauté et ses Etats membres considèrent que le document sur les stratégies d'avenir constitue une bonne base pour le développement des actions en faveur de la promotion de l'égalité des chances pour les femmes, à tous les niveaux.

2. La Communauté est d'ores et déjà engagée dans une politique globale très avancée dans ce domaine. C'est pourquoi elle a participé activement aux travaux de la conférence et a pu y contribuer de manière positive et constructive. Les résultats de la conférence et en particulier le document sur les stratégies d'avenir vont contribuer fortement à soutenir et à intensifier ses efforts en la matière.

3. Nous avons regretté cependant que les discussions sur des questions de politique générale aient souvent relégué à l'arrière plan les problèmes spécifiques des femmes dans le monde entier. En ce qui concerne ces questions de politique générale, la Communauté et ses Etats membres ont naturellement souhaité que les positions qu'ils ont prises ici correspondent à celles qu'ils prennent dans d'autres

enceintes des Nations Unies et ne les préjugent point; ceci concerne notamment les problèmes relatifs au désarmement, et aux conflits internationaux. Ceci explique en grande partie les votes des Etats membres de la Communauté sur un certain nombre de paragraphes concernant ces sujets.

4. La Communauté et ses Etats membres restent cependant fondamentalement attachés à la poursuite des discussions et du dialogue au sein des Nations Unies après la conférence. Comme nous l'avons d'ailleurs souligné dans la résolution C1/L16 qui a été présentée au nom de la Communauté, qui a fait l'objet d'un consensus en commission, l'évolution de la situation, les progrès accomplis en matière d'égalité des chances pour les femmes doivent être évalués régulièrement, à tous les niveaux. C'est dans cette perspective que seront développés nos efforts futurs.

85/336. Discours prononcé à l'occasion du dixième anniversaire de la signature de l'Acte final d'Helsinki

Date of Issue: 30 July 1985

Place of Issue: Helsinki, Finland

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Statement in international forum

M. Poos: Monsieur le Président, Excellences, Mesdames, Messieurs, au nom des dix Etats membres de la Communauté européenne, dont le Luxembourg a en ce moment l'honneur d'exercer la présidence, j'aimerais tout d'abord remercier le Président et les autorités de la République de Finlande d'avoir accueilli et organisé à Helsinki, avec leur généreuse et coutumière hospitalité, la cérémonie commémorative du dixième anniversaire de la signature de l'Acte final de la Conférence sur la sécurité et la coopération en Europe.

Permettez-moi, également, d'exprimer à notre Secrétaire exécutif, le très distingué Ambassadeur, Arhi Palosuo, nos remerciements sincères pour les soins attentifs et efficaces qu'il a consacrés à la préparation de cette rencontre.

Les dix Etats membres de la Communauté européenne attribuent la plus grande importance au processus entamé par la Conférence sur la sécurité et la coopération en Europe dont ils apprécient la valeur dans la perspective de la réalisation des objectifs de réelle détente sur le continent européen auxquels ils demeurent très attachés. L'Acte final d'Helsinki est le point de référence fondamental de ce processus car ce document solennel définit un ensemble de principes et de dispositions dont le respect et la mise en œuvre constituent la base nécessaire tant pour le maintien de relations pacifiques entre tous les pays participants que pour le développement d'une coopération fructueuse entre eux, dans l'intérêt de leurs peuples.

Depuis le moment de sa signature, l'Acte final d'Helsinki devait ouvrir une nouvelle phase dans les relations entre les pays signataires. En effet, en y souscrivant, les Etats participants à la C.S.C.E. ont, librement et dans le plein exercice de leur souveraineté, pris l'engagement solennel de respecter un ensemble de règles de conduite et de suivre des directives d'action précises dont la finalité ultime était l'instauration d'un climat de confiance renouvelée et de sécurité plus stable en Europe qui aurait rendu possible un rapprochement progressif de leurs peuples. Au cours de ces dix années, les Etats membres de la Communauté européenne ont activement contribué, individuellement ou conjointement, à la réalisation des objectifs plus généraux susmentionnés. Tant sur le plan intérieur qu'international, leurs comportements sont rigoureusement fidèles aux engagements pris par les Trente-cinq à Helsinki, d'abord, et à Madrid ensuite. Les Etats membres de la Communauté européenne ont également tenu à contribuer aux diverses rencontres qui ont eu lieu dans le cadre des suites de la C.S.C.E. — réunions des représentants, réunions d'experts, séminaires, forum et conférences —, avec un esprit de franche coopération avec tous les pays participants. A chacune de ces occasions, ils ont été guidés par la profonde conviction que le caractère unitaire de l'Acte final rend indispensable le respect et la mise en œuvre attentifs et cohérents de tous ses principes et toutes ses dispositions. Ce caractère de parfaite égalité entre tous les principes inscrits dans l'Acte final et entre tous les chapitres qui le constituent fait en

autre ressortir l'exigence que toutes les dimensions qui composent le processus C.S.C.E. se développent et s'épanouissent de manière fondamentalement équilibrée et harmonieuse entre elles, que ce soit du point de vue des engagements à prendre ou de celui du respect de ceux qui ont été déjà pris.

Les pays membres de la Communauté européenne n'ignorent pas qu'une mise en œuvre adéquate et entièrement satisfaisante des dispositions de l'Acte d'Helsinki ne peut être que le fruit d'un itinéraire complexe et de longue haleine. Néanmoins, on ne peut s'empêcher de constater combien sont graves et nombreux les cas d'inaccomplissement par quelques Etats signataires de dispositions librement convenues par tous les Trente-cinq. Il est de notre devoir de rappeler, avec franchise et sincérité, combien ces déplorables violations blessent profondément le potentiel évolutif du processus C.S.C.E. en l'exposant ainsi à des risques d'atrophisation progressive. D'autre part, c'est un droit indéniable, et même un devoir, pour chacun des Etats signataires, d'exiger, de la part des co-signataires le respect intégral des engagements dérivant de l'Acte final et des autres documents agréés au cours du déroulement des suites C.S.C.E.

Ce que nous sommes convenus d'appeler la première « corbeille » de l'Acte final établit tout d'abord une série de principes, d'une importance primordiale, qui doivent régir les relations entre les Etats signataires.

Le respect et la mise en pratique de ces principes doivent garantir la paix, la sécurité et la justice entre nos Etats, et promouvoir le développement continu de relations fondées sur l'amitié et la coopération.

On ne peut donc passer sous silence la vive préoccupation ressentie dans les Etats membres de la Communauté face aux pratiques et comportements, manifestement préjudiciables pour les droits fondamentaux de la personne humaine, en vigueur dans certains Etats signataires. Le respect des droits de l'homme et des libertés fondamentales par tous les Etats, prescrit par l'Acte final et réaffirmé par le document de clôture de Madrid, constitue, dois-je le rappeler, également une condition nécessaire à une amélioration positive et substantielle des relations entre tous les membres de la communauté internationale et au développement de la confiance et de la coopération entre les pays participants au processus C.S.C.E. Par conséquent, c'est avec un profond regret que nous avons dû constater que la réunion d'Ottawa sur les droits de l'homme et les libertés fondamentales s'est conclue, il y a quelques semaines, sans qu'un document final n'ait été adopté par les Trente-cinq. A cause de cette lacune, la réunion dans la capitale canadienne — dont les premières semaines de travaux avaient pourtant été caractérisées par l'amorce d'un débat franc et ouvert sur le respect, dans chacun des pays participants, des dispositions C.S.C.E. pertinentes en matière de garantie des droits de l'homme — constitue une occasion manquée d'accomplir des progrès appréciables sur le plan d'un respect plus effectif des engagements adoptés dans le cadre de la dimension du processus C.S.C.E. concernant la promotion des droits de l'homme.

Nous regrettons plus encore qu'au cours des dix années écoulées, le fait même d'invoquer les dispositions de l'Acte final ait été considéré, dans certains pays participants, comme un crime passible de peines de prison, de relégation dans un camp de concentration ou d'internement dans un hôpital psychiatrique.

A cet égard, nous n'acceptons pas la thèse suivant laquelle la législation nationale de chaque pays l'emporterait sur les dispositions de l'Acte final.

Je tiens à le souligner encore une fois, c'est avec une profonde déception et une grande amertume que les Dix ont constaté les nombreuses violations des droits de l'homme dans certains pays participants. Il est indispensable que cette situation change. La poursuite du processus de la C.S.C.E. en dépend.

Les arrangements pratiques et concrets découlant de la partie de l'Acte final traitant des mesures de confiance étaient une première étape dans une nouvelle direction. Les Dix se félicitent donc du fait que la Conférence sur les mesures de confiance et de sécurité et sur le désarmement en Europe ait pour but, dans sa première phase, de contribuer au renforcement de la confiance grâce à un ensemble de mesures correspondant à un saut qualitatif par rapport aux dispositions adoptées dans ce domaine il y a dix ans.

Les Dix soulignent l'importance de cet aspect de la C.S.C.E. Pour la première fois, en effet, les trente-cinq Etats participants, qu'ils soient membres d'une alliance ou qu'ils aient choisi de n'appartenir à aucune, se consacrent exclusivement à l'élaboration de mesures concrètes, dont l'adoption devrait permettre d'effectuer des progrès vers le désarmement conventionnel en Europe.

Mais il est bien évident que des progrès dans ce domaine ne peuvent s'effectuer indépendamment de l'ensemble du processus de la C.S.C.E., dont la C.D.E. fait partie intégrante, et par rapport auquel elle ne peut acquérir d'autonomie.

Les Dix regrettent vivement que les réunions de Montreux et d'Athènes, qui devaient « poursuivre l'examen et l'élaboration d'une méthode généralement acceptable du règlement pacifique des différends, visant à compléter les méthodes existantes », n'aient pas donné les résultats espérés.

Si on examine l'aspect économique de l'Acte, la deuxième corbeille, je voudrais rappeler que l'Acte final a été signé en 1975 par un homme d'Etat dont la mémoire nous est très chère, M. Aldo Moro en sa qualité de Président en exercice du Conseil des Communautés européennes et Chef du Gouvernement italien. Comme il l'a dit dans la déclaration qu'il a présentée à l'époque, les autres Etats participants peuvent de ce fait être assurés que les dispositions de l'Acte final leur seront appliquées par la Communauté, conformément à ses règles et procédures dans tous les domaines où elle aura obtenu les délégations de pouvoir nécessaires par décision commune des Etats membres. Ces délégations couvrent plusieurs domaines du deuxième chapitre de l'Acte final. Par conséquent, dès lors qu'il s'agit de ce chapitre, je ne parle plus seulement au nom des Etats membres mais aussi au nom de la Communauté.

La Communauté, qui a contribué à la partie économique du processus de la C.S.C.E. dès ses origines, porte un intérêt majeur à la coopération dans les domaines prévus dans le deuxième chapitre. Les relations économiques internationales revêtent une importance primordiale pour elle. En tant que première puissance commerciale du monde, elle ne saurait être une entité repliée sur elle-même. Elle est étroitement liée au reste du monde, tant par ses sources d'approvisionnement que par ses marchés. En 1983, son commerce extérieur a représenté 15% des exportations mondiales et elle est le plus grand importateur mondial d'énergie et de matières premières. Elle a toujours affirmé que la sauvegarde de la liberté du commerce mondial constituait une condition fondamentale de la reprise et du progrès économique.

C'est pourquoi nous nous rallions sans réserve aux objectifs et aux aspirations inscrits dans les dispositions de l'Acte final et du document de clôture de Madrid visant à promouvoir des conditions appropriées et favorables au développement de la coopération commerciale et industrielle entre les Etats participants, indépendamment de leur système économique. Toutefois, nous devons insister pour que les mesures commerciales soient fondées sur la réciprocité, c'est-à-dire sur la répartition équitable des avantages et des obligations comme le prévoit le préambule du deuxième chapitre de l'Acte final. Nous regrettons que les progrès réalisés par certains pays participants en matière de mesures visant à faciliter les contacts entre hommes d'affaires et en matière de publication et de diffusion des statistiques économiques et commerciales et autres sources d'information restent très insuffisants.

La Communauté et ses Etats membres soutiennent également l'intention inscrite dans l'Acte final et dans le document de clôture de Madrid visant à étendre les possibilités de coopération dans le domaine de la science et de la technique et rappellent les progrès qui ont été réalisés dans la mise en œuvre multilatérale des dispositions du deuxième chapitre relatif à la coopération en matière d'environnement et, en particulier, dans le domaine de la pollution atmosphérique transfrontalière à longue distance.

Nous attachons une grande importance aux dispositions de l'Acte final relatives à la sécurité et à la coopération en Méditerranée et nous exprimons notre satisfaction quant aux résultats obtenus lors de la réunion de La Valette et du séminaire de Venise.

Il y a dix ans, nous avons tous considéré que le développement de contacts entre personnes, les échanges d'information et la coopération culturelle ainsi que dans le domaine de l'éducation contribuent non seulement à l'enrichissement spirituel de la personne humaine, mais constituent un élément important, voire essentiel, du renforcement des relations amicales et de la confiance entre les peuples.

Le comportement de certains Etats participants rend difficile ces contacts et ces échanges. Les relations entre les Etats en subissent le contre-coup fâcheux.

En 1975, nous nous sommes fixés comme objectif de créer de meilleures conditions dans ces domaines, de faciliter ces contacts, tant sur le plan individuel que sur le plan collectif. Dans cette troisième corbeille de l'Acte final, il s'agit de prendre des mesures pratiques, améliorant des situations concrètes.

Ces dix années qui viennent de s'écouler ont, certes, vu un accroissement des possibilités offertes à un certain nombre de nos citoyens de se rencontrer, de rejoindre leurs familles dans d'autres pays pour des visites ou même, plus rarement, de s'y rendre à titre permanent. Pourtant, les efforts n'ont pas été suffisants: quoique sur le plan bilatéral des progrès ponctuels, cas par cas, aient été réalisés, il n'y a pas eu d'amélioration structurelle dans ce domaine des contacts humains entre les parties de l'Acte final.

Il y a eu des hauts et des bas dans le domaine de la réunion des familles au cours de ces dix années, et longues sont encore les listes de personnes dans nos pays de la Communauté qui attendent sans succès la visite d'un de leurs proches ou qui se heurtent à des obstacles considérables quand ils désirent une autorisation de sortie pour un époux ou un fiancé.

La troisième « corbeille » traite également de l'information. Nous nous sommes engagés à faciliter une diffusion plus libre et plus large des informations de toute nature, car nous croyons que rien n'est meilleur pour le développement des relations amicales entre les peuples, pour la réduction de préjugés nocifs et donc pour l'entente, qu'une information aussi vaste que possible sur ce qui se passe dans nos pays.

La méconnaissance et la méfiance peuvent engendrer des tensions, des résurgences de xénophobie ou de racisme, comme nous enseigne l'histoire. Une bonne information, une bonne connaissance de nos différents points de vue et d'intérêts, de nos spécificités nationales et ethniques sont indispensables à la compréhension entre les peuples et les Etats.

La libre circulation des informations n'est pas encore garantie de façon satisfaisante. Les conditions de travail des journalistes dans certains pays participants ne leur permettent pas de produire des reportages aussi informatifs et complets que souhaitable.

En fait, récemment, des barrières encore plus restrictives qu'en 1975 ont été imposées, raison pour laquelle nous considérons que des efforts importants restent à entreprendre dans ce domaine.

En ce qui concerne les développements des contacts dans le domaine de la culture et de l'éducation beaucoup a été fait sur le plan bilatéral et une grande occasion de faire de nouveaux progrès nous sera offerte dans le proche futur, dans le cadre du processus C.S.C.E.

En effet, si jusqu'à ce jour une seule conférence ayant trait à cette troisième « corbeille » s'est tenue, le forum scientifique de Hambourg en 1980, deux importantes réunions s'annoncent pour les prochains mois: le Forum culturel de Budapest, et un peu plus tard, la réunion de Berne sur les contacts entre personnes.

Le Forum culturel de Budapest sera une occasion pour des personnalités de diverses disciplines culturelles de se rencontrer et d'avoir des échanges de vues sur les problèmes de la création, de la diffusion et de la coopération culturelles. Comme le terme de « forum » l'indique, cette rencontre doit permettre à des personnalités du monde des arts de se rencontrer librement pour discuter dans une atmosphère détendue des problèmes qui leur sont propres.

L'anniversaire de la signature de l'Acte final devra permettre une relance du processus C.S.C.E. Nous souhaitons que, dans le domaine important et indissociable des autres que constitue celui des contacts humains, le Forum culturel signifie une première amorce de cette relance. Cependant, pour permettre à nos citoyens de participer pleinement à la mise en œuvre de l'Acte final, il importe surtout que la réunion de Berne au printemps de l'année prochaine réalise une nette amélioration des conditions des contacts entre personnes. Tout progrès dans ce domaine, qui touche très directement tant d'individus et de familles, renforcerait la crédibilité du processus C.S.C.E. dans son intégralité. Le processus de la C.S.C.E. a depuis six ans permis à nos trente-cinq pays de continuer un dialogue pour la paix, la sécurité, la justice et la coopération en Europe. Ce dialogue en soi est essentiel et constitue un élément positif. Or, il doit être accompagné, conforté et soutenu par des résultats concrets tangibles pour les peuples de tous nos pays.

Nous espérons que des progrès concrets, réalisés d'ici l'automne 1986 dans la mise en œuvre de l'Acte final dans tous les domaines, permettront à nos représentants à la réunion de Vienne de constater que de nouvelles perspectives s'ouvrent pour le processus de la C.S.C.E.

A l'occasion de cet anniversaire, les Etats membres de la Communauté européenne souhaitent réaffirmer leur attachement à tous les principes et à toutes les dispositions inscrits dans l'Acte final d'Helsinki. Ils continueront tous ensemble à œuvrer avec constance afin de favoriser des développements

appropriés et d'obtenir des résultats positifs dans tous les secteurs couverts par l'Acte final. Et cela parce qu'ils sont convaincus que sans des développements concrets et plus marqués dans tous les domaines, l'ensemble des suites C.S.C.E. perdrait sa fonction dynamisante qui constitue sa raison d'être profonde. Mais afin que le processus C.S.C.E. puisse sauvegarder son caractère d'instrument moteur et innovateur dans les relations entre les Etats qui y sont parties et entré leurs peuples, il faut que tous les gouvernements des pays signataires, sans exception aucune, respectent les engagements pris et s'efforcent d'en développer toutes les virtualités. Nous, les Dix, espérons pouvoir constater des progrès d'ici la réunion de Vienne. C'est la mission que se sont donnée les Chefs d'Etat et de gouvernement quand, il y a dix ans, ils vinrent à Helsinki pour signer l'Acte final, mission qui répondait encore aux aspirations les plus vives de nos peuples.

85/337. Communiqué de presse sur l'Afrique australe

Date of Issue: 18 September 1985
 Place of Issue: Luxembourg
 Country of Presidency: Luxembourg
 Source of Document: Presidency
 Status of Document: Declaration

Les dix Etats membres de la Communauté européenne, ainsi que l'Espagne et le Portugal rappellent que la persistance de situations de conflit, l'existence de graves menaces pour la souveraineté et le développement des Etats de l'Afrique australe préoccupent gravement les Dix.

Ils soulignent leur vive opposition aux nouvelles actions de force sud-africaines en Angola, portant atteinte à la souveraineté de ce pays et réaffirment leur soutien aux Etats de la Ligne de Front et au peuple namibien dans les domaines politique et économique.

85/338. Discours prononcé à l'occasion de la vingt-troisième Conférence générale de l'U.N.E.S.C.O. (extraits)

Date of Issue: 12 October 1985
 Place of Issue: Sofia, Bulgaria
 Country of Presidency: Luxembourg
 Source of Document: Presidency
 Status of Document: Statement in international forum

M. Boden, Ministre luxembourgeois de l'Education Nationale et de la Jeunesse: Comme le Luxembourg assure actuellement la présidence des Etats membres des Communautés européennes, j'ai l'honneur de prendre la parole au nom des dix Etats membres ainsi que de l'Espagne et du Portugal qui seront dans quelques mois des membres à part entière.

En chargeant la présidence en exercice de prendre dans le cadre de l'U.N.E.S.C.O. la parole au nom des Etats membres de la Communauté, les Dix aimeraient réaffirmer leur attachement continu à la coopération multilatérale et aux objectifs et principes de l'U.N.E.S.C.O. tels qu'ils sont consignés dans son acte constitutif. Une organisation qui s'efforce à promouvoir la coopération dans les domaines de l'éducation et dans les domaines scientifique, culturel et médiatique, de combattre l'analphabétisme, de sauvegarder le patrimoine de l'humanité et de défendre les droits de l'homme dans tous les domaines de sa compétence, reste aujourd'hui aussi indispensable qu'au moment de sa création.

C'est dans cette optique que, dans une déclaration commune, les Ministres des Affaires étrangères de la Communauté ont exprimé le 29 avril leur inquiétude face à l'actuelle crise qui touche l'U.N.E.S.C.O.¹ et ils ont souligné à cette occasion la nécessité d'obtenir cette année des réformes effectives à la fois en ce qui concerne la gestion administrative et le budget-programme relatif au prochain biennium. A cet égard les Ministres ont insisté sur l'importance d'aboutir lors de la 121e session du Conseil exécutif à un accord sur:

1. des recommandations concernant un projet de programme et du budget pour 1986/1987 qui recueille l'appui de tous et qui reflète pleinement la diminution des ressources de l'organisation;

2. un plan et un calendrier général pour la mise en œuvre de réformes administratives;
3. l'indispensable réduction sélective des dépenses au cours de la présente année afin de tenir compte du déficit résultant du retrait d'un Etat membre.

Les Dix reconnaissent que des discussions approfondies ont eu lieu depuis lors et que le document 23/C/6 contient des conclusions importantes. Les Dix marquent leur plein appui au consensus que les membres du Conseil exécutif ont pu arrêter à sa 121^e session. Ils expriment l'espoir que la Conférence générale entérine prochainement ce consensus afin que la mise en œuvre de ces décisions soit rapide et effective et que dans les questions laissées ouvertes par le Conseil exécutif, surtout dans le grand programme XIII, la Conférence générale se mette également d'accord par consensus.

Durant cette Conférence générale qui est appelée à prendre des décisions importantes concernant les activités futures de l'U.N.E.S.C.O. les Dix aimeraient coopérer avec toutes les délégations dans le but de rendre opérationnel ce consensus et de trouver un accord sur toutes les questions non encore résolues. A cet effet, les Dix envisagent de formuler des propositions concrètes. Ils s'attendent également à ce que soit établi un mécanisme chargé d'assurer le suivi des décisions du Conseil exécutif pendant le prochain biennium et, notamment, la mise en œuvre des réformes ayant fait l'objet d'un accord au terme de nos travaux.

Les Dix sont convaincus que si les Etats membres, le Directeur général et le Secrétariat unissent leurs efforts en vue d'améliorer davantage le fonctionnement de l'U.N.E.S.C.O. et d'assurer une exécution efficace et rationnelle de ses programmes, nous surmonterons les difficultés actuelles de notre organisation.

Si l'esprit et l'enthousiasme des origines ainsi que le respect des droits d'un chacun nous animent, nous réussirons à réaliser les grandes desseins que l'humanité tout entière attend de cette organisation. Nous sommes sûrs que cette voie est la seule qui puisse rétablir l'universalité de l'U.N.E.S.C.O. et ainsi la faire bénéficier de l'appui et du concours de tous les Etats.

¹ *EPC Bulletin*, Doc. 85/073.

85/339. Discours d'ouverture du Forum culturel de Budapest

Date of Issue: 15 October 1985

Place of Issue: Budapest, Hungary

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Statement in international forum

Au nom des dix Etats membres de la Communauté européenne, auxquels s'associent l'Espagne et le Portugal qui rejoindront cette Communauté dans quelques semaines – Communauté dont le Luxembourg a en ce moment l'honneur d'exercer la présidence – j'aimerais tout d'abord remercier les autorités hongroises pour leur généreuse hospitalité, qui nous permet de siéger dans ces locaux magnifiques. C'est un privilège de nous réunir dans une des plus belles capitales d'Europe, qui est aussi un de ces grands centres culturels dont les monuments, les collections artistiques et l'atmosphère même reflètent notre grande tradition commune. Ce sera, j'en suis convaincu, un stimulant pour nos travaux.

La culture commune à tous les pays réunis ici se fonde sur cette tradition culturelle européenne, tradition dont les racines sont plus vieilles que nos systèmes politiques actuels et qui donne à l'ensemble des Etats participants une identité culturelle commune. Identité qui n'est cependant pas uniformisée, car c'est justement la force et la richesse de cette identité que de se manifester dans une grande diversité. Nos peuples sont conscients de cette identité qui sous-tend leur diversité. Nous considérons qu'une tâche de ce Forum sera de contribuer à ce qu'elle en sorte renforcée.

Il y a quelques mois les Ministres des Affaires étrangères de nos pays ont commémoré solennellement la signature de l'Acte final d'Helsinki il y a dix ans. On a pu constater à ce moment-là qu'une décennie était une période très longue, trop longue, pour qui s'attendait en vain à la mise en œuvre de dispositions concrètes, précises, de cet Acte final, mais en même temps bien trop courte pour en extraire tout le potentiel. C'est dire que le processus C.S.C.E. doit désormais tirer son inspiration aussi bien du passé

que de l'avenir: du passé, afin de valoriser de façon toujours plus complète et correcte le patrimoine existant, de l'avenir afin de combler les lacunes existantes et de tenir compte des exigences nouvelles, toujours selon les lignes directrices fondamentales fixées il y a dix ans.

Les pays membres de la Communauté européenne, comme ils l'ont encore rappelé à Helsinki, ont toujours considéré que l'Acte final est un ensemble, dont toutes les parties ont valeur égale et engagent au même titre tous les participants. Ce texte, ainsi que les dispositions afférentes arrêtées ultérieurement à Madrid, gouverneront le Forum culturel.

La réunion préparatoire de l'année dernière a défini avec précision les domaines du vaste champ de la culture sur lesquels porteront les discussions du Forum, discussions qui mettront en contact des personnalités éminentes. Les Douze de la Communauté européenne ont mis grand soin à sélectionner ces personnalités de telle façon qu'elles représentent vraiment le vaste monde de la culture dans toute sa diversité. Un tel choix implique naturellement la présence de représentants des Etats, car les Etats modernes ne sauraient se désintéresser de la culture; il comporte cependant, avant tout, la participation de personnalités représentatives par elles-mêmes, en raison de leurs œuvres et de leurs activités et qui s'exprimeront en toute liberté, respectueuses des règles de fonctionnement du Forum, mais libres d'instructions de la part de leur gouvernement.

Cette approche de la part des Douze découle de leur profonde conviction que l'idée qui est à la base de la troisième corbeille de l'Acte final, voire de l'Acte final dans son ensemble, est l'instauration d'un climat de confiance en Europe, grâce à une meilleure compréhension réciproque. Or, comment pourrait-on mieux favoriser cette compréhension qu'en mettant en contact des personnes libres de s'exprimer sans entraves officielles, et libres même de se laisser convaincre du contraire de leurs opinions de départ?

L'appellation même de « forum », choisie de préférence à celle de réunion d'experts gouvernementaux, invite à des échanges de vues, approfondis, non guidés par une autorité officielle, comme cela a été le cas à Hambourg, lors du Forum scientifique qui s'est tenu en 1980.

Le même concept de liberté servira à donner un sens positif et constructif à la discussion des problèmes liés entre eux relatifs à la création, à la diffusion et à la coopération, telle qu'elle est prévue par le rapport de la réunion préparatoire. Il est certes difficile, sinon impossible, de donner une définition satisfaisante de la notion de création artistique. Est-ce l'invention qui compte le plus, la recherche, l'originalité, la mise au point matérielle? Tous ces éléments, et bien d'autres, y entrent à des degrés divers. Ce qu'on ne peut pas nier toutefois, c'est qu'il n'y a pas de vraie création artistique sans liberté. A première vue, l'histoire ancienne comme l'actualité d'aujourd'hui semblent démentir cela. Les créateurs dans le domaine de l'art, la littérature, le cinéma, même la musique ont souvent été soumis à toutes sortes de censures, directives, contraintes ou récompenses, et continuent à l'être dans certains pays. A y regarder de plus près toutefois on se rendra compte que seules ont gardé une valeur durable les œuvres dont les auteurs ont réussi, d'une façon ou d'une autre, à sortir du carcan dans lequel on voulait les forcer. Souvent ils ont payé très cher cette aspiration à la liberté de création, mais ils ont toujours rapporté la preuve que seul un esprit libre peut produire de grandes œuvres.

Aujourd'hui les Etats modernes favorisent à bien des égards ceux qui travaillent dans les divers domaines de la culture, en les affranchissant des soucis matériels et en leur permettant ainsi de suivre leur vraie vocation. Des mécènes privés — on voit par ce terme même combien le phénomène est ancien, le mécène historique, étrusque d'origine, romain d'adoption, étant mort il y a deux mille ans — individus, sociétés, fondations, agissent dans le même sens. Dans un cas comme dans l'autre, qu'il y ait soutien public ou privé, se pose le délicat problème de la liberté du créateur à l'égard de celui qui l'aide, lui donne des commandes, achète ses œuvres. De telles initiatives peuvent être valables; elle peuvent aussi s'avérer une entrave à la liberté de l'artiste si elles sont utilisées par le pouvoir dans le but de créer ou de renforcer une discipline idéologique.

Ce n'est pas le moment d'approfondir ces questions ici. Les Douze espèrent simplement que les débats durant les semaines à venir permettront de confronter de façon libre et exhaustive les vues sur ces aspects et d'autres dans la création dans les différents domaines de la culture[*sic*].

A la création est étroitement liée la diffusion, non seulement dans notre mandat mais également dans la réalité. La culture ne peut plus, ne pourra plus jamais être, comme elle l'a été en différentes périodes

historiques, un phénomène d'élite, réservée à une mince couche d'initiés. La généralisation de l'éducation, la satisfaction des besoins matériels vitaux ouvrent maintenant à tout un chacun au moins l'accès à la culture.

Les travaux du Forum, les nombreuses rencontres entre personnalités du monde de la culture donneront l'occasion d'examiner à fond les voies selon lesquelles la création culturelle sera le mieux mise à la disposition des peuples qui composent nos Etats!

Il importe de favoriser cette diffusion par des actions positives; il faut aussi éliminer les obstacles qui s'y opposent. Les Douze considèrent qu'un effort tout particulier s'impose en vue de supprimer les barrières nombreuses, aussi bien apparentes qu'occultes, qui limitent, ralentissent ou empêchent la circulation des produits de la création culturelle non seulement sur le plan international, mais aussi à l'intérieur des Etats, qu'il s'agisse de littérature, de cinéma, de théâtre, de peinture, de radio et de télévision. Comment pourrions-nous prétendre contribuer à une meilleure compréhension réciproque entre peuples et entre personnes individuelles si nous ne facilitons pas au maximum la libre diffusion des créations de l'esprit humain?

La coopération dans les divers domaines de la culture qui font l'objet de nos travaux peut porter aussi bien sur la création que sur la diffusion — nouvelle preuve de la liaison étroite qui existe entre les problèmes abordés ici.

La coopération entre les trente-cinq pays a un rôle primaire à cet égard, car elle seule est à même d'écarter les obstacles, souvent artificiels et arbitraires, qui ferment les frontières à la libre circulation des idées, des informations et des hommes.

Plus fondamentale toutefois est la coopération directe, librement choisie, entre les hommes et les institutions culturelles publiques et privées, à l'intérieur de nos pays et au-delà des frontières. Ce sont eux, les créateurs, les responsables de la diffusion, qui sont le mieux à même d'apprécier l'enrichissement réciproque que les contacts engendrent et d'en déterminer les modalités.

S'il est difficile d'envisager un poème rédigé par plusieurs auteurs ou une symphonie musicale écrite à deux ou trois mains, d'autres œuvres au contraire, comme par exemple le cinéma ou la radio et la télévision invitent à la co-production, nationale et internationale. La Communauté européenne — dont la vocation première est celle de constituer un grand marché intérieur, libre de toutes entraves — est particulièrement sensible à cet aspect des choses.

Ce n'est pas que nous considérons la culture principalement sous son aspect matériel et marchand; mais il serait irréaliste de la voir comme une pure abstraction de l'esprit. La littérature, les arts plastiques, le théâtre, sans parler de l'architecture, tout comme les hommes et les femmes qui opèrent dans les secteurs culturels ont besoin d'un minimum de support tangible.

Le moins que l'on puisse faire à cet égard, c'est d'essayer d'éliminer les obstacles économiques, juridiques, politiques à la co-production internationale là où celle-ci peut conduire à un enrichissement réciproque. La Communauté s'y attache quant à elle.

Une saine coopération internationale doit en tout premier lieu servir à abaisser les barrières entre nos Etats et à rendre plus faciles et plus intenses les contacts entre ceux qui, à n'importe quel titre, s'intéressent à la culture au sens le plus large du terme. Elle conduira ainsi à une meilleure compréhension réciproque, à un approfondissement des connaissances, à des échanges fructueux notamment dans les domaines où les uns sont plus avancés que d'autres.

La coopération pourra ensuite favoriser des actions entreprises en commun, au-delà et au mépris des frontières nationales.

Les trois termes fonctionnels de la création, la diffusion et la coopération sont liés entre eux, comme nous l'avons reconnu lors de la réunion préparatoire. Ils présentent cependant des aspects spécifiques selon les domaines considérés; ils peuvent et doivent être séparés conceptuellement, car on ne peut pas parler de tout en même temps sous peine de se rendre inintelligible. Les Douze considèrent donc que les débats dans les organes de travail subsidiaires doivent être bien structurés, afin que les thèmes reçoivent une attention suffisante sur tous les aspects, et que les personnalités éminentes venues au Forum en retirent ainsi le maximum de profit.

Nous espérons que cette occasion unique d'un échange de vues large et approfondi sur toute une série de thèmes culturels nous mènera à des résultats qui serviront à promouvoir une meilleure compréhension

entre les peuples. Le succès du Forum ne devra pas être mesuré à la longueur d'éventuelles conclusions écrites. Ce seront surtout la richesse, la sincérité et la liberté des échanges de vues qui constitueront le succès. Les douze pays membres de la Communauté européenne feront tout ce qui est en leur pouvoir pour assurer ce succès-là!

85/340. Discours prononcé à la Conférence sur le dialogue politique et la coopération économique entre la CEE et les pays de l'isthme centraméricain, Luxembourg le 11 novembre 1985 (extraits)

Date of Issue: 11 November 1985

Place of Issue: Luxembourg

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Statement in international forum

M. Poos: Messieurs les Ministres, Excellences, Mesdames, Messieurs, c'est un grand honneur pour moi de vous souhaiter au nom de la Communauté et de ses Etats membres, de l'Espagne et du Portugal, la cordiale bienvenue à Luxembourg. Cette deuxième Conférence ministérielle entre l'Amérique centrale, les pays de Contadora et ceux de la Communauté européenne illustre l'importance et la solidité des fondements qui ont été posés à San José en 1984. Je tiens une fois de plus à remercier, au nom de la Communauté, la République du Costa Rica pour l'initiative qui nous a permis d'élaborer ensemble cette nouvelle structure pour un dialogue politique et une coopération économique intensifiés entre nos deux régions.

Si les réalités politiques, économiques et sociales de nos pays sont très différentes, nos peuples, en Europe comme en Amérique centrale, partagent la même aspiration à la paix, à la liberté et au progrès.

Pendant des siècles le Luxembourg a été un pays occupé et dévasté par les guerres fratricides en Europe. Depuis plus de trente ans, cette ville de Luxembourg qui fut si longtemps un enjeu des conflits européens, a trouvé un nouvel horizon, celui de la construction d'une Europe unie. Cette entreprise de paix, de progrès et d'espoir que les peuples européens mènent depuis plus de trente ans, patiemment et non sans grandes difficultés, montre qu'il n'y a pas de frontières infranchissables, de divisions insurmontables ou de conflit qui ne puisse trouver une solution politique juste et équilibrée et déboucher sur une perspective d'entente et une volonté de coopération. Les pays européens ont offert pendant la première moitié de ce siècle le terrifiant exemple d'un continent déchiré et meurtri. Les pays de la Communauté élargie présentent aujourd'hui un message de coopération à tous les pays qui veulent construire ensemble leur avenir.

Les préoccupations de Jean Monnet, un des pères fondateurs de la construction européenne, continuent à guider notre action : « Unir les hommes, régler les problèmes qui les divisent, les amener à voir leur intérêt commun ».

C'est un message qui doit également inspirer la nouvelle structure de dialogue politique et de coopération économique que la Communauté et les pays de l'isthme centraméricain vont aujourd'hui instituer.

Les dix et bientôt les douze pays de la Communauté ont exprimé à la Conférence de San José leur volonté de contribuer par ce dialogue et cette coopération au renforcement des efforts de paix déployés au sein du processus de Contadora en vue de mettre un terme à la violence et à l'instabilité en Amérique centrale. Ils réitérent aujourd'hui leur volonté en vue de contribuer à la promotion de la justice sociale, du développement économique, du respect des droits de l'homme et des libertés démocratiques dans cette région du monde.

Les pays de la Communauté ont la ferme conviction que la paix est un processus global et indivisible. L'histoire nous apprend

- qu'il n'y a pas de paix juste et durable dans le sous-développement et l'ignorance;
- qu'il n'y a pas de paix sans le respect des droits de l'homme;
- qu'il n'y a pas de paix sans liberté et sans justice sociale.

La paix se fonde sur le respect des principes fondamentaux du droit international. Elle se construit par la volonté du dialogue et la conviction que la sécurité est mieux assurée par la coopération que par la course aux armements sous toutes ses formes. La paix ne se crée ni dans la crainte ni dans la méfiance.

Le Document des objectifs du 9 septembre 1983 adoptés par tous les pays d'Amérique centrale dans le cadre du processus de Contadora, comme l'Accord de Contadora pour la coopération et la paix, présenté le 13 septembre 1985, forment une base solide pour une paix juste et équilibrée.

Ils ouvrent une véritable perspective de paix et de progrès authentiquement régionale et qui prend en compte toutes les causes et les origines des tensions actuelles.

Permettez-moi de réaffirmer à cette occasion le ferme attachement et le soutien décidé des pays de la Communauté aux efforts du Groupe de Contadora.

Dès juin 1983, le Conseil européen de Stuttgart a exprimé le plein appui de la Communauté au processus de Contadora. Cette initiative de paix s'inscrit dans le grand projet de paix, de liberté, de justice et de coopération que Simon Bolivar a légué à l'Amérique latine.

Je tiens à réaffirmer, au nom de la Communauté européenne et de ses Etats membres, l'importance que nous attachons à la participation des pays de Contadora à cette Conférence et au dialogue politique que nous allons institutionnaliser entre l'Amérique centrale et les Douze.

Nous espérons tous que la Conférence de Luxembourg contribuera au processus de Contadora et au succès des négociations en cours.

Nous nous réjouissons tous qu'un large consensus ait pu être trouvé sur des points politiques, économiques et sociaux très importants. Nous savons que les négociations en cours sont complexes et difficiles. Mais je voudrais que cette Conférence nous donne une nouvelle occasion pour témoigner ensemble de notre conviction qu'une solution pacifique, globale et négociée est la seule voie envisageable pour la région.

Dans cette optique, nous espérons que l'accord présenté le 12 septembre à Panama pourra être rapidement adopté par toutes les parties. Une conclusion rapide des négociations représenterait un nouvel essor pour une initiative qui bénéficie d'un large soutien international.

Il est évident que la cessation des tensions, de la violence et des conflits est une condition essentielle du rétablissement durable de la paix et de la stabilité. Mais il faut pour cela une volonté politique de dialogue ainsi que l'acceptation du fait que le recours à une course aux armements sous toutes ses formes ne représente nullement la meilleure garantie pour la sécurité.

Bien au contraire, la sécurité nécessite d'abord une volonté de désarmement et de coopération, ainsi que des mécanismes de contrôle et de vérification efficaces. Les pays européens réitèrent leur volonté, déjà exprimée à San José, d'appuyer, dans la mesure de leurs possibilités, et si on leur en fait la demande, l'action des Etats chargés de la mise en œuvre des termes d'un futur accord. Nous n'ignorons pas l'importance des mécanismes de vérification et de contrôle qui sont nécessaires à tout accord équilibré comme à un climat de confiance. Les pays de la Communauté adressent donc un appel aux pays concernés d'arriver sur la base des principes de la Déclaration des objectifs et de l'Acte à des engagements globaux et équilibrés en matière de sécurité et de désarmement.

Respectueux des principes fondamentaux du droit international parmi lesquels je me limiterai à citer notamment l'égalité des Etats souverains, la non-intervention, la non-ingérence et la renonciation à la menace ou à l'usage de la force, nos pays considèrent qu'il est important que tous les pays ayant des liens et des intérêts dans la région contribuent aux conditions propices aux négociations et à la conclusion de l'accord de paix et de coopération et coopèrent avec tous les Etats d'Amérique centrale à la réalisation de l'objet et des fins de cet accord.

Mais la sécurité est aussi inséparablement liée au respect des droits et des libertés de chaque homme. Les pays membres de notre Communauté ont fermement ancré leur intégration au respect des droits de l'homme et à la démocratie pluraliste. L'histoire européenne montre suffisamment que dès que la démocratie et les droits de l'homme sont bafoués, la paix est en danger. Dans cette optique, le dialogue que nous institutionnaliserons doit contribuer à développer et à garantir dans tous les pays tous les droits de l'homme et les libertés fondamentales, comme ils sont définis notamment dans la Déclaration universelle des droits de l'homme. Le respect des droits de l'homme et des libertés démocratiques ne

représente pas seulement une base solide pour une meilleure compréhension et une solidarité active entre les populations des divers pays concernés, il ouvre la voie à la réconciliation et au progrès économique et social à l'intérieur de chaque pays.

Le développement ou la consolidation d'institutions démocratiques, garantissant le pluralisme sous toutes ses formes, restent pour cette raison un objectif essentiel auquel tous les Etats centraméricains ont souscrit dans le cadre de la déclaration de 1983 comme de l'Acte de paix. Toute remise en question du processus démocratique et des libertés ne peut qu'accroître les clivages au sein de la société et les dissensions et rendre ainsi plus difficile toute initiative de réconciliation nationale et toute recherche de solutions pacifiques visant à éliminer la violence et les tensions. Dans ce contexte, nous nous félicitons des élections pleinement démocratiques qui viennent de se tenir le 3 novembre au Guatemala.

La création d'une nouvelle structure de coopération économique et de dialogue politique entre les pays de l'isthme centraméricain et la Communauté et ses Etats membres ne vise pas seulement à renforcer et à intensifier les relations économiques et politiques entre nos deux régions, elle entend apporter un soutien politique et économique aux efforts de stabilisation et de paix en Amérique centrale. Nous savons tous que la situation économique extrêmement précaire ainsi que des structures socio-économiques inadaptées sont parmi les causes fondamentales des tensions et de l'instabilité politique et sociale. Les actions de coopération et d'assistance que nous développerons dans le cadre de l'accord de coopération comme dans la nouvelle structure de dialogue viseront à contribuer à une amélioration des conditions économiques, sociales et politiques auxquelles aspirent les peuples d'Amérique centrale. (...) Mais l'intégration économique n'est pas seulement un moyen de progrès économique et social, elle est surtout une voie vers la paix.

85/341. Report from the European Council on European Union: Progress Made with European Political Cooperation

Date of Issue: 3 December 1985

Place of Issue: Strasbourg

Country of Presidency: Luxembourg

Source of Document: Presidency

Status of Document: Report on European Union

1. This is the third time since the adoption of the Solemn Declaration on European Union that the Ten are submitting to the European Parliament a report on progress achieved during the year in the context of European political cooperation.

This year has been marked by the signing of the Treaty of Accession to the European Community by Spain and Portugal, which have thus manifested their desire to participate in progress towards the building of Europe. In order to enrich the discussions now being held in the context of political cooperation on the specific contributions of the two countries, which will be full members of EPC from 1 January 1986, Spanish and Portuguese representatives have since 1 September 1985 been participating as observers in the work of political cooperation at all levels.

During the current year the Ten have also continued to consult each other and co-ordinate their efforts to strengthen Europe's identity in the world and to speak with one voice in international affairs.

2. Following the European Council of Milan and in the context of the discussions on the strengthening of the various components of the European Community, the Ministers for Foreign Affairs instructed the Political Committee to prepare the text of a draft Treaty, in particular on the basis of Franco-German and United Kingdom drafts concerning political cooperation with an eye to a foreign policy and common security. Its adoption should give fresh impetus to the activities of the EPC and enable progress to be made towards the formulation and common implementation of a European foreign policy.

3. Relations between the European Parliament and political cooperation have, as in the past, continued to play an important role. The exchanges on matters relating to EPC have improved the flow of information in both directions and have allowed greater account to be taken of Parliament's opinions in the adoption of common positions by the Ten. The implementation of various procedures, such as

questions in Parliament, discussions with Parliament's Political Affairs Committee and participation at various major debates organized by the European Parliament, has made it possible to intensify dialogue between Parliament and political cooperation. To ensure close cooperation between the European Parliament and EPC in accordance with the Solemn Declaration on European Union, Parliament is regularly informed of the matters of foreign policy examined in the course of EPC work, and the Presidency ensures that Parliament's opinions are known and duly considered in the various EPC bodies.

4. The Ten have continued to cooperate in *third countries* and in international organizations. In order to strengthen this cooperation they have forwarded a series of recommendations to their missions in third countries.

Special attention was devoted to cooperation of the Ten with international organizations designed to reach a better harmonization of the positions of the Ten at the United Nations in general and at the 40th General Assembly in particular.

5. The international political influence of the Ten was illustrated by the maintenance of regular, routine *contact* with an increasing number of *third countries* and *regional organizations*.

In the course of 1985, the Ten have had two consultations at Foreign Affairs ministers level with Japan and they have had agreed contacts with China.

Meetings at the level of Political Directors have taken place with the United States, Turkey and, for the first time, Japan.

They thus took part in the meeting of the 'Dialogue Partners' of ASEAN in July at Kuala Lumpur and in the first meeting of the Ministers for Economic Affairs of ASEAN and the EEC in October in Bangkok. They also maintained the contacts established in 1984 at San José with the countries of Central America and of the Contadora Group by organizing a further meeting in Luxembourg in November 1985. The Ten, Spain and Portugal also reacted favourably to a request by the front-line States to establish closer contact with them.

6. The year 1985 has been marked by significant developments in the *Middle East*. The Ten, which attach great importance to that part of the world, have continued their efforts to help resolve the conflicts there.

With regard to *the Israeli-Arab conflict*, they welcomed the Jordanian-Palestinian agreement concluded on 11 February 1985 in Amman. They believe that this initiative, which represents a constructive step forward in the search for a peaceful and comprehensive settlement, has revived the peace progress.

In their declarations of 29 April and 10 September 1985 the Ten reaffirmed their support for a peaceful negotiated solution, which should be based on Resolutions 242 and 338 of the Security Council and respect the principles they have frequently expressed, in particular the right of all Middle-East countries, including Israel, to existence and security, and the right of the Palestinian people to self-determination with all that this implies.

With this in mind the Presidency-in-Office made a further appeal to the 40th United Nations General Assembly to the enemies of today to stop regarding themselves as such. Mutual recognition by the parties concerned of the existence and rights of the others remains the priority.

Again in connection with the Israeli-Arab conflict, the Ten on 1 October 1985 vigorously condemned the bombing by Israeli air forces of the PLO headquarters in Tunis. They also condemned the acts of terrorism directed against Israeli citizens. They expressed the hope that this new escalation of violence would not jeopardize the efforts to bring about a peaceful solution to the conflict.

The situation in *Lebanon* has been a constant source of anxiety to the Ten. The acts of terrorism and violence under which the civilian populations in Lebanon are continuing to suffer and the kidnappings of foreign nationals have been on the increase.

Following the ministerial meeting in political cooperation on 12 February 1985, the Ten adopted a position with regard to the situation created in South Lebanon by the withdrawal of Israeli troops. This approach was made to the parties directly involved and to the General Secretariat of the United Nations. In their declaration of 29 April 1985, the Ten launched an appeal to all the parties concerned both inside and outside Lebanon to act in such a way as to ease the process of restoring the sovereignty, unity, territorial integrity and independence of Lebanon. They also reaffirmed their support for the United

Nations Interim Forces in Lebanon (UNIFIL). They launched an appeal to all parties to respect the role of UNIFIL and to avoid all incidents, to cooperate fully with it and to ensure the safety of its personnel. On 20 May the Ten repeated their appeal for the resumption of a dialogue leading to a conference on national reconciliation.

In his speech to the United Nations the President-in-Office renewed the appeal of the Ten to all parties concerned to try to establish a genuine dialogue between the various Lebanese communities. He reaffirmed the need for a complete withdrawal of Israeli forces and of other forces not there at the request of the Lebanese Government.

The *Iran-Iraq* conflict, now in its sixth year, still shows no sign of moving towards a political solution. Military action has continued relentlessly against civilian, industrial and military targets. The effects on the regional stability and the economies of both countries remain serious.

In March 1985 the Ten made representations in Baghdad and Tehran to appeal to each side to refrain from bombing civilian targets.

The Ten again discussed the Iran-Iraq situation at the meeting of Ministers on 29 April 1985. In his speech on 23 September 1985 before the 40th General Assembly of the United Nations, the President-in-Office of the Council renewed the appeal launched by the Ten, in particular in a declaration of 29 April, for an immediate ceasefire and the setting in motion without delay of negotiations to seek a settlement that would be honourable and acceptable to both sides. The Ten, Spain and Portugal welcomed the Gulf Cooperation Council's efforts to end this conflict. The Ten also repeated their condemnation of the use of chemical weapons and their appeal for full and unconditional respect for the Geneva Convention and other rules of international law, including those relating to the security of civil aviation and sea routes.

With regard to the *Euro-Arab dialogue*, the Ten continued negotiations with a view to the convening of the sixth General Committee on the Euro-Arab dialogue. Other activities were carried out in the context of the dialogue, in particular in the economic, social and cultural fields.

7. The situation in *Cyprus* is still a major source of concern to the Ten, which on several occasions in 1985 stressed the need to safeguard the island's independence, sovereignty, territorial integrity and unity. In keeping with this principle, they refused to recognize the 'Turkish Republic of Northern Cyprus' and any so-called 'constitutional' developments in that part of the island. The Ten continued to attach particular importance to the peacekeeping mission of the Secretary General of the United Nations and appealed to all parties concerned to support his efforts to seek a just and lasting solution to the problem of Cyprus and to refrain from any action which might undermine dialogue.

8. At the beginning of 1985 the Ten reaffirmed the importance which they continued to attach to improving *East-West relations*. They noted with great satisfaction the resumption of the Geneva negotiations aimed at drawing up effective agreements to prevent an arms race in space and put an end to the arms race on earth, to limit and reduce nuclear weapons to the lowest possible level and to strengthen strategic stability. They consider that the renewed dialogue offers hope of a more positive phase in East-West relations and progress in the international bodies responsible for arms control and disarmament.

They continue to hope that the new Soviet leaders will give concrete evidence of a real desire to establish constructive relations between East and West. Nevertheless, certain obstacles still stand in the way of a return to *détente*, including the continuing Soviet occupation of Afghanistan. The Ten also remained concerned about the situation in Poland because of an increase in political repression.

The Ten are still prepared to continue their efforts to achieve a better climate of mutual trust and understanding between East and West.

9. On the 10th anniversary of the signing of the Act of Helsinki on 1 August 1985 the Ten affirmed their commitment to the progress of the *CSCE* and restated the need for all commitments in the final Act (security, economic and scientific cooperation and cooperation in the humanitarian and other fields) to be fulfilled equally. The Ten expressed regret that human rights and basic liberties were still being seriously and repeatedly violated in certain countries despite the principles of the United Nations and the solemn commitments entered into in the Final Act of Helsinki, which were confirmed and defined in Madrid.

The Ten continued their efforts at the Stockholm Conference to bring about the adoption of a series of confidence-building and security measures implementing and embodying the Member States' duty to refrain from the threat or use of force in international relations. It is only after the conclusion of such an agreement that a decision on the transition to a further phase in the Conference can be contemplated, aiming at a phased reduction in armaments as part of the CSCE process and on the occasion of a regular meeting to examine all the provisions of the Final Act.

Again in the context of the CSCE process, the Meeting of Experts was held from 7 May to 17 June 1985. At the meeting the Ten spared no effort to ensure that the participants agreed on a number of recommendations to be submitted to their governments. They regretted that no progress had been made at the meeting towards strengthening the provisions of the Final Act of Helsinki and of the Concluding Document of Madrid, a joint East-West commitment. They nonetheless felt that the Ottawa Meeting had been necessary and useful since it had permitted a frank and open examination of each participant's observance of the provisions. The Ten would like the value of the recommendations which they put forward or supported at the Ottawa Meeting to be gradually recognized, in particular at other CSCE meetings held to discuss these questions. In particular, a valid opportunity of making significant progress with the CSCE process concerning respect for human rights would be the meeting on the follow-up to the Final Act that is to be held in Vienna from Autumn 1986.

Although a joint final document was not adopted, the Budapest Cultural Forum was of some value. The Ten were able to take the opportunity of urging the need to permit unrestricted contact between creative artists. They also stressed that obstacles to the dissemination of cultural works should be eliminated and that the freedom of artistic expression must always be respected by State authorities. Delegations of the Ten also submitted numerous proposals for intensifying cultural exchanges and cooperation. The Budapest Cultural Forum was the first occasion on which celebrities in cultural fields met and discussed cultural problems in a CSCE context.

10. In 1985 *Africa* has been a major preoccupation of the Ten in EPC.

The Ten have continued to keep a close watch on the situation in *Southern Africa*, which has seriously deteriorated during the year in progress. Several declarations by the Foreign Affairs Ministers of the Ten have emphasized their concern at the attacks on the sovereignty and security of South Africa's neighbouring States following military operations carried out by South African military forces in some of those countries. These actions are in fact increasing the obstacles to a dialogue to seek peaceful solutions to the problem in that part of the world. Furthermore, with regard to Namibia, the Ten deplored the delay in implementing the United Nations plan based on Resolution 435 of the Security Council. They declared that they regarded the installation of the interim government in Namibia on 17 June as null and void. The Ten also reaffirmed their support for the Front. The Ten also reaffirmed their support for the front-line States and for the Namibian people.

The persistence of sufferings caused by the system of apartheid, the renewed outbreaks of violence and the number of victims thereof in *South Africa* led the Ten, Spain and Portugal to repeat their vigorous condemnation of apartheid and to call for a genuine dialogue leading to its effective abolition. To this end they set out a number of measures necessary to encourage the parties concerned to move towards that goal.

The Ministers stated their position on this question on several occasions (in particular in the declarations of 25 March, 22 July, 1 August, 23 August, 30 August and 10 September). Taken together, these statements embody the Community's attitude to South Africa. To improve the prospects of a real dialogue between the government and the genuine representatives of the black population, the Ten, Spain and Portugal consider that the South African Government should release Mr Nelson Mandela and the other political prisoners immediately and unconditionally, end martial law, halt the practice of detention without trial and forced relocation, abolish discriminatory legislation and undertake a firm commitment to end apartheid.

These views were expressed firmly and vigorously both to the South African Government and to the representatives of the political opposition and of socio-economic, religious and cultural circles whom the Foreign Affairs Ministers of Luxembourg, Italy and the Netherlands and a member of the Commission met during a European mission to South Africa from 30 August to 1 September.

In their declaration of 10 September adopted following the South African mission, the Ten, Spain and Portugal noted that the situation in that country had deteriorated dramatically and stressed that their objective remained the complete abolition of apartheid and not just of certain elements of it. Continuing in their joint approach, the partners decided to maintain their pressure and harmonize their positions with regard both to the restrictive measures in the economic and political fields and to the positive measures, such as the aid programmes. Finally, the Ministers declared that they reserved the right to re-examine their position unless appreciable progress was made in a reasonable period, and that other measures, including sanctions, were still possible.

In order to make it possible for the *Code of Conduct* for European Companies with Subsidiaries in South Africa to make a still more effective contribution towards abolishing racial segregation and in order to take account of the important changes in the social situation in South Africa since 1977, when the present Code of Conduct was adopted, the Ten decided at the ministerial meeting of 22 July 1985 to reinforce and adapt the Code. The new text was adopted by the Ministers on 19 November. This revision of the Code of Conduct is also part of the package of harmonized measures with regard to South Africa which the Ten, Spain and Portugal adopted on 10 September in Luxembourg. It has formed an integral part of the efforts being made by Europe to help to bring about end to apartheid.

On 19 November 1985 the Foreign Affairs Ministers of the Ten also approved the fifth Summary Analysis of the national reports by the Member States on the implementation of the Code of Conduct. The Ministers agreed to publish the analysis and transmit it to the European Parliament as in previous years. It will also be forwarded to the Economic and Social Committee of the European Communities. While the situation in Southern Africa was a major preoccupation of the Ten in 1985, the bodies concerned in European political cooperation did not neglect the other problems of Africa.

In the face of the tragic problem of famine, it should be noted that, apart from any rescue policy it is a matter of urgency to strengthen the prevention and early-warning systems to make it possible to deal more effectively with food crises and to cope with the phenomenon of refugees, of whom there are five million in Africa.

The Ten also stated their position with regard to the situation in *Sudan* in the light of the events leading up to the fall of President Nemeiri. They welcomed the commitment voiced by the new leaders there to maintain an effective policy of non-alignment and seek a position of independence in order to contribute towards ensuring stability in that country. The Ten also appealed to all the political forces in Sudan to engage in a dialogue to bring about reconciliation in all parts of the country.

Again in connection with Africa the Ten kept an anxious eye on developments in the *Horn of Africa* where there is continuing tension for which negotiated political solutions are urgently needed on the basis of the principles of the United Nations Charter and of the decisions of the Organization of African Unity.

11. In his speech before the 40th General Assembly of the United Nations, the Luxembourg Foreign Affairs minister, speaking on behalf of the Ten, expressed great satisfaction at the progress currently being made towards democracy in *Latin America*. The Ten underlined their desire to help the countries affected in their difficult task of consolidating the democratic institutions, and in particular to support them as far as possible in their efforts to achieve economic stability and social justice so that peace and democracy can be preserved there. In this connection, on 31 October the Ten, Spain and Portugal expressed their firm support for the democratic process in *Argentina*, which was threatened by certain disturbances which had led to the declaration of martial law in that country.

The situation in *Central America* is a constant source of concern to the Ten. In several messages and declarations the Ten expressed their warm support for the efforts of the Contadora Group to resolve the numerous political, economic and social problems facing that part of the world. In the spirit of the San José Conference, the Ten reaffirmed their full support for the[r]each for a peaceful, all-embracing and verifiable solution carried out on a regional basis.

With this aim in mind the Foreign Affairs ministers of the European Community, Spain and Portugal and of the countries of Central America and of the Contadora Group met in Luxembourg on 11 and 12 November 1985 to act on the guidelines of the San José Conference and to establish closer relations between the countries of Central America and those of the European Community. This desire to build a bridge between two parts of the world already linked by numerous historical and cultural bonds found

concrete expression in the signing of the Final Act of the Luxembourg Conference, one of the provisions of which is the institutionalization of the political dialogue initiated at the San José Conference mainly through the organization of a yearly meeting, in principle at ministerial level. A trade agreement was also signed on the same occasion between the Community and the countries of Central America.

The reinforcement of political dialogue and economic cooperation should help to create a climate enabling the countries of Central America to live in peace and strengthen their economic and social development, which is the best guarantee of a peaceful, comprehensive and negotiated solution to the problems of that area with human rights respected. That was how the participants at the Luxembourg Conference saw the gradual broadening and deepening of cooperation between the Community, Spain and Portugal on the one hand and the countries of Central America and of the Contadora Group on the other.

Reaffirming their support for the process initiated by the Contadora Group, the Member States again expressed their willingness to support, to the extent that they were able and if so requested, the action of the States with responsibility for implementing the terms of the Contadora Document. In this context, they could in particular contribute towards the implementing and follow-up mechanisms.

12. In *Asia*, the Soviet occupation of *Afghanistan* has now continued for nearly six years, and the USSR remains insensitive to the constant appeals from the international community for the withdrawal of its troops. As in the past, the Ten expressed their concern at the situation in that country, where fighting is becoming heavier and repression more severe. In their belief that peace can be restored only by a political settlement, they repeated their demand that the Soviet Union should bring its military presence in Afghanistan to an end. In the interests of a negotiated political solution the Ten support the good offices mission of the representative of the UN Secretary-General, from which they hope for rapid and genuine progress, in particular an agreement on a timetable for the withdrawal of Soviet troops which is the key element for any settlement.

The Ten also condemned the repeated bombing of Pakistan and the many violations of that country's frontiers; such actions can only increase the danger of an extension of the conflict.

In the Indochinese peninsula, *Kampuchea* is for the seventh consecutive year under military occupation by Vietnam, whose ambitions are a threat to the peace and stability of South-East Asia. The Ten support any initiative towards constructive negotiations between the parties concerned on the basis of the principles adopted by the International Conference on Kampuchea. In the same context, at the start of the year the Ten condemned the violations of Thailand's territorial sovereignty following the military operations of Vietnam on the Kampuchea-Thailand frontier.

The division of the *Korean peninsula* continues to threaten the stability of the Asian-Pacific region. At the 40th General Assembly of the United Nations the Ten, represented by the President-in-Office, welcomed the few recent signs of a cautious resumption of contact between the North and South. But they emphasized that only a broadening of that dialogue could contribute towards the peaceful reunification of Korea.

The Ten are increasingly concerned by the development of the situation in the *Philippines*, where the persistent economic crisis and the repercussions of the Aquino affair have continued to increase the discontent of the people, and where law and order has been constantly deteriorating and armed rebellions have been claiming an increasing number of victims.

From 11 to 13 July 1985 the Ten were represented at the Kuala Lumpur meeting of 'dialogue partners', which included the member States of the *Association of South-East Asian Nations* (ASEAN), the countries of the European Community, Australia, New Zealand, the United States, Canada and Japan.

13. In the context of the *United Nations*, the Ten have continued their cooperation and co-ordination. The President-in-Office of the Council of Foreign Affairs Ministers delivered a declaration, as in previous years, to the 40th General Assembly on behalf of the European Community and of its ten Member States. Mr J.F. Poos, the Luxembourg Minister of Foreign Affairs, presented an outline of the policies of the Ten on the main international issues, in particular East-West relations, disarmament and arms control, Africa (especially southern Africa), the Middle-East, Asia and Latin America. Addressing the United Nations General Assembly on the 40th anniversary of the UN, the Prime Minister of Luxembourg commented on the successes and efforts at reform of the United Nations, highlighting in particular the importance of UN peace-keeping forces in limiting international conflicts.

The representatives of the Ten continued their efforts to establish joint positions on matters of mutual interest being dealt with by the General Assembly and the specialized agencies, although this did not prove possible in all cases, despite the efforts made.

In the face of the challenge posed by the much-needed reform of UNESCO, the Ten reaffirmed their commitment to multilateral international cooperation and to the principles and objectives of UNESCO, at the same time expressing concern at the present crisis and emphasizing the need to secure effective reforms quickly both in the field of administration and of the programme budget for the next two years. They spared no effort to ensure that the necessary measures could be adopted at the 23rd General Conference in Sofia from 12 October to 12 November 1985.

In the various bodies responsible for *disarmament* and arms control, in particular the Geneva Conference on Disarmament, the UN Committee on Disarmament and the First Committee of the General Assembly, the Ten emphasized again this year the importance of a sufficient degree of openness and transparency to ensure verifiable agreements on limiting and reducing arms. The military use of space has aroused increasing international attention this year. The Ten expressed their views on the need to improve the system now governing the use of space, although it considered that many of the present military satellites have a stabilizing effect in that they make a contribution towards crisis management, the monitoring of communications and the verification of arms control agreements. The Ten stated, in particular before the First Committee of the General Assembly, that the questions raised by the long-term effects of any technological innovations on relations between military offensive systems and anti-ballistic missile defence technologies should be carefully examined and/or made the subject of preliminary negotiations. They stressed the need for the Anti-Ballistic Missile (ABM) Defence Treaty to be strictly complied with.

At this year's session of the Geneva Conference on Disarmament, those of the Ten taking part in the Conference supported a number of important proposals with a view to the conclusion of a convention concerning a ban on the development, manufacture and stockpiling of chemical weapons and the destruction of existing chemical weapons.

In 1985 the Ten continued to attach the utmost importance to the establishment of an effective international system for *non-proliferation*. Those of the Ten who are signatories of the Non-Proliferation Treaty actively contributed towards the success of the third Conference on the Review of the Non-Proliferation Treaty in September 1985, which adopted by consensus a significant final document.

14. In the field of *human rights*, the Ten maintained their traditional and constant attitude of vigilance with regard to violations of fundamental rights and the civil liberties of individuals. Condemning in their declarations the infringements of the principles of the Universal Declaration of Human Rights and other relevant international instruments, the Ten are also working in more confidential ways to secure respect for humanitarian considerations in cases where fundamental rights are not ensured. In this connection the Ten in 1985 made some twenty representations on humanitarian matters in a wide range of countries.

15. In the field of *legal cooperation*, it proved possible to draw up a draft convention on the abolition of the authentication of acts in the Member States of the European Communities and a draft agreement on mutual application by the Member States of the Convention of the Council of Europe on the Transfer of Sentenced Persons, and also to set up a system for national correspondents for the custody of children.

16. In the face of the new wave of terrorism, the Ten decided at the beginning of the year to examine all possible means of strengthening the cooperation already existing between the governments of the Community Member States in the *fight against terrorism*.

The need for closer cooperation in that field was emphasized by the Foreign Affairs Ministers at their meeting in Rome on 11 February 1985. In their declaration of 22 July last the Ministers noted with satisfaction the conclusions of the Home Affairs and Justice Ministers meeting in Rome on 20 and 21 June as part of the 'Trevi Group'.

In the context of European political cooperation and in collaboration with the other ministers responsible, they decided to examine the problems posed by terrorism, aircraft hijacking and security in air traffic in general.

85/342. Message at the Occasion of the First Summit of the South Asian Regional Cooperation (SARC)

Date of Issue: 7 December 1985
Place of Issue: Dhaka, Bangladesh
Country of Presidency: Luxembourg
Source of Document: The Ten, Spain and Portugal
Status of Document: Message

On the occasion of the first summit conference of the South Asian Regional Cooperation, the ten Member States of the European Community, Spain and Portugal wish to extend to the Heads of States and Heads of Government assembled at Dhaka their best wishes for the success of the meeting and for the favourable outcome of their efforts, which they hope will contribute towards further fruitful cooperation between the nations of the region.

Considering that the conference is of great importance for the future of the region, they are gratified to note the progress achieved by the Organization by means of dialogue and in a spirit of mutual respect.

86/001. Question No 553/85 by Ms van den Heuvel (S-NL) concerning the Bombing Raids in El Salvador

Date of Issue: 9 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to written Parliamentary Question of 3 June 1985

According to reports from *Tutela Legal*, the human rights organization of the archdiocese of San Salvador, the El Salvador armed forces have carried out large-scale bombing raids in what are known as the 'conflict zones', causing many casualties among the civilian population.

The Government of El Salvador is a signatory to the Geneva Convention, which expressly defines what is meant by the words 'civilian population'. Bombing on this scale ought to be judged to be in violation of that Convention, in particular Protocol 2 thereof.

Are the Foreign Ministers willing to protest to the Government of El Salvador about these bombing raids?

Answer:

The Ten have repeatedly expressed their deep concern at the violence occurring in Central American countries, which is causing great suffering to the civilian population and seems likely to perpetuate instability in the region.

They note that armed resistance operations, conducted under the cover of the civilian population and directed against the legitimate government, are endangering the lives of civilians. However, they consider that a government which has signed a convention is obliged to abide by it.

Furthermore, the Ten have from the outset given their backing to the Contadora Group peace initiative, aimed at a comprehensive and negotiated political solution originating in the region itself. This Group supports, amongst other things, any effort to set up a dialogue, in El Salvador or elsewhere in Central America, to promote national reconciliation with due regard for human rights and democratic principles, in line with the undertakings made by these States when they signed the document on the Contadora objectives in 1983. This dialogue is essential in order to call a halt to the violence referred to by the Honourable Member.

86/002. Question No 863/85 by Mr Paisley (NI-UK) concerning the European Judicial Area

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 July 1985

On 9 July 1982, the European Parliament adopted a resolution¹ on a European judicial area, which included *inter alia* a call for a Directive providing for the suppression of terrorism in the Member States and establishing common principles for extradition between Member States. Can the Foreign Ministers state what progress has been made on this matter following the conference of Ministers of Justice held in Luxembourg on 25 October 1982, at which Parliament's resolution was discussed?

Answer:

At the 796th meeting of the Council consisting of the Ministers for Justice and the conference of those same Ministers meeting within the Council on 25 October 1982 at Luxembourg, the resolution of the European Parliament on a Europe judicial area of 9 July 1982 was not formally included on the agenda.

Ministers did however discuss the problems arising as regards cooperation in the spheres of civil and criminal law as well as those involved in the suppression of terrorism.

The desire for closer cooperation at European level was reaffirmed at the meeting on 20 and 21 June in Rome, when the Ministers for the Interior and Justice decided to step up collaboration in the fight against terrorism and organized crime.

¹ Resolution on the European judicial area, 9 July 1982. *OJ* No C 238/85 of 13 September 1982, pp. 83-85.

86/003. Question No 937/85 by Ms Simons (S-D) concerning Arms Shipments to South Africa

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 12 July 1985

According to radio reports from South Africa (Radio Johannesburg, 10 June 1985), the Republic of South Africa has obtained four helicopters and a number of water-cannons from an overseas supplier for use in putting down riots and disturbances.

This equipment was apparently so technically complex that it could not be manufactured in South Africa. Unconfirmed reports state that the helicopters were BO 105s and BK 117s manufactured by the West German firm Messerschmitt-Bülow.

1. Does the Council agree that these shipments constitute arms shipments, which are covered by the arms embargo against South Africa imposed by the United Nations in 1977, and that they therefore contravene a United Nations decision?
2. a) Does the Council possess detailed information concerning these shipments and can it confirm that the helicopters were supplied by Messerschmitt-Bülow?
b) If they were not, was the supplier from another Member State? Can the Council name the supplier?
3. If so, what action does the Council intend to take?

Answer:

The Ten have no information about the arms shipments referred to by the Honourable Member or indeed about any supplier.

Consequently, the question has not been discussed in the context of EPC.

As has been pointed out several times, the twelve Member States of the Community have undertaken to comply strictly with Resolution 418 of the United Nations Security Council, which imposes an embargo on arms shipments to South Africa.

Moreover, as you will be aware, at their meeting on 10 September 1985 in Luxembourg, the Ministers for Foreign Affairs of the Ten together with those of Spain and Portugal decided to impose a strictly controlled embargo *vis-à-vis* South Africa not only on exports but also on imports of arms and para-military equipment¹.

¹ *EPC Bulletin*, Doc. 85/72.

86/004. Question No 1059/85 by Mr Zarges (PPE-D) concerning Talks With the UN High Commissioner for Refugees on Namibians Willing to Return

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. Are the Foreign Ministers aware that the representative of the UN High Commissioner for Refugees in Lusaka is unable to provide aid to SWAPO dissidents who are hiding from SWAPO in Lusaka?
2. Are the Foreign Ministers willing to hold talks with the UN High Commissioner for Refugees to enable those Namibians willing to return to go back to their native country and to provide support and protection not only for members of SWAPO but also SWAPO dissidents and other Namibians outside Namibia?

Answer:

The question of a specific approach on behalf of the Ten to the Office of the United Nations High Commissioner for Refugees concerning Namibians living outside Namibia has not been discussed in political cooperation. Respect for human rights and fundamental freedoms, which includes freedom of movement for individuals, is the subject of the Ten's constant concern. They follow closely the situation of Namibians in Angola and will not fail to take due account of the problem raised by the Honourable Member in their dealings with the relevant authorities.

86/005. Question No 1060/85 by Ms Rabbethge (PPE-D) concerning the Indoctrination of Young Namibian Refugees by SWAPO

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. Can the Foreign Ministers confirm statements by Namibian refugees from SWAPO refugee camps in Cuanza-Sul, Angola, that refugees are subject to supervision by political commissares from SWAPO?
2. Are the Foreign Ministers aware that in Cuanza-Sul children are separated from their mothers after a very short time and that children and young people are kept in special camps by SWAPO, including the Tobias-Hainayko Training Centre in Lubango and the 'Island of Young People' in Cuba where they are indoctrinated in Marxist-Leninist ideas and receive military training?

Answer:

Respect for human rights and basic freedoms, of which individual freedom of opinion is obviously one, is a matter of constant concern to the Ten. In this connection, they are keeping a careful watch on the position of Namibian nationals in Angola, and will not fail to take due account of the questions raised by the Honourable Member in their contacts with the authorities in Luanda.

86/006. Question No 1061/85 by Mr Luster and Mr Pirkl (PPE-D) concerning the Persecution of Dissidents by SWAPO

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. Are the Foreign Ministers aware of reports that a SWAPO discipline squad headed by one James Awala is operating in Zambia and persecuting former SWAPO dissidents?
2. Are the Foreign Ministers prepared to exert their influence on behalf of former SWAPO dissidents in Zambia of whom they are informed by name to allow them to return to Namibia or travel to the West?

Answer:

The question of specific representations by the Ten on behalf of certain former SWAPO dissidents in Zambia has not been discussed in political cooperation. Respect for human rights and basic freedoms, of which individual freedom of movement is one, is a matter of constant concern to the Ten. In this connection, they are keeping a careful watch on the situation regarding Namibian nationals in Zambia and will not fail to take due account of the problem raised by the Honourable Members in their contacts with the relevant authorities.

86/007. Question No 1063/85 by Mr Habsburg (PPE-D) concerning the Fate of Hilda Tjongarero Persecuted by the SWAPO Disciplinary Squad

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. Can the Foreign Ministers provide any information on the fate of Hilda Tjongarero, the 25-year-old sister of the SWAPO and church official Daniel Tjongarero who broke away from SWAPO and who is hiding in Lusaka, Zambia, from the SWAPO discipline squad headed by James Awala?
2. Are the Foreign Ministers willing to negotiate with the Zambian Government to secure the right for Hilda Tjongarero to leave that country freely?

Answer:

The case referred to by the Honourable Member was not discussed as such in the context of European political cooperation. Respect for human rights and fundamental freedoms, which include freedom of movement for individuals, is one of the constant concerns of the Ten. In this connection, they are following closely the situation of Namibian nationals in Zambia and they will be sure to take due account of these problems in contacts with the Lusaka authorities.

86/008. Question No 1064/85 by Mr von Wogau (PPE-D) concerning the Acts of Violence Perpetrated by SWAPO

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. Are the Foreign Ministers aware that the bomb attack carried out by SWAPO against the post office in Ondangwa, Owamboland, Namibia on 31 December 1984 killed five innocent black civilians and that the leader of SWAPO, Sam Nujoma, accepted responsibility at a press conference in Tunis at the beginning of January 1985?
2. Are the Foreign Ministers prepared to say what steps they will take to prevent this and other acts of violence by SWAPO?

Answer:

The Ten have repeatedly stated their categorical rejection of the use of violence and terrorism as a means of resolving political problems in any context whatsoever. In the case of Namibia, they consider that United Nations Security Council Resolution 434, which remains the only acceptable basis for a lasting settlement of this problem, should be applied unconditionally forthwith.

86/009. Question No 1177/85 by Mr Deprez (PPE-B) concerning the Sentence Passed on a Catholic Priest in the USSR

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

Eastern European religious representatives in Rome have just revealed (Friday, 28 June 1985) that a Catholic Priest, Father Jozef Swidnicki, has been sentenced to three years' imprisonment for 'holding illegal meetings', in fact for having celebrated Mass.

Father Swidnicki, aged 48, was arrested last December. He was sentenced in the middle of May in Novosibirsk, in Western Siberia. His ministry had been among a colony of Germans from the Volga, who were deported to Soviet Asia 40 years ago.

What do the Ministers think of this sentence? Is it not in contravention of the Helsinki Final Act and the United Nations Universal Declaration of Human Rights, both of which were signed by the USSR?

Answer:

The case of Father Swidnicki referred to by the Honourable Member has not been specifically discussed in the context of political cooperation but, by its nature, belongs with a series of similar cases on which the Ten have on many occasions adopted a position, in particular during the various special meetings that have been held in the CSCE context, where they have consistently reminded the Soviet Union of its commitments entered into in Helsinki regarding human rights and fundamental freedoms, including freedom of religion, and its obligations as a party to the United Nations Covenant on Civil and Political Rights.

86/010. Question No 1401/85 by Mr Cottrell (ED-UK) concerning the Situation in Uganda

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

In the 140th outbreak of turmoil in black Africa since the independence movement commenced on that continent, the Government of Uganda has now been overthrown amid scenes of looting and murder. Once again rivalry between tribal groups is the motive. Since independence, Uganda has been fractured by tribalism – which has expressed itself many times in racial murder and frightful persecutions of the kind revealed in the recent Amnesty International report on Uganda.

When making lofty and presumptuous statements about the situation in South Africa, will the Council in future bear in mind the situation in Uganda? When condemning attempts to restore law and order in South Africa, will it remember the complete absence of law and order in not only Uganda, but many other black African nations? Will the Council describe what pressures it proposes to bring on whatever authority now presides in Uganda to:

- a) hold free elections;
- b) release all persons illegally detained;
- c) end the practice of wholesale torture; and
- d) cease racial persecution in the form of inter-tribal conflict?

Answer:

The Ten are following with concern the serious deterioration of the situation in Uganda. In the present context, it is important to support the attempts at mediation made by certain neighbouring countries, in particular by the President of Kenya, in order that the internal peace and stability which are so sadly lacking today, may be restored to Uganda.

In the present situation respect for human rights in Uganda is a matter for the Ten's concern and attention at all times; they have not failed and will not fail to take due account of the problems arising in this area in their contacts with the Ugandan authorities.

86/011. Question No 1413/85 by Ms Crawley (S-UK) concerning the Arrest of Four Syrian Engineers

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

Would the Foreign Ministers, meeting in political cooperation, make every effort to locate the whereabouts and discover the fate of four Syrian engineers arrested by the Syrian authorities following a one-day national strike in Syria, on 31 March 1980, and who have not been heard of since. The names of the disappeared engineers are as follows:

Talal Mahshiyya, arrested Lataqiyya 1981;
 Bassam Mali, arrested Hama 1980;
 'Abd al-Halim, arrested Idlib 1980;
 'Abd al-Mun'im, arrested Idlib 1980;
 Umar Musa, arrested Idlib 1981.

Amnesty International are concerned that these four engineers are possible prisoners of conscience, and they may have been detained without trial.

Answer:

The specific case raised by the Honourable Member has not been examined in European political cooperation. In any event, observance of human rights, which include trade union rights and the rights of defence, is the focus of the concern and constant attention of the Ten, and they will not fail to take due account thereof in their contacts with the proper authorities.

86/012. Question No 1424/85 by Mr Cottrell (ED-UK) concerning the State of Emergency in Zimbabwe

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

What action has the Council taken – in concert with its recent approach to South Africa – to persuade the authorities in Zimbabwe to end the state of emergency in that country?

Has it sought to require that the state of emergency in Zimbabwe be brought to an end?

Answer:

The situation in Zimbabwe does not seem comparable with the serious situation in South Africa, with its daily toll of dead or injured.

Here it should be noted that, while it is too soon to say what prospects they might offer, the recent talks between the ZANU and ZAPU seem to have helped to ease the political tension.

As you know, the observance of human rights and civil liberties is the focus of the constant attention and concern of the Ten, and they have always taken and will continue to take due account of the problems arising in this connection in their contacts with the Zimbabwean authorities.

86/013. Question No 1499/85 by Mr Cottrell (ED-UK) concerning the Political Instability in Africa

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 6 September 1985

When formulating statements on current unrest in South Africa, does the Council take into account that since the independence movement began in Africa in 1957, 13 heads of State have been assassinated? What comment does the Council offer on that remarkable degree of political instability among black African nations?

Answer:

The Ten are aware that Africa faces the world with a challenge of a fundamental nature; the right to existence and to the dignity of existence are sometimes questioned there. In several parts of Africa, crises and tension, both sources of political instability, manifest themselves in violence and attacks on human dignity. To this must be added the profound misery created by the unreliability of food supplies and in particular the famine affecting several regions of the continent. Problems of such gravity obviously cannot be solved by economic measures alone: political solutions are required too.

Over and above a rescue policy, there is an urgent need to strengthen the prevention and warning systems in order to be able to deal more effectively with food crises and to bring the refugee phenomenon, which involves five million people in Africa, under control.

The Organization of African Unity (OAU) is aware of the urgent need for such an approach, and the Ten are supporting the efforts of that organization and its members to bring peace and prosperity to the peoples of Africa despite the difficulties facing the States on that continent, which are often caused or aggravated by natural disasters.

86/014. Question No 1547/85 by Mr Cottrell (ED-UK) concerning the Situation in Nigeria

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 September 1985

Nigeria has just experienced its sixth coup. It is noticeable that the trio of Foreign Ministers who were recently in South Africa concerning themselves with the affairs of that country – including the problem of human rights – had nothing to say about the continuing misery of the Nigerian people, whose country enjoys the potential to be among the wealthiest on the African continent. Will the Ministers now describe what entreaties it has made to the new government in Nigeria to restore democracy, return to full respect for human rights, end bribery and corruption which mock mostly the poor, and to extinguish tribal conflict?

If no such views have been expressed to the government in Nigeria by the Ministers, why not?

Do the Ministers see a distinction between the apparent difficulties in South Africa, and their replication in other black African States?

Answer:

Respect for human rights is a matter of constant concern to the Ten. With regard to the situation in Nigeria, they have taken and will continue to take due account in their meetings with the Nigerian authorities of the problems arising in that context.

With regard to South Africa, the vast majority of South Africans are still denied a dignified existence and the most elementary human rights because of the persistent adherence to the apartheid system which is resulting in a continued deterioration in the situation, a situation marked each day by increasing violence and injustice and a growing number of victims.

The objective of the Ten is the complete abolition of apartheid and not merely the elimination of some of its features, so that all the citizens of South Africa may enjoy equal civil and political rights.

86/015. Question No 1584/85 by Mr Wurtz (COM-F) concerning the Execution of Political Activists under Sentence of Death in Indonesia

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 September 1985

Have the Foreign Ministers discussed the execution in Indonesia of at least three people sentenced to death for political reasons 17 years ago, which probably took place at the beginning of July? What action do they propose to take in order to register a protest with the Indonesian Government?

If this issue has not been broached, do not the Foreign Ministers propose to discuss it at a political-cooperation meeting in the near future, given the many political activists under sentence of death who risk execution at any time?

Answer:

The Ten have followed closely from the beginning the situation of the prisoners sentenced to death in Indonesia.

Disturbed by the news of imminent executions, they made representations, on humanitarian grounds, to the Indonesian authorities in June 1985 in favour of those who had been sentenced to death.

On 27 August 1985 the Ten received confirmation of the execution of three prisoners but have been unable for the moment to obtain precise details concerning the fate of other prisoners. The Heads of the Diplomatic Missions of the Ten in Jakarta are following the situation very closely.

86/016. Question No 1586/85 by Ms Piermont (ARC-D) concerning the Activities of French Intelligence Service Operatives in New Zealand, Some Holding Forged Swiss Passports

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 September 1985

According to the Tricot Report, the French external-intelligence service DGSE has acknowledged that seven agents had been sent to New Zealand in order to keep the vessel 'Rainbow Warrior' under surveillance. It is highly likely that they also planned and carried out the attack which claimed the life of a Portuguese photographer resident in the Netherlands, Fernando Pereira. These agents' 'true' names are : Alain Mafart, Dominique Prieur, Christine Cabon, Roland Verge, Andries, and Bartelo. (The agent known as 'Dubast' has not yet been identified.)

Two of these agents, Alain Mafart and Dominique Prieur, were in possession of [a] forged Swiss passport and were posing as Mr and Mrs 'Turenge'.

1. Would the Foreign Ministers agree that this act by the French external-intelligence service against a friendly nation constitutes a violation of that nation's sovereignty and was carried out by exploiting friendships in a manner which casts opprobrium on the European Community, thereby straining political relations?

2. What action do the Foreign Ministers propose to take in order to prevent a recurrence of such events?

Answer:

The question put by the Honourable Member does not fall within the sphere of European political cooperation.

86/017. Question No 1588/85 by Ms Piermont (ARC-D) concerning the Unilateral Extension by France of its Territorial Waters Around Mururoa Atoll from 12 to 72 Nautical Miles, Inclusive of a 'Security Zone'

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 September 1985

France is a signatory to the Geneva Convention on the Law of the Sea, pursuant to which the high seas – beyond the 12-mile limit of territorial waters – may be freely navigated by all nations and no State is entitled to exercise sovereignty over any part of the high seas.

Because of its nuclear testing, France has unilaterally declared the area around Mururoa Atoll – to an additional radius of 60 nautical miles – a 'security zone', which it has closed to shipping. On 18 August 1985, President Mitterand issued instructions that, if necessary, vessels entering this zone should be expelled by armed force.

1. Would the Foreign Ministers agree that this unilateral extension of national sovereignty to a radius of 72 nautical miles is at variance with the said Geneva Convention, to which France is itself a signatory?

2. Are the Foreign Ministers persuaded, as I am, that there is no legal basis justifying the threat to use armed force against unarmed vessels underway in the zone outside territorial waters, the occupants of which have only one objective, i.e. to exercise their basic human right of freedom of opinion, to engage in non-violent protest against France's nuclear tests and to observe the effects thereof? Does it also share my firmly held belief that such a threat constitutes a belligerent act?

Answer:

The question put by the Honourable Member does not come within the ambit of European political cooperation.

86/018. Question No 1694/85 by Mr Baudis (PPE-F) concerning the Normal Diplomatic Relations Between Spain and Israel

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 October 1985

Are the initiatives which have been taken to establish normal diplomatic relations between Spain and Israel likely to reach a rapid conclusion?

Have the Ministers themselves taken any initiatives that take Parliament's views on the subject into account?

Answer:

The matter raised by the Honourable Member does not fall within the sphere of European political cooperation.

86/019. Question No 1695/85 by Mr Mallet (PPE-F) concerning the European Judicial Area and Secret Services

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 October 1985

The recent Greenpeace affair in France has revealed an open dispute between the secret services of various European countries.

Such a situation is extremely deleterious, particularly at a time when efforts are being made to define the outlines of a coordinated foreign policy.

Would it not be appropriate to call an urgent meeting of the Ministers for Defence responsible for the secret services to discuss the coordination of the secret services and to put an end to quarrels of this nature that are clearly harming political cooperation?

Answer:

The question put by the Honourable Member is not the subject of discussions in European political cooperation.

86/020. Question No 1716/85 by Ms Dury (S-B) concerning Sanctions Against South Africa

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 October 1985

Despite international protests and the hundreds of deaths caused by the terrible riots, the South African Government is upholding its system of racial discrimination in defiance of the rest of the world.

An examination of the sanctions taken by Member States reveals astonishingly large disparities between individual countries and groups of countries. Thus, on the question of visas, only Belgium, the Netherlands, Luxembourg, Denmark, France and Italy have made visas compulsory for South Africans.

Ireland, Belgium and Denmark are discouraging emigration to South Africa.

Only France and Ireland have completely stopped importing kruggerands.

Denmark is the only Member State to have suspended its flights to South Africa, as also its maritime links through cargo vessels and oil tankers.

The freeze on sporting relations, the embargo on arms, oil exports and strategic equipment, and the introduction of a business code of conduct are the only measures that have been jointly taken by the Community countries, with the exception of the United Kingdom, which has asked for a delay before deciding.

1. Have the Foreign Ministers meeting in political cooperation fixed a deadline for the harmonization of measures and sanctions against South Africa?

2. Do the Foreign Ministers meeting in political cooperation expect to introduce more specific measures and sanctions?

Answer:

At their meeting on 10 September 1985, the Ministers for Foreign Affairs of the Ten and of Spain and Portugal decided to maintain their pressure on South Africa and, to this end, to adopt a concerted

position on a number of restrictive and positive measures¹. In accordance with the statement of 22 July, the Ten, together with Spain and Portugal, intend to re-examine their position if considerable progress is not made within a reasonable period². The question of other measures, including sanctions, remains on the agenda.

¹ *EPC Bulletin*, Doc. 85/172.

² *EPC Bulletin*, Doc. 85/161.

86/021. Question No 1774/85 by Mr Wurtz (COM-F) concerning Discriminatory Practices Against the Palestinian Population in Israel and in the Occupied Territories

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 14 October 1985

Have the Ministers drawn up a list of the discriminatory practices and violations of human rights carried out against the Palestinians by the Israeli authorities in Israel and in the occupied territories?

Answer:

The situation in the territories occupied by Israel in 1967, particularly regarding respect for human rights and fundamental freedoms, is being followed very closely by the Ten and is examined regularly in the context of European political cooperation. In this connection, humanitarian approaches have been made to the Tel Aviv authorities.

86/022. Question No 1829/85 by Mr Didò (S-I) concerning Violations of Human Rights

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 24 October 1985

Will the Council intercede with the Soviet authorities and seek clemency for Lyubov Nikolaevna Skvortsova, born on 18 February 1959, who was arrested on 12 February 1983 in Voroshilovgrad in the Ukraine and sentenced, to three years' detention in an ordinary labour camp in Kharkov, for the sole reason that she openly professed her religious beliefs – she is member of the Baptist Church – a clear violation of human rights and freedoms according to the principles laid down in the Helsinki Agreements?

Answer:

The specific case of Ms Lyubov Nikolaevna Skvortsova has not been discussed in the context of political cooperation. The Ten do not fail to remind the USSR regularly of the obligations to which it freely subscribed when the Helsinki Final Act was signed; these include respect of human rights and basic freedoms, hence also religious freedom.

However, the Ten make Community representations only in exceptionally grave and urgent cases, in order to preserve the efficacy of this diplomatic step.

86/023. Question No 1863/85 by Ms De March (COM-F) concerning the Closure of the Jerusalem Hospice

Date of Issue: 9 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 28 October 1985

In its answer of 15 July 1985 to Written Question No 2390/84¹, the Council stated that the Ten had appealed in May 'for a satisfactory solution to the problem of the Jerusalem Hospice'. In view of the fact that, in spite of this appeal, the Hospice has now been closed, does the Council intend bringing greater pressure to bear to ensure that it is reopened?

Answer:

The question put by the Honourable Member is still receiving the attention of the Ten, who are closely following developments in the situation having particular regard to the attitude of the Austrian Church and of the Jordanian and Austrian authorities. The considerations underlying the approach made by the Ten last May still hold good, and are as follows:

- reminder of the Israeli Government's repeated undertaking to improve the quality of life of the Arabs living in the occupied territories;
- the importance of the Hospice, particularly to the poorest sections of the Palestinian population;
- the traditional concern of the Ten for the situation of the Palestinians in the occupied territories;
- the request made to the Israeli authorities, on the grounds of political and humanitarian considerations, to find a solution guaranteeing the normal functioning of all departments of the Hospice.

¹ *EPC Bulletin*, Doc. 85/138.

86/024. Message to the Meeting of the Countries of the Contadora Group and the Support Group Countries Held at Caraballeda, Venezuela on 11-12 January 1986

Date of Issue: 11 January 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Message

During the second Conference of the European Community and its Member States, Spain and Portugal, the States of Central America and the Contadora Group, held at Luxembourg on 11 and 12 November 1985, the Twelve reaffirmed their strong support for the initiatives and activities of the Contadora Group aimed at promoting a peaceful settlement of the Central American conflict¹.

The persistent and grave tensions affecting Central America render it all the more urgent that the Contadora efforts reach their intended goal and objectives.

The Twelve welcome, especially in the present situation, that a meeting of the Contadora countries and the Latin American Support Group is to be held with a view to giving new momentum to the consultation process.

The Twelve hope that the Contadora countries and the Support Group persist in their efforts to guide the Contadora process towards its successful completion.

¹ *EPC Bulletin*, Doc. 85/253.

86/025. Statement by the President-in-Office of the Council on the Term of Office of the Dutch Presidency¹

Date of Issue: 16 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Programme Speech to the European Parliament

Mr Van den Broek, President-in-Office of the Council:(...)If Europe wishes to further its own interests to the full internationally, if it wants to be a force in the world, to be able to play a constructive role internationally, it must endeavour as far as possible to speak with one voice. The ongoing consultations in the context of European political cooperation are moving towards that objective. The dissonance of the past is slowly giving way to harmony. This is, I think, a process of organic growth. A snap-shot shows very little movement, but observation over a longer period reveals unmistakable progress.

What is the issue involved here, Mr President? It is a question of the future position which Europe will adopt in the world. What, for example, will our international role be in the year 2000? Will we allow ourselves to be carried along passively on the tide of history, or do we intend to take our common destiny into our own hands, in so far as that is possible for mere mortals? The answer to this question depends on many factors, some of which are beyond our control but some of which we ourselves can influence. We shall have to focus our energy on the latter category. In this context, European political cooperation plays an important role. It breeds a European habit, a conditioned reflex of European thinking in the field of foreign policy. Here, EPC will have to be extended, so as to be confirmed less and less to the adoption of common provisions as a reaction to the events bearing down upon us. Instead, it should increasingly concentrate on independent action and initiatives geared to the future.

The Netherlands Presidency will specifically endeavour to ensure that the mutual exchange of information between your Parliament and EPC can take place on as regular and fruitful a basis as possible, in order to bring about a genuine dialogue in the field of European political cooperation. We still act separately far too much. What we must do is listen to each other, on the basis of the situation obtaining at the time, get accustomed to each other's positions, supplement them and, in some cases, concur with them so as to increase the ultimate effect of our action.

A practical example of this could be the treatment of your Institution's recent Resolution on the Human Rights Situation in the World². Although the present human rights situation still presents a sombre picture in many countries, favourable developments have been detected in recent years in that international recognition of the significance of human rights has gained ground and governments have become more approachable on the subject. The Twelve should make an energetic contribution towards this process. The terrorist atrocities of which innocent citizens are time and time again the victims emphasize the need for cooperation in combating international terrorism. No end whatsoever can justify such outrages, and the Twelve have on many occasions strongly condemned such actions. If terrorism is to be combated effectively, there must be close consultations and coordination between European countries. I took due note of your urgent debate on terrorism and the resolution adopted and I can assure you that I will include this in the discussion between the twelve European Ministers planned for 27 January, where terrorism will be one of the points on the agenda.

If I may, Mr President, I should like to review a number of external policy areas which in the coming year will undoubtedly be the focus of attention both for you and for EPC. Here I am thinking of the Middle-East, East-West relations, Southern Africa and Latin America. My remarks will be very short, and I will even be giving short measure in view of the seriousness of the questions. However, you know the reasons for this.

In the Middle-East, the Arab-Israeli conflict is obviously the central issue. Despite recent terrorist atrocities, there have also been some encouraging developments, such as the assurances made particularly by King Hussein of Jordan and Mr Peres of Israel at the last General Assembly of the United Nations in

New York. The Netherlands Presidency will follow up any positive developments in the region with a view to promoting the peace process and helping to bring about negotiations between the parties concerned.

The same applies in the case of the war between Iraq and Iran, which has been going on for some six years now. The main thing here, I think, will be to support the efforts of the UN Secretary General who is endeavouring to bring about a settlement.

The summit meeting between Reagan and Gorbachev has, we think, opened up possibilities for an improvement in East-West relations. Europe must play its part in sustaining the momentum. This first step towards *détente* in relations between the United States and the Soviet Union, between East and West, must be grasped as an opportunity for practical steps towards a more peaceful world. The problem of arms control naturally plays an extremely important role here. However, there is more to East-West relations than that. Regional questions, such as Afghanistan, must also be taken into consideration, and the CSCE process has long been of particular concern in EEC proceedings. In the interests of balanced fostering of peace in Europe, non-military aspects – particularly human questions – also require full attention.

A third area requiring particular attention is South Africa. I am of the opinion that the Community package of restrictive and positive measures concerning South Africa, as announced on 10 September 1985 and elaborated in greater detail in the past months, taken together with the EEC Code of Conduct³, which has been strengthened in the meantime, form a sound basis for European policy towards South Africa. The policy is directed at furthering the peaceful transformation of South African society into a single community in which apartheid and all its manifestations are a thing of the past.

The serious problems besetting South Africa will also be a matter for profound reflection during the ministerial meeting of the front-line States with the Twelve and the Commission in Lusaka at the beginning of February this year.

The area for priority attention to which I turn last is Latin America. In Central America the situation has not grown any rosier now that the Contadora process has just about ground to a halt. The policy of the Twelve is still directed at backing peace initiatives from within the region itself. The cooperation agreement signed in November between the European Community and the countries of Central America and formalization of the political dialogue⁴ afford the Twelve jump-off points from which to give an impetus to regional peace initiatives wherever possible. As regards the situation in Chile and our view of it – which, for the rest, is well known – and as regards the external contacts between the Twelve and individual countries or regions, I would refer you to the text you have received.(...)

With that, I should like to conclude the first part of my statement concerning the plans of the Presidency, although I realize that no mention has been made of many important topics.(...)

Let me try to sum up our position on this vast range of activities. When I look back at the recent past, I have the impression that we as a Community have spent much time and energy on matters of a general and almost constitutional nature.(...)

All these enriching exercises are aimed at strengthening the structure of European integration and for this reason the time has come when our full attention must be given to work on Regulations, Directives and Decisions and, in the case of political cooperation, the development of Community policy and, whenever possible, action. Following the constitutional and structural decisions, there is now above all a need for practical decisions to implement the new possibilities and the good intentions they represent. With this in mind, I express the hope that the six months of the Netherlands Presidency will be marked by a high level, both qualitatively, of decision-making. Cooperation with the Parliament is indispensable here.

[Furthermore, Mr van den Broek stated in answer to several questions on terrorism, that:(...) the discussions to be held on this matter between the European Ministers on the 27th of this month will not be confined to the recent acts of terror in Vienna and Rome, and hence the situation as regards Libya, but will have a broader character. I would also say to Mr Penders, in reply to his question as to why implementation of the Luxembourg package of 10 December 1985 concerning South Africa is taking so

long, that the various Member States have accepted a deadline – 31 January – within which these measures have to be put into effect.

¹ Cf *OJ* No 2-334 of 16 January 1986, pp. 196-218.

² Resolution on human rights in the world for the year 1984 and Community policy on human rights, 22 October 1985, *OJ* No C 343 of 31 December 1985, pp. 29-42.

³ *EPC Bulletin*, Doc. 85/172.

⁴ *Bull. EC* 11-1985, point 1.2.1. *et seq.*, *EPC Bulletin*, Doc. 85/253.

86/026. Question No H-775/85 by Mr Pranchère concerning the Situation in the Territories Occupied by Israel

Date of Issue: 16 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Given the increased severity of the repressive measures taken against the Palestinian population in the territories occupied by Israel, especially detention for indefinite periods, the expulsion of Palestinians from their homeland and the closing down of newspapers and universities such as the one in Nablus, have the Ten taken any measures in line with the Council's declaration of intent to continue to keep a close watch on the situation regarding respect for human rights, including freedom of movement for Palestinians, freedom of education ... and, in a general way, respect for the Geneva and the Hague Conventions, reserving the right to intervene should those rights be violated?

Have the Ten called on Israel to put an end to those practices? What approaches have they made, and what effect have these approaches had?

Furthermore, the Council stated that the Ten had intervened in May to secure a satisfactory solution to the problem of the Jerusalem 'Hospice' (Hospital) which has been closed since then by the Israeli authorities.

What measures do the Ministers intend to take to secure the reopening of that hospital?

Mr Van den Broek, President-in-Office of the Foreign Ministers: As the Honourable Member is aware, respect for human rights is a matter of constant concern to the Twelve. This also applies to the situation in the territories occupied by Israel since 1967. In their contacts with the Israeli authorities, the Twelve have not ceased, and will not cease, to raise this matter. As regards the Jerusalem 'Hospice', I should like to point out that the Member States of the Community have remained in close contact on this matter with the Austrian and Jordanian authorities and that these contacts are being continued with a view to pursuing the attempts to find a satisfactory solution.

Mr Chambeiron (COM): I should like to thank the President-in-Office of the Council. I do not think he will be surprised, nor that he will consider that I am lacking in the courtesy with which we normally conduct our debates, if I say that this answer is far from satisfactory because this question was asked two or three months ago. I would add that, since then, we have received news of numerous arrests and deportations of Palestinian citizens highly respected by their compatriots, and I would have preferred much more detailed explanations.

I should simply like to ask one question: since the President-in-Office told us that the Council of Ministers of the Twelve was vigilant and would never miss an opportunity of raising this matter with the Israeli authorities, I should like to point out to him that the press has announced that the Israeli Prime Minister will soon be visiting the Council of Europe in Strasbourg. So do you think, Mr President-in-Office, that this will be an opportunity to express the concern caused in the European Community by the violence and violations of which the Israeli military authorities are guilty, most of the time in disregard of the most elementary rules of law, and perhaps also to draw the attention of the Israeli Prime Minister to his country's responsibility in the spiralling violence which is an obstacle to any search for peace in the region?

Mr Van den Broek: I can well understand the Honourable Member's question. But it is very difficult to give an isolated answer to such an isolated question on the entire Middle East problem, namely the occupation of certain territories. This subject has naturally been dealt with in talks which, for example, have been held with Israel as part of bilateral relations. I can only assure the Honourable Member that this will continue to be the case.

Mr Alavanos (COM): I should like to ask the President-in-Office whether the Council should not tackle this question more urgently as part of the efforts to tackle the terrorism which has, especially recently, been on the increase, there being no doubt that the present situation in the occupied territories, the problems facing the Arab inhabitants, and the failure to solve the Palestinian problem are factors which are at the root of the increase in terrorist activity.

I should therefore like to ask the following: are these problems being discussed by the Council?

Mr Van den Broek: The situation in the occupied territories is regularly discussed in the Working Party on European political cooperation and elsewhere. In view of our earlier discussion on terrorism, I should not like there to be any misunderstanding that we are talking about terrorist acts in the occupied territories. I think this would make the discussion somewhat distorted. If the Honourable Member means that solving the Arab-Israeli conflict will lead to a reduction in terrorism, I am perfectly willing to agree with him, but the existence of this conflict cannot, as such, be any justification whatsoever for the killing of innocent citizens, of whatever nationality.

Mr Nordmann (L): When looking into this question, has the Council thought of possibly comparing the administration of the territories occupied by Israel and the occupation of Afghanistan by the Soviet army, with the long list of atrocities which this occupation has caused? What main conclusions would it be able to draw if such a comparison were made?

Mr Van den Broek: No kind of selectivity whatsoever plays any part in our indignation at acts of terrorism or other violations of human rights. What is at stake is our credibility. I usually find this sort of discussion and comparison not terribly fruitful. As the European Community, as the Council and as the Parliament, we should be dealing with the violation of human rights in the world and should not be guilty of selectivity.

Ms Dury (S): It is true that the way in which the debates are conducted is always somewhat frustrating because we always have the impression that we are not getting answers to the questions we ask.

So I should like to take up the question by Mr Chambeiron and my Greek colleague to ask what the diplomatic and political initiatives are which the Council Presidency intends to take in order to try to find a solution to the problem of the Palestinians in Israel.

I would quite simply point out that the violence comes from the Israeli Government. It does not come from the occupied territories, from those who are students and farmers and those who want to work and live in those territories.

Mr Van den Broek: As you know, there are various projects financed by the Community being carried out in the occupied territories.

Secondly, it seems to me rather difficult, when answering oral questions, to go into the minute details of Middle East policy. I would simply repeat what I said earlier, namely that in my view the Twelve must direct their efforts at giving as much support as possible to the moderate forces in the Middle East, i.e. those which are prepared to contribute actively and constructively towards a political solution and do not resort to military means.

Mr Marshall (ED): Would the President-in-Office accept from one who has visited Israel on several occasions that I find Mr Chambeiron's remarks a complete distortion of the truth? Would he confirm that Prime Minister Peres has indicated on many occasions his willingness to talk peace with Jordan and other Arab States, and would he agree with me that the real problem in the Middle East has been the failure of Israel's neighbours to admit its right to exist and their refusal to make peace and renounce violence?

Mr Van den Broek: I think the only answer to this question is to refer you to the Venice declaration, which gives a balanced statement of the position of the Twelve on the conditions which a peaceful solution in the Middle East should meet. Once again, for the sake of convenience, I should like to refer you to it.

86/027. Question No H-597/85 by Mr Marshall concerning the Emigration of Jews from the Soviet Union

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

Are the Foreign Ministers aware that over 130 Russians who first applied to emigrate from Russia to their spiritual home, Israel, over ten years ago have still not been granted this request?

Would they agree that this is in complete contradiction of the Helsinki Accord and will they bring pressure on Russia to grant these individuals the basic freedom of settling where they want to?

Mr Van den Broek, President-in-Office of the Foreign Ministers: As you know, the Twelve have repeatedly expressed their concern to the Soviet authorities at the situation of Soviet Jews and other persons belonging to ethnic minorities who wish to emigrate from the Soviet Union. They will continue to make individual and joint approaches to the Soviet authorities to remind them of the importance they attach to compliance with the provisions of the Helsinki Final Act and of the Madrid final document. Both these documents have in fact been approved and signed by the Soviet Union also.

Mr Marshall (ED): I thank the President-in-Office for that answer, I am sure he would agree with me that this situation underlines the complete hypocrisy of the leaders of the Soviet Union. While Mr Gorbachov struts the world stage pretending to be personable, he is just as ruthless as any of his predecessors. I assure the President-in-Office that he will have the support of all decent-minded people in making it clear to the leaders of the Soviet Union that any reduction of tension between East and West is dependent upon a change in their policy towards those minorities that wish to leave Russia.

Mr Adamou (COM): I would ask the President-in-Office whether the Council is aware that thousands of Jews who have left the Soviet Union and are in Vienna ask to return to the Soviet Union?

Mr Van den Broek: I do not know the numbers involved. But we are dealing here with the Jews who indicate their desire to leave the Soviet Union and do not receive permission to do so.

Mr Chambeiron (COM): I should like to ask the President-in-Office whether he does not think that our colleague's wording of his question, which might be used in discussions with the Soviet side, as he said himself, is rather too narrow, and whether we should not simply refer to the emigration of Jews without necessarily specifying Israel as their chosen destination?

Mr Van den Broek: The last point strikes me as a valid remark. The point at issue is the right to leave a country freely. And this principle also goes back to the basic principles of the Helsinki Final Act and the Madrid document. Both documents have been accepted by the Soviet Union.

86/028. Question No H-650/85 by Mr Beyer de Ryke concerning Permission for Citizens to Leave the USSR

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

As Mr Gorbachov has indicated that he would like meetings with the Community institutions, will the Foreign Ministers discuss with the Soviet Government the need to allow citizens of the Member States and Spain to leave the USSR, where they have been held since 1945 even though they are not guilty of any war crime?

Answer:

The particular question to which the Honourable Member refers has not been the subject of discussion by the Foreign Ministers meeting in European political cooperation.

However, on numerous occasions during their contacts with the Soviet authorities, the Twelve have indicated the importance they attach to compliance with the undertakings given, at the time of the Helsinki Final Act, and of the closing document signed at Madrid, with regard to the freedom of movement of persons.

86/029. Question No H-663/85 by Mr Raftery concerning Dr Andrei Sacharov

Date of Issue: 16 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

When did the Foreign Ministers last discuss the plight of Dr Andrei Sacharov, who has been forced to live in exile in the Soviet city of Gorki for the last five years?

In view of the recent decision by the Soviet authorities to grant permission for Dr Sacharov's wife to leave the country for medical treatment, what pressure can the Foreign Ministers bring to bear in order to enable Dr Sacharov to leave the Soviet Union also?

Mr Van den Broek, President-in-Office of the Foreign Ministers: What I said earlier about the policy of the Twelve on the upholding of human rights naturally applies here also, and a great deal of attention is given to this matter in contacts with the Eastern European countries in the context of the CSCE. Moreover, I would also remind you of the importance which the Twelve attach to compliance by the USSR with its obligations under the Helsinki Final Act, not only as regards freedom of movement but also as regards freedom of conscience and opinion.

Mr Raftery (PPE): I think this case is somewhat different from the ordinary run-of-the-mill cases of people wanting to get out of the Soviet Union. We are dealing with a man of world reknown in his particular field of physics. He is also a reknowned world pacifist. I am therefore disappointed that we have not made enquiries about whether Dr Sacharov wants to leave the Soviet Union to join his wife in America. Does the President-in-Office know if we have made any efforts to find out if this is the man's wish? And if not, why not?

Mr Van den Broek: All I can say is that the Twelve have on several occasions expressed their concern at the fate of Dr Sacharov, and what is more, it is not only Europe which brings this concern to the attention of the Soviet Union.

86/030. Question No H-690/85 by Mr Ulburghs concerning Plans for Organizational Reform in South Africa

Date of Issue: 16 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Since September 1985 there have been a fair number of indications that the South African Government envisages a type of 'final' solution by dividing the whole territory into black and white areas. This would not, of course, affect white supremacy. Are the Foreign Ministers in a position to say how fertile farmland, gold mines, diamond mines, coal mines and harbours might be divided up by the South African Government in the future?

Answer:

At the present time the Twelve do not have sufficient information for a useful discussion on the possible scope of new projects for internal reform in South Africa. It should be remembered, in this connection, that the aim sought by the Twelve is the complete abolition of the apartheid system and that they regard as essential the establishment of a genuine dialogue between the Pretoria government and all sectors of South African Society on the future of the country.

86/031. Question No H-728/85 by Ms Ewing concerning Unjust Sentences Passed on to two Scottish Engineers in Nigeria

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

Will the Foreign Ministers use their good offices to campaign for the release of Angus Paterson and Kenneth Clark, two Scottish engineers who were unjustly sentenced to 14 years' imprisonment in Nigeria at the beginning of October 1985?

Mr Van den Broek, President-in-Office of the Foreign Ministers: There is an appeal pending in Nigeria in this case, and a decision is expected in February 1986. I gather that the British Government has not omitted to raise this matter in its contacts with the responsible authorities in Nigeria and that it is continuing to follow the matter closely.

Ms Ewing (RDE): Since lodging the question, I also have found out that that is indeed the case. However, Nigeria is one of our ACP partners with which we have a close liaison. If therefore, the appeal fails, as pessimists tend to think it will, would he support the British Government? I am one of the MEPs representing one of the prisoners. Does it not seem to the President-in-Office that these two men are being used as political footballs and that behind it is an attempt to strike a bargain for the release of Nigerian prisoners? Would he keep the matter at the front of his mind?

Mr Van den Broek: I think we should in any case wait to see the outcome of the appeal I just mentioned so that in the light of it we can, possibly in consultation with the British Government, look into the question of whether any additional help can be given, as suggested by the questioner.

86/032. Question No H-735/85 by Ms Dury concerning the Geneva Summit

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

What conclusions have the Foreign Ministers drawn from the recent summit in Geneva?

Answer:

The Twelve had hoped for this summit meeting. When the Foreign Ministers of the Twelve met in Brussels on 16-17 December 1985, they indicated their satisfaction at the Geneva meeting of 19-21 November between President Reagan and Secretary-General Gorbachov¹.

The Ministers were happy to note that after Mr Gorbachov's visit to Paris and the Geneva summit a process had now been set in motion and that it would include further meetings at the highest level. They

hope that this process will help to improve the international situation and to encourage renewed dialogue in all areas, including regional questions and human rights.

The Foreign Ministers of the Twelve took particular note of the joint Soviet-American statement of 8 January on the drawing up of effective agreements to prevent an arms race in space, to stop the arms race on the ground, to limit and reduce nuclear weapons and to strengthen strategic stability. They hope that this process will lead to reasonable, balanced and verifiable compromises in all areas so that there may be a reduction in the two countries' nuclear arsenals, including medium-range weapons, to the lowest level consistent with the security of the countries of Europe.

The Foreign Ministers also attach great importance to the multilateral disarmament talks in progress which concern in particular chemical and conventional weapons.

As for the ECSC process in general, in spite of certain disappointments the Twelve will continue to strive for positive results in all regards, especially at the Stockholm conference and at the forthcoming meeting in Berne, with a view to achieving a balanced outcome at the Vienna conference which will open in November 1986.

¹ *EPC Bulletin*, Doc. 85/330.

86/033. Question No H-738/85 by Mr Tzounis concerning Forcible Movements of the Population in Ethiopia

Date of Issue: 16 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

According to reliable sources, the Marxist regime in Ethiopia is forcibly shifting large sections of the population; owing to the conditions under which this is being undertaken, tens of thousands of people have already died.

Do the Foreign Ministers agree that the European Community, which is furnishing substantial aid to save the Ethiopian people from starvation, cannot remain indifferent to this new ordeal facing them and, if so, what measures have they undertaken so far or do they intend undertaking in future?

Mr Van den Broek, President-in-Office of the Foreign Ministers: The Community is constantly following the situation in Ethiopia, particularly with regard to the deliberate moving of population groups, and this matter is also being discussed in EPC. As soon as more facts are known about this matter, I shall be pleased to give Parliament more information.

Mr Tzounis (PPE): I should like to ask the President-in-Office of the Foreign Ministers meeting in political cooperation whether he has been informed that the Marxist regime in Ethiopia is diverting about 30% of the humanitarian aid for the purpose of promoting its policy of violent and forcible resettlement. If he has been informed of this fact, does he agree that this diversion is contrary to the purpose for which the aid was granted, that it is particularly repugnant and that it should be categorically condemned by the Community and its institutions?

Mr Van den Broek: I do not have this information and in any case certainly not information that 30% of aid from the European Community has been used for such a purpose.

Mr Maher (L): According to the best information available, this forced movement of people has been taking place now for a period of almost two years. It is not difficult to understand why it is that the President-in-Office seems to have no information whatever about what is taking place, the numbers of people involved, or the numbers of people who have died? Does this mean that the Council is lacking in expertise or is not taking the matter sufficiently seriously to get the information about what exactly is going on? The European Community has poured a lot into Ethiopia by way of money and food aid, and rightly so; but if as a result of measures taken by the Ethiopian Government, the position of the Ethiopian people is being exacerbated, surely the European Community ought to know what is going on.

Mr Van den Broek: At the moment we are still only at the supposition stage, and this is why the particular subject to which the question refers is being discussed in EPC. If I promise you further information, that means the final conclusions and findings which we may come to after further discussions. And I would remind you that we are also aware that, in a press statement on 27 November 1985, the Ethiopian Government gave a detailed exposition of the Ethiopian resettlement policy, from which it emerged that 550 000 people, most of them from the town of Wolde have already been moved and that this resettlement – and this is where opinions differ – is voluntary and that those involved are receiving the necessary protection. Thus we need to obtain more information on this matter.

86/034. Question No H-754/85 by Mr Selva concerning the Nobel Peace Prize 1985

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

What is the view of the Council of EEC Ministers meeting in political cooperation of the fact that the Nobel Peace prize has been awarded to a doctor, Dr Chazov, who, according to reports which have not been denied, published a text condemning Sakharov which sparked off the campaign against the Nobel Prize-winning physicist?

Answer:

This matter has not been discussed in the context of political cooperation, but the Twelve have on numerous occasions made known their concern for the respect of human rights in the USSR as in all parts of the world.

86/035. Question No H-760/85 by Mr Adamou concerning Military Exchanges with the Turkish Junta

Date of Issue: 16 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

It has come to light from a press report that West Germany plans to furnish the Turkish junta with military supplies in return for an area of Turkish territory on which to carry out military exercises. As exchanges of this type not only do not condemn but actually strengthen and confer prestige on a fascist regime such as that of Turkey, what steps do the Foreign Ministers propose to take to ensure that a Community Member State such as the FRG does not undertake exchanges of this type with the Turkish junta, especially when the European Parliament has repeatedly condemned it in its resolutions?

Answer:

The question tabled by the Honourable Member does not come under European political cooperation.

86/036. Question No H-763/85 by Mr Alavanos concerning the Situation in the Israeli-Occupied Arab Territories

Date of Issue: 16 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Patrols by the occupying forces in towns and villages, the beating-up of inoffensive Palestinians in the streets, house searches, house arrest, bans on movement, the confiscation of land and property belonging to Palestinians and the establishment of Israeli settlements in the occupied Palestinian territories (West Bank of the Jordan and Gaza Strip), administrative detention for six months, murders by racist Zionist groups with the protection of the occupying forces, etc., these are some of the measures reminiscent of a Nazi occupation which are applied by the Israeli forces in the occupied Arab territories as part of the well-known 'iron fist' policy. Israel has even gone so far as to prohibit by a law voted in the Knesset, any contact with the PLO, on pain of punishment and three years' imprisonment.

What steps do the Foreign Ministers propose to take to put a stop to the barbarous activities of the occupying forces and the racist Zionist organizations in the occupied Palestinian territories, and Israel's wider policy against the Palestinian people and their inalienable national rights?

Answer:

While disagreeing with the specific terminology of the Honourable Member's question, the Presidency would nevertheless like to reiterate that the problem of human rights is a matter of constant concern and attention for the Twelve. This is also the case with regard to the situation in the territories which Israel has occupied since 1967. The Twelve have not failed and will not fail to raise the problems which arise in this context in their contacts with the Israel authorities.

In general terms, it must be said that it is not always effective or advisable to make public all the actions which are undertaken. With regard to the situation in the Israeli-occupied territories, the Twelve recently looked at ways of augmenting European aid to the people concerned and intensifying contacts with them.

86/037. Question No H-765/85 by Mr Ephremidis concerning the Racist Regime in South Africa

Date of Issue: 16 January 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

What specific, practical steps have the Foreign Ministers taken with regard to the racist regime in South Africa, where terrorist acts against the black population are still continuing with dozens of black citizens being arrested, imprisoned and murdered every day?

Answer:

On 10 September 1985 the Foreign Ministers of the Twelve adopted a series of restrictive and positive measures in respect of South Africa¹. The question of further measures, including sanctions, remains on the agenda. As was stated by the Twelve on 22 July last year, they reserve the right to review their position if significant progress is not forthcoming within a reasonable time, and the situation will be reviewed regularly².

¹ *EPC Bulletin*, Doc. 85/172.

² *EPC Bulletin*, Doc. 85/161.

86/038. Question No 1660/85 by Ms Lizin (S-B) concerning the Stance Adopted by the Luxembourg Presidency After Returning from Pretoria, South Africa, on 30 August 1985

Date of Issue: 17 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 October 1985

1. Have there been contacts in South Africa with European investors? Has application of the Code of Conduct been discussed? Have any conclusions been drawn in this connection?
2. Has the widespread application of the arms embargo been examined?

Answer:

The application of the European Code of Conduct was raised on numerous occasions during the European troika's talks in South Africa at the end of August. It should, however, be remembered that the brief of that mission was to express to the South African Government the grave concern of the Ten and Spain and Portugal at the absence of concrete measures for the abolition of apartheid and at the resultant deterioration of the situation.

The European delegation requested the lifting of the state of siege, the immediate and unconditional freeing of Mr Nelson Mandela and other political prisoners, an end to detention without trial and to enforced resettlement, a firm undertaking by the South African Government to end apartheid and to abolish discriminatory legislation, in particular the pass laws and the Group Areas Act, and finally real negotiations with true representatives of the South African people, including some of those at present in prison.

On returning to Europe, the troika reported at ministerial level to the Ministers for Foreign Affairs of the Ten and of Spain and Portugal at their meeting on 10 September in Luxembourg.

As regards the application of the embargo on arms and paramilitary material in respect of South Africa, the Ministers, as you are aware, reaffirmed at the above-mentioned meeting their commitment to applying a strictly monitored embargo on both exports and imports.

86/039. Question No 2048/85 by Ms Lizin (S-B) concerning the Follow-Up to the Meeting of Ministers of Justice and Ministers of the Interior

Date of Issue: 17 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 18 November 1985

Will the Ministers provide details of the outcome of their collaboration to combat Euro-terrorism? What results has the Trevi group achieved to date?

Answer:

At their meeting in Rome on 21 June 1985 the Ministers concerned (Ministers of the Interior and Ministers of Justice) decided to improve their technical cooperation in the campaign against terrorism and organized crime by means of better coordination of policies and greater exchange of information. For this purpose they set up alongside Trevi Group 1, which already deals more specifically with measures to combat terrorism, Trevi Group 3 responsible for examining the problem of international organized crime.

This Group has since started work.

It should be pointed out, however, that in view of the extremely sensitive nature of the matters under discussion the detailed results of the proceedings are confidential; to make them public would clearly defeat the desired aim.

86/040. Question No 2057/85 by Ms Dury (S-B) concerning the Formula I Grand Prix in South Africa

Date of Issue: 17 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 18 November 1985

On Friday 18 October, the very day when the black poet and militant South African nationalist, Benjamin Moloise, was executed (despite public protests throughout the world), 21 professional racing drivers, of whom a good half were nationals of Community Member States, were attempting to qualify for the Formula I Grand Prix which was to be held the following day in Kyalami.

It is intolerable that European drivers (one Belgian, some Germans, English, Italians, etc.) should compete in a country where dozens of people are massacred every day and where a racist apartheid regime is in power.

1. Why have the Foreign Ministers meeting in political cooperation, in addition to their protests against the execution of Benjamin Moloise, not requested all the Member States to prohibit their drivers and their racing teams from competing in this Grand Prix?

2. Can the Foreign Ministers meeting in political cooperation explain this blatant contradiction between the joint sanctions imposed by the Member States on South Africa and this shameless sporting spectacle?

Answer:

The attitude of the member countries of the Community towards South Africa has been clearly demonstrated on a number of occasions.

As regards the Kyalami Formula I Grand Prix, it should be noted that Formula I racing teams are not national, but private bodies.

Governments have no legal basis to justify intervention in the contracts binding professional drivers to car-building firms which are often of different nationalities.

Nevertheless, as they share the disapproval of world opinion, several of the European Governments involved have approached both the national sports federations and the racing drivers to discourage them from taking part in the Kyalami motor racing Grand Prix.

86/041. Question No 2105/85 by Mr Ulburghs (NI-B) concerning the Investigation Into the Death of the Belgian Missionary Father Gillard in Colombia

Date of Issue: 17 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 27 November 1985

On Saturday, 26 October 1985 the Belgian missionary Father Daniel Hubert Gillard died in Colombia as a result of injuries sustained on 10 April 1985 in an incident with the Colombian security forces.

Do the Foreign Ministers of the ten Member States intend to make representations to the President of Colombia with a view to initiating a complete and objective investigation into the events which led to the death of Father Gillard and the identity of those responsible?

Answer:

The Ten have been informed by the country directly concerned that it approached the Bogota Government immediately after the death of the Belgian missionary, Father Daniel Hubert Gillard, who died as a result of injuries sustained in an incident with the Colombian security forces. The aim of this approach was to obtain assurances from the Columbian authorities that an impartial judicial inquiry would be carried out, with a full report on the precise circumstances of the incident then being forwarded and that those responsible would be identified and duly punished.

The other Member States of the Community could endorse the request made by the Belgian Government to the Colombian authorities eight months ago to which the latter have not yet responded in a satisfactory manner.

86/042. Question No 2180/85 by Ms Pantazi (S-GR) concerning UNESCO

Date of Issue: 17 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 December 1985

Can the Council of Ministers meeting in political cooperation state whether it is in a position to take positive steps to prevent Great Britain's withdrawal from UNESCO, since such a move would ultimately lead to the bankruptcy and final break-up of this international organization?

Answer:

The European political cooperation bodies do not state views on decisions taken by Member States at national level.

86/043. Statement on the Meeting of the Foreign Ministers of the Contadora Countries¹ and the Support Group Countries² at Caraballeda, Venezuela, on 11 and 12 January

Date of Issue: 20 January 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Message

The Twelve welcome the new impetus given to the Contadora peace progress by the meeting of Ministers of Foreign Affairs of the Contadora countries and its support group at Caraballeda, Venezuela, on 11 and 12 January 1986.

They welcome in particular the endorsement given to the principles and objectives agreed at Caraballeda by the five Central American countries, meeting in Guatemala on 14 January 1986, in a joint declaration which reiterated the five countries' desire to achieve peace and stability in Central America.

The 'Message of Caraballeda on peace, security and democracy in Central America' confirms once again the balanced and comprehensive approach of the Contadora efforts in promoting a negotiated settlement of the conflicts in Central America.

The Twelve welcome the fact that the message of Caraballeda contains concrete steps and measures designed to generate a climate of confidence and to further the negotiating progress.

The Twelve note that the countries of the Contadora group and its support group are offering their good offices to promote actions which they consider of vital importance for the achievement of peace, security and democracy in Central America. As at the Luxembourg ministerial meeting in November 1985³ the Twelve reiterate their continued wholehearted support for the Contadora peace initiatives and they express their willingness, if called upon, to provide appropriate assistance to those involved in these efforts.

¹ Colombia, Mexico, Panama and Venezuela.

² Argentina, Brazil, Peru and Uruguay.

³ *Bull. EC* 11-1985, point 1.2.1 *et seq.*, *SEPC Bulletin*, Doc. 85/253.

86/044. Question No 857/85 by Mr Glinne (S-B) concerning the Implementation of the McCarran-Walter Act in the United States and the Need for Reciprocal Legislation Covering Nationals of the Member States of the European Community

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 July 1985

Since 1952, under the McCarran-Walter Act, many foreigners wishing to visit the United States have been arbitrarily refused a visa by the State Department and the Immigration Service because of their 'undesirable' political opinions.

Many writers, students and scientists have been affected by these measures, including Gabriel Garcia Marquez, winner of the Nobel Prize of Literature, Dario Fo, Italian director and actor, and Hortensia Allende, widow of the assassinated President of Chile.

Fortunately, since the beginning of 1984, many public figures and members of Congress have been waging a campaign to have this Act revised; a bill drafted by Congressman Barney Frank is currently before the House of Representatives.

Would the Foreign Ministers answer the following questions, the substance of which was set out in my motion for a resolution (Doc. 2-741/84) of 16 October 1984?

1. Would it not be appropriate for the Foreign Ministers meeting in political cooperation, supported by the Commission's External Office in Washington, to approach the US administration asking for the revision and liberalization of US immigration laws, at least as regards Member State nationals who, in the future, will be holders of Community passports?

2. Should not European legislation be revised if the US immigration authorities continue to require Member State nationals to obtain a visa, since it is unfair that US State nationals crossing the Atlantic are obliged to obtain one?

Answer:

It is for the Government of each State to determine the procedure for the admission of foreign nationals into its territory. Legislation in the United States, as in other countries, requires that any foreign national wishing to go there should obtain a visa, irrespective of the system applying in his State of origin to American citizens.

The ten Community countries, together with Spain and Portugal, have more open regulations regarding visas and would, therefore, be in favour of abolishing the visa requirement in the case of their nationals wishing to travel to the United States. They have raised and will continue to raise this problem in their contacts with the American authorities.

The introduction of a visa requirement for American nationals by the EEC countries does not appear to be the most appropriate way of bringing about a change in United States legislation in this area and would, furthermore, amount to a strict application of the principle of reciprocity incompatible with the open-minded European approach in the matter.

86/045. Question No 1224/85 by Mr Kuijpers (ARC-B) concerning the Reactions to the Hijacking of the TWA Plane

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

The European Parliament recently received the President of the United States, Mr Reagan, who spoke in favour of promoting peace.

On the occasion of the hijacking of the TWA plane Mr Reagan quite one-sidedly drew up a list of five countries and accused them of terrorist activities under the direction of the Soviet Union. He described the leaders of these countries as 'the weirdest collection of crackpots and criminals since the Third Reich'.

Nicaragua was clearly included in this list on account of that country's non-compliant policy towards the USA. No mention was made, on the other hand, of obviously terrorist regimes and terrorist links in the arms trade. Nor was any mention made of US military backing for mercenary groups of all kinds.

Without wishing in any way to defend criminal terrorist activities in any part of the world or Soviet support for such regimes, this one-sidedness damages peaceful relations with the countries in question.

What is the attitude of the Foreign Ministers meeting in political cooperation to the countries included in the abovementioned list?

Answer:

The Ministers for Foreign Affairs meeting in European political cooperation have not discussed the statements by President Reagan to which the Honourable Member refers. The Ten have for their part never failed to denounce terrorism in all its forms and whencesoever it comes.

86/046. Question No 1233/85 by Ms van den Heuvel (S-NL) concerning Military Intervention in Central America by Chile and the Supply of American Weapons to Chile

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

1. Can the Ministers confirm reports that, at the request of the United States administration, Chilean soldiers are being deployed in Central America and that Chile is being supplied with American weapons?
2. Do the Ministers not consider that these two factors are at variance with the United States' avowed support for the Contadora initiative, to which the Ten also subscribe?
3. Are the Ministers prepared to inform the United States administration of their views?

Answer:

The Ministers for Foreign Affairs of the Member States of the European Community, meeting in political cooperation, do not possess information which would enable them to confirm the facts cited by the Honourable Member concerning the deployment of Chilean troops in Central America.

It is well known that the problem of security in Central America is regularly considered in political cooperation, and more recently it was raised at the Luxembourg Ministerial Conference between the Twelve, the countries of Central America and the countries of the Contadora Group on 11 and 12 November 1985.

In the joint political communiqué adopted at the close of the Conference the participating countries restated their commitment to finding a global, political solution for the region, based on proposals arising from the Contadora process, and founded on the principles of independence, non-intervention, self-determination and the inviolability of frontiers¹.

The Ministers for Foreign Affairs have in particular undertaken to set up a viable system designed to arrest the arms race, reduce military personnel, eliminate foreign military presence and prevent intimidation, destabilization and terrorism in the context of the Contadora process in accordance with international law.

¹ See *EPC Bulletin*, Doc. 85/253.

86/047. Question No 1384/85 by Mr Bernard-Reymond (PPE-F) concerning Ministerial Discussions on the Problem of Security

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 September 1985

Can the Foreign Ministers provide precise details about all the discussions which have been held within the framework of political cooperation on the political aspects of European security since the agreement on the London report in October 1981?

Answer:

The problem of international stability and security is a fundamental aspect of European political cooperation. From its inception, political cooperation had to meet the challenge of negotiations in the Conference on Security and Cooperation in Europe up to the signing of the Final Act on 1 August 1975. The success of EPC has established the Community, in both the West and the East, as a recognized agent of balance and stability in Europe. It would be practically impossible to list here the discussions and the numerous statements and positions of the Ten on European security or dealing with problems such as the Middle East, Central America, Southern Africa, Afghanistan, Cambodia and questions of disarmament and arms control, all of which have a considerable impact on international stability.

The role of the Ten and their contribution to the strengthening of peace and international stability has increased with time. The questions of disarmament and arms control are followed closely by the Ten. In the context of European political cooperation, they endeavour to harmonize their positions, particularly as regards the CDE and discussions in the United Nations on problems of international security and disarmament and the proceedings of the Geneva Disarmament Conference, in particular the negotiations for the conclusion of a multilateral Convention on the Prohibition of the Development, Production and Stockpiling of Chemical Weapons and on Their Destruction, and the discussions taking place on a number of aspects of the prevention of the arms race in space.

At the same time the voice of the Ten is of great importance in proceedings within the UN. The Ten support the peace-keeping role of the Organization, have contributed to operations in that framework and wish to see that role strengthened.

Moreover, European political cooperation has not overlooked the link which exists between international stability and the problems of developing countries. It is sufficient to mention in this connection the attention given to the emergency situation in the Horn of Africa or the political and economic problems of Southern Africa.

Furthermore, within political cooperation particular attention is devoted to problems of human rights and of respect for fundamental freedoms. The Ten thus follow the whole range of problems which might affect peace and security, either directly or indirectly.

This joint action is being increasingly appreciated at world level. As you will be aware, the Ten already have regular contacts with several countries, such as the United States, with whom they maintain a permanent dialogue on all the international questions dealt with in European political cooperation. It is to a large degree in recognition of the role of the Ten in international affairs that other countries such as Japan, the People's Republic of China and India, as well as ASEAN, have sought regular contacts with the Ten which also cover the area of peace and international security. The Soviet Union itself is now becoming aware of the political role of the Ten on the international scene.

86/048. Question No 1515/85 by Mr Glinne (S-B) concerning the Preservation of the Cultural Sanctuary of Rapanui Island (Easter Island) and the Right of its Inhabitants to Self-Determination

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 17 September 1985

Situated in the South Pacific 2 300 miles off the coast of Chile, Rapanui Island, also known as *Te Pito Te Henua* (the 'navel of the world' in the island's local language) or Easter Island, the name given to it by the Dutch and Spanish explorers and the Peruvian and Chilean slavers who followed them (and also by the French Count of La Pérouse in 1786), is justly famous despite its tiny size (45 square miles with less than 2 000 inhabitants) for its six hundred or so gigantic and enigmatic stone statues, its archeological figurines, its undeciphered ideographical carvings, the ruins of enormous walls, and the mystery surrounding its non-Polynesian remains. The island is an unique example of cultural amalgamation between pre-Columbian South America and South-East Asia (according to the Tenth Pacific Science Congress held in 1961 and contemporary experts such as Thor Heyerdahl and B. Villaret) and is classified by UNESCO as one of the foremost cultural assets of the whole world.

Subjected to the slave trade organized to recruit labour for the Peruvian potash mines and afflicted by smallpox, the local population dwindled during the 19th century to only about 100 inhabitants before reviving subsequently largely as a result of an influx of Polynesians and Spanish-Americans. The island was annexed by Chile in 1888 and thereafter inhabited mainly by sheep until the development of Chilean naval installations from 1954 and Chile's implementation of a policy of Hispanicization and modernization. Recently, a civil governor of Rapanui was appointed and the island continues to belong to the Chilean province of Valparaíso, having no local representation of its own.

There are many similarities with the situations of the Falkland Islands, New Caledonia and archipelagoes in the South Pacific. In addition, the experience of Diego Garcia, to the north of Mauritius, since its 'denationalization', to serve as a base for the US navy, illustrates the perils of an increased militarization of the southern seas.

Will the Ministers answer the following questions:

1. What steps will the Ten – soon to be the Twelve – take to promote the achievement of self-determination for the population of Rapanui Island, including all ethnic groups and in accordance with the international standards for decolonization, in the context of an arrangement which could vary from internal autonomy to independent associated status or more?

2. Are the Ministers aware that, in return for a number of favours, General Pinochet is practically prepared to hand over or cede all or part of the island to the United States of America, for the requirements of NASA and of US space telecommunications in both the military and civil field? Are the Ministers aware that the democratic opposition in Chile, in a communiqué 7 of 20 June 1985

released by the *Allianza Democratica* and signed among others by Mr Gabriel Valdes, has condemned any cession of the island or any change in Chilean sovereignty over the island prompted by the strategic considerations of a superpower, without prior information and discussion of the matter in Chile itself?

3. Should not the population of Rapanui in any case be consulted by means of full democratic procedures on the transformation of the island into a base for the United States space network and for the Strategic Defence Initiative launched by the Reagan administration?

4. What action will the Ministers take, in all the appropriate international fora, to reconcile the answers to the three above questions with the need, in cooperation with UNESCO, to preserve the island of Rapanui as a world sanctuary of the history of mankind, particularly from the risks of a militarization which would make it a prime target?

Answer:

The problems of self-determination for the inhabitants of Rapanui Island referred to by the Honourable Member have not been the subject of specific discussions by the Ministers meeting in European political cooperation.

The Ten have of course on many occasions spoken out for the full respect of the principles of international law and of the commitments deriving for each State from its membership of international organizations such as the United Nations and UNESCO.

86/049. Question No 1609/85 by Mr Glinne (S-B) concerning Genocide of the Armenians

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 30 September 1985

A report on the prevention and repression of genocide drawn up by the British expert Benjamin Whitaker was adopted on 28 August 1985 by the UN Commission on Human Rights.

This document revises and updates a report drawn up in 1978 in which all reference to the genocide of the Armenians organized in 1915 to 1916 by the government of 'Young Turks' was deleted following pressure by Turkey.

Only the representative of the USSR opposed the adoption of the new report with the addition of paragraph 24 referring to the genocide of the Armenians, while the representatives of Cuba, Jordan, Morocco and Bangladesh abstained. I wish to know:

1. the position adopted by the representatives of the Community Member States on the adoption of the paragraph referring to the genocide of the Armenians;
2. the conclusions drawn by those responsible for political cooperation between the Ten from the adoption by the UN Commission on Human Rights of Mr Whitaker's report in its entirety (including paragraph 24).

Answer:

The report by Mr Whitaker mentioned by the Honourable Member has not been discussed by the Ministers for Foreign Affairs meeting in European political cooperation.

As regards the positions adopted on the Armenian problem in the UN Sub-Commission on Human Rights, it should be pointed out that the latter is made up of independent experts who express personal opinions and do not, therefore, commit their governments.

86/050. Question No 1613/85 by Ms van den Heuvel (S-NL) and Mr Verbeek (ARC-NL) concerning International Military Observers on Nicaraguan Borders

Date of Issue: 20 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to written Parliamentary Question of 30 September 1985

The President of Nicaragua has on several occasions suggested that international military observers might be stationed on the borders of his country and neighbouring Honduras and Costa Rica to promote peace in the region.

Will the Ministers discuss this at the conference in Luxembourg in October, which follows on from the San José conference in 1984, and if so, which Member States would be willing to make peace-keeping forces available?

Answer:

The Member States of the European Community have frequently expressed their concern regarding the instability and insecurity obtaining in Central America and their conviction that a negotiated global, political solution originating in the region itself is the only way of resolving the problems of the countries concerned.

They have therefore from the outset supported the Contadora Group's efforts to achieve an agreement on peace and cooperation in Central America which should, *inter alia*, ensure the security and respect of the territorial integrity of all the countries of Central America.

In the Joint Political Communiqué¹ adopted at the end of the conference held in Luxembourg on 11 and 12 November 1985, the countries of the European Community together with Spain and Portugal reiterated their willingness to support, to the extent that they are able and if so requested, the action of the States with responsibility for implementing the terms of the Contadora Document on Peace and Cooperation in Central America.

They could, in particular, contribute to the machinery for implementing and following up the Document.

¹ *EPC Bulletin*, Doc. 85/253.

86/051. Question No 1674/85 by Mr Kuijpers (ARC-B) on the Consultation of the European States by the USA Concerning the Storage of Chemical Weapons

Date of Issue: 20 January 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to written Parliamentary Question of 7 October 1985

Despite the fact that the USA has signed the Geneva Treaty which forbids the use of chemical weapons, the US administration has been authorized by Congress to manufacture binary gases for at least two years as of September 1987. These binary gases constitute a new generation of chemical weapons which combine to form the highly toxic VX nerve gas.

The text adopted by the Congress specifies that the NATO allies of the USA should be informed of the storage and possible use of these chemical weapons.

Can the President of the Foreign Ministers meeting in political cooperation indicate the views of the latter concerning the storage of such binary gases in the Member States of the European Community?

Answer: -

The specific question raised by the Honourable Member has not been discussed by the Ministers for Foreign Affairs meeting in political cooperation.

Matters of disarmament and arms monitoring are, however, closely followed by the Community Member States.

The Presidency would like to direct the Honourable Member to the speech made on behalf of the Ten in the First Committee of the United Nations General Assembly on 17 October 1985¹.

In their overall approach to chemical weapons the Ten are in favour of the swift conclusion of a global and genuinely verifiable agreement which would guarantee the total and universal abolition of binary and conventional chemical weapons. They have reaffirmed their condemnation of any breach of the provisions of the 1925 Geneva Protocol and appealed to the international community to act in particular through the intermediary of the United Nations Secretary-General in order to have impartial enquiries conducted into all alleged uses of chemical weapons.

The Ten have likewise expressed their hope that the negotiations being conducted in particular in the Conference on Disarmament will rapidly result in the conclusion of a treaty on chemical weapons and have made an appeal to this effect to all the States involved.

¹ *EPC Bulletin*, Doc. 85/217.

86/052. Question No 1805/85 by Mr Glinne (S-B) concerning the Contribution of Community Member States to the UN Budget

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 14 October 1985

At the opening of the 40th session of the United Nations' General Assembly in New York attention focussed on the draft bill by the American Senator Nancy Landon Kassebaum which was admitted by Congress last August which seeks to reduce the United States, contribution to the UN budget from 25% to 20% as from 1987, unless a weighting scheme, taking into account the ability to pay and the active contribution of each State is introduced for votes on budgetary matters. Political decisions will, of course, continue to be based on the principle of 'one State/one vote' whatever the importance of each member, in accordance with the democratic charter of the UN and taking into account the right of veto of the major powers in the Security Council.

Senator Kassebaum has also drawn up a second draft bill seeking to align the salaries of the 500 or so members of the UN's New York secretariat with American salaries of the same categories; the Chamber of Representatives and the US Senate have, however, agreed to a compromise in which they agree to measure and analyse in the immediate future differences in salaries and wages.

Finally, a proposal by Senator William V. Roth which was admitted last month seeks to impose restrictions on the movements of UN officials posted to New York so as to prevent spying — which is not beyond the bounds of possibility — by representatives of eastern bloc countries acting under diplomatic

cover; under this bill UN officials wishing to travel a distance of more than 25 miles from the UN's headquarters in New York will require the express authorization of the State Department.

Would the Foreign Ministers meeting in political cooperation state:

1. the amounts in absolute terms and percentages of the contributions of each of the five major powers to the UN budget for the 1985 financial year;
2. the amounts in absolute terms and percentages of the contributions of each of the ten Member States as well as Spain and Portugal for the 1985 financial year;
3. whether the Ten believe there should be weighting of votes in respect of budgetary matters and how this scheme should be organized;
4. how the Ten view the possibly excessive salary levels granted to the staff of the UN Secretariat in New York;
5. how the Ten — and possibly the Twelve — view the Roth bill restricting movements of UN officials based in New York;
6. how the Ten — and possibly the Twelve — at present view the UNESCO crisis in regard to budgetary, structural, political and cultural matters?

Answer:

The Kassebaum amendment reduces from 25% to 20% the United States contribution to the expenditure of the UN and its specialized agencies (FAO, ILO, etc.) for fiscal year 1987, which begins on 1 October 1986. It is therefore as from the present session of the General Assembly that a solution should be found to avoid a reduction in the United States contribution as from next year.

The UN budget for 1984 and 1985 amounts to US \$ 1 611.6 million. Subtracting revenue, chiefly consisting of deductions from the salaries of UN officials by way of contributions, there remain US \$ 1 130.2 million dollars to be covered by the compulsory contributions of the Member States, i.e. US \$ 655.1 million a year. This is the actual operational budget of the UN, which includes neither the substantial compulsory contributions to the costs of the United Nations peace-keeping forces in the Middle East nor voluntary contributions.

Size in absolute and percentage terms of the contributions of the five powers to the 1985 UN budget:

Table 1

States	%	Size (million US \$)
United States	25.00	163.77
USSR (including Byelorussia and the Ukraine)	12.22	80.05
France	6.51	42.64
United Kingdom	4.67	30.59
China	0.88	5.76
Total	49.28	322.83

Size in absolute and percentage terms of the contributions of each of the Ten, Spain and Portugal for the financial year:

Table 2

States	%	Size (million US \$)
Belgium	1.28	8.38
Denmark	0.75	4.91
France	6.51	42.65
Federal Republic of Germany	8.54	55.95
Greece	0.40	2.62
Ireland	0.18	1.18
Italy	3.74	24.50
Luxembourg	0.06	0.39
Netherlands	1.78	11.66
United Kingdom	4.67	30.60
Total	27.91	182.84
Portugal	0.18	1.18
Spain	1.93	12.64

The Ten, who together contribute almost 30% of the UN budget, are aware of the problem of the weighting of votes on budgetary matters and the way of organizing them. They are, however, equally aware of the questions of principle raised by the introduction of weighted voting on budgetary matters. The Charter would have to be amended in order for weighting to be introduced.

Official exchanges of view have recently begun in the Fifth Committee on this subject.

As for the opinion of the Ten on the level of salaries paid to the staff of the UN Secretariat in New York, it is pointed out that the Ten stated jointly at the 1984 General Assembly that the new increase in the post adjustment decided upon by the International Civil Service Commission was excessive and should be blocked. The General Assembly unanimously followed this proposal.

The Roth bill restricting the movements of UN officials from New York has not been examined in political cooperation as it is a matter to be settled between the United Nations Secretariat and the Government of the United States (the host country) on the basis of the headquarters agreement.

With regard to the opinion of the Ten on the budgetary, structural, political and cultural aspects of the Unesco crisis, the Honourable Member should refer to the reply to his Question No 2179/85 and to other replies on the same subject¹.

¹ *EPC Bulletin*, Doc. 85/055.

86/053. Question No 1882/85 by Mr Glinne (S-B) concerning the Recognition of the Authority of the Court of Justice in the Hague

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 24 October 1985

In a letter dated 7 October 1985 from the Secretary of State, George P. Schultz, to Mr Pérez de Cuéllar, Secretary-General of the UN, the President of the United States announced that in six months' time the

United States would cease to recognize rulings passed by the International Court of Justice in The Hague on 'political conflicts' as binding. The United States will continue to recognize the Court's authority in respect of disputes submitted to it by common agreement of the parties concerned provided they relate to trade, legal, territorial matters, etc., such as the dispute between America and Canada over fishing rights which had been going on for forty years before it was resolved by the judges in The Hague in October 1984. In 1946, the United States had recognized the Court's authority on all matters.

The recent American decision, which is unlikely to be overturned by Congress, follows the announcement by the Reagan Administration in April 1984 that Washington would not recognize the Court's authority on disputes concerning Central America for a period of two years. The Court was then considering a complaint lodged by Nicaragua (Case concerning Military and Para-Military Activities in and against Nicaragua) criticizing the United States for aiding the 'contras' and for acts such as the mining of ports in Nicaragua. The ruling of 28 November 1984 stated that the matter lay within the Court's jurisdiction and declared the complaint admissible.

Will the Foreign Ministers:

1. give details of the identities and nationalities of the fifteen current members of the Court;
2. provide details of the Court's annual budget and the size of the contributions made in respect of the last financial year by the United States, the USSR, each of the ten Member States, Spain and Portugal, both in absolute terms and as a proportion of the total budget;
3. state whether the governments of the ten and the twelve Member States accept the Court's authority unreservedly and, if not, what reservations they have;
4. indicate which non-EEC member States recognize the full authority of the Court;
5. state whether it is true that the USSR and Cuba do not recognize the Court's authority on 'political matters';
6. state whether it is true that the majority of the 158 countries technically subject to the Court's jurisdiction have placed limits on their recognition of its authority;
7. state whether they have considered the problem of jurisdiction raised by Nicaragua's complaints as referred to above and, if so, what their conclusions were;
8. indicate how there can be any resolution of threats to use force and of the actual use of force between States which are not officially at war and which still maintain diplomatic relations if the Security Council is tied by the right of veto exercised by certain countries and if the role of the International Court of Justice is progressively reduced on matters which are subjectively declared 'political' by any given country?

Answer:

The details requested by the Honourable Member are not examined by EPC bodies. They were, however, published in the 1984/85 Court directory.

The question of Nicaragua's complaint against the United States has not been discussed by the Ministers for Foreign Affairs meeting in European political cooperation.

It should further be noted that most of the States party to the Statute of the International Court of Justice do not recognize its jurisdiction as mandatory, such recognition being optional under Article 36 of the Statute.

As regards the problem of peace-keeping, it is well known that the Member States of the Community have always spoken out in favour of strengthening the role of the United Nations and have actively supported that organization's peace-keeping operations.

86/054. Question No 2168/85 by Mr Glinne (S-B) concerning the UN Resolution Equating Zionism and Racism

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 December 1985

On 10 November 1975, 73 delegations at the United Nations General Assembly voted in favour of a Resolution – with 35 others voting against and 32 abstaining – that has since been used as a basis for other proposals at other meetings of UNESCO and, most recently, the Woman's Conference and Forum in Nairobi. The substance of this Resolution is that:

- Zionism is equivalent to racism,
- Zionism is a form of racism and radical discrimination,
- Zionism is a threat to peace and world security.

As a frequent critic of the policies of successive Israeli Governments and of certain sections of the Israeli political establishment, I need not hesitate to ask the Foreign Ministers:

1. how the Nine voted in 1975 and why;
2. what stance the Ten have taken and the Twelve intend to take when this abhorrent equation of Zionism with racism has been made or is suggested, in whatever forum;
3. whether the Foreign Ministers of the Twelve meeting in political cooperation do not think action should be taken, in conjunction with other governments, to bring about the withdrawal or rescinding of the Resolution of 10 November 1975?

Answer:

In November 1975 the nine Member States of the European Community voted against the Resolution No 3379-30 on the elimination of all forms of racial discrimination, which considers Zionism to be a form of racism and racial discrimination.

Since that time the Member States of the European Community have consistently rejected this description, which they consider to be unacceptable, in both joint and individual statements.

In the present international situation the outcome of any initiative aimed at the withdrawal or rescinding of this Resolution would be uncertain, to say the least, and it is doubtful whether it would be politically advisable to hold a further international discussion on the subject.

86/055. Question No 2179/85 by Mr Glinne (S-B) concerning the Evaluation of the Outcome of the 23rd UNESCO General Conference Meeting in Sofia

Date of Issue: 20 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 3 December 1985

The 23rd UNESCO General Conference meeting which closed in Sofia on 9 November 1985 after several weeks' work, did not produce the negative results which some sources had anticipated.

Le Monde of 12 November 1985 said:

Have we given the Americans any good reasons to rejoin and the British not to leave (to be followed in all probability by quite a few others)? As things stand, nothing could be less certain. The Conference went over the programme with a fine-toothed comb, which is virtually without precedent for UNESCO. However, the concentration on a few major and basic options, which would seem to be the consequence of the drastic cut in the organization's resources (the United States alone contributed a quarter of its budget), remains to be achieved (...)

1. What is the assessment of the Ten and the Twelve of this 'fine-toothed comb' approach to the review of the programme? Is this the beginning of a cure or a plaster cast on a wooden leg?
2. What is their view of a 'concentration on a few major and basic options'?

3. What financial contribution did each of the Twelve make during the current financial year? What proportion of UNESCO's resources do these contributions represent in total?

Answer:

Faced with the challenge of the crucial need to reform UNESCO, the Ten reaffirmed at the 23rd UNESCO General Conference in Sofia their commitment to multilateral international cooperation and to the principles and aims of UNESCO, while at the same time expressing disquiet at the current crisis and stressing the need for swift and effective reforms in the area of both administrative management and the budget programme for the next two years. They spared no effort to enable the 23rd General Conference held in Sofia from 8 October to 9 November 1985 to adopt the necessary measures.

At the General Conference acceptance of zero growth in real terms and maintenance of the member States' contributions at their current level – decisions taken by consensus and without reservations – made it possible to turn to drafting the programme with a more critical eye.

In major programme III (communication) the emphasis was placed not on ideological questions but on practical action to improve communication and information in the Third World. The decisions taken by the Conference in major programme XIII (peace, disarmament, human rights, etc.) helped to clarify and better define UNESCO's field of action, with the need for proper coordination with the other UN institutions being stressed. It is true, nonetheless, that it was possible to achieve all the objectives which the Ten had set themselves, notably in the statement by the Ministers for Foreign Affairs of 29 April 1985¹.

One of their short-term objectives is continuous reform within the UNESCO-Secretariat. In the long term, they plan a full examination of the entire programme with a view to balanced restructuring of the various 'major programmes'. As regards the financial contribution of each of the Ten and of Spain and Portugal, for the period 1984/85 and the proportion of UNESCO's resources which these total contributions represent, the Honourable Member will find the information requested in the following table:

	<i>(million US \$)</i>	
Resources-Contributions	1984	1985
Total UNESCO resources provided by the Member States	171.4	128.3
Financial contributions of the Ten and of Spain and Portugal:		
Belgium	2.2	2.2
Federal Republic of Germany	14.5	14.5
Denmark	1.3	1.3
France	11.1	11.1
Greece	0.7	0.7
Ireland	0.3	0.3
Italy	6.4	6.4
Luxembourg	0.1	0.1
Netherlands	3.0	3.0
United Kingdom	7.9	7.9
Portugal	0.3	0.3
Spain	3.3	3.3
Proportion of UNESCO's resources represented by these contributions	29.63 %	39.41 %

NB: For 1985 the United States' contribution of US \$ 43.1 million, or 25% of the total, has been deducted.

¹ *EPC Bulletin*, Doc. 85/073.

86/056. Question No 1024/85 by Sir Jack Stewart-Clark (ED-UK) concerning Vladimir Pavlovich Rhozdestvov

Date of Issue: 22 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 18 July 1985

Vladimir Pavlovich Rhozdestvov printed copies of a leaflet calling for the democratization of the Soviet system. In 1970 and 1971 he was forcibly detained in psychiatric hospitals to undergo insulin shock treatment.

In 1977 he was again confined indefinitely to a special psychiatric hospital in Tashkent and subjected to neuroleptic drugs and intra-muscular injections of sulfazin.

In accordance with Articles 49 and 150 of the Constitution of the USSR, Rhozdestvov has only made use of his right of freedom of speech. It has not been proved that he is suffering from mental illness or that he is a danger to the public. According to recent news his state of health is bad.

Would the Foreign Ministers of the Ten please bring this case to the attention of the Soviet authorities and demand the immediate release of an apparently innocent man?

Answer:

Although the case of Rhozdestvov has not been discussed specifically in European political cooperation, the question of the abuse of psychiatric treatment in the Soviet Union is of particular concern to the Ten.

This problem was discussed at the recent meeting of experts on human rights and fundamental freedoms in Ottawa in the context of the CSCE.

The Ten will continue to make active representations to the Soviet authorities, urging them to stop such inhumane practices.

86/057. Question No 1548/85 by Mr Cottrell (ED-UK) concerning Human Rights in Turkey

Date of Issue: 22 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 25 September 1985

What representations have the Ministers made to the Turkish Government concerning members of the Turkish Peace Association, the persecution of whose members appears to be a breach of the UN Universal Declaration of Human Rights, article two, clause two?

Do the Ministers consider an improved atmosphere of respect for human rights in Turkey, including the right to dissent, to be a condition for an improvement in relations between Turkey and the Community?

Answer:

The Ten are keeping a most careful eye on the problem of respect for human rights and fundamental freedoms in Turkey and expressed their concern in this respect during their talks with the Ankara authorities.

While noting some positive developments in this area and the intentions expressed by the Ankara Government, they expect that Government to persist with its efforts to restore in full all human rights and fundamental freedoms which would help relations between Turkey and the European Community to progress further.

86/058. Question No 1879/85 by Mr Glinne (S-B) concerning Relations Between the International Atomic Energy Agency and the Republic of South Africa

Date of Issue: 22 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 24 October 1985

At its meeting in Vienna on 27 September 1985, the UN's International Atomic Energy Agency adopted a resolution tabled by Nigeria at the conference of 112 delegates to restrict the South African Government's rights within the institution. The resolution, which was adopted by 80 votes to 0 with 19 abstentions, calls on the member countries to avoid all collaboration or cooperation by undertakings governed by their national legislation with South Africa and states that nuclear experts from South Africa should no longer be admitted to meetings 'where their presence would provide South Africa with support for its continuing exploitation of Namibia's uranium.'

Which countries abstained? What positions were adopted by the Ten and by the Twelve and on what grounds?

Answer:

The purpose of European political cooperation is to provide a forum for the partners to align their views and express common positions.

This applies in particular to the International Atomic Energy Agency. The partners' attitude within international organizations has constantly reflected their support for the principle of the universality of such organizations and their desire to leave the discussion of political problems to the political bodies within the United Nations framework. Regarding the International Atomic Energy Agency, what should be particularly noted is the desire to secure broad international endorsement for the use of atomic energy subject to appropriate guarantees by that organization.

Since the resolution tabled by Nigeria did not entirely conform to these common principles, certain partners chose to abstain from the vote, but this did not in any way affect their rejection of the apartheid system in South Africa or their support for the measures decided upon by the Ministers for Foreign Affairs on 10 September 1985¹. It will be remembered that one of those measures was that there would be no further collaboration with South Africa on nuclear matters.

¹ *EPC Bulletin*, Doc. 85/172.

86/059. Question No 1959/85 by Mr Poettering (PPE-D) concerning Violations of Human Rights in the Soviet Union, the Congo and Chile

Date of Issue: 22 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 13 November 1985

In the Federal Republic of Germany, the 'Young Union' is currently conducting a human rights campaign on behalf of three political prisoners in the Soviet Union, the Congo and Chile. The three victims of persecution by the authorities in their countries are as follows:

1. Dr Anatoly Ivanovich Koryagin – USSR

Dr Koryagin has been a member of a commission which opposes the use of psychiatry for political purposes. He is a member of the Moscow Helsinki-Group. As a result of his activities, in 1981 he was

sentenced to twelve years in a labour camp for alleged anti-Soviet propaganda. Dr Koryagin became seriously ill in prison and has not received the necessary medical care. His family has had no news of him since 1984.

2. Claude-Ernest Ndalla – People's Republic of the Congo

Claude-Ernest Ndalla was arrested in March 1984 in the capital, Brazzaville. He is being held at a detention centre run by the national security service on the outskirts of the town, which is known as the 'Cité des 17'. At the time of his arrest, Ndalla was regarded as the leader of the non-violent opposition to the government. Despite an official statement that he had committed a criminal act, he has neither been charged with any offence nor brought to trial.

3. Hurtaeo Pastén – Republic of Chile

Hurtaeo Pastén is aged 31. On 17 July 1985, he and Julia Planella Chanales, aged 61, distributed leaflets drawing attention to the case of a friend who had disappeared. In the course of this activity they were arrested by two civilians and handed over to the police. After five days under arrest, with interrogations and torture, they were exiled by the government. Hurtaeo Pastén was exiled to Alto del Carmen in northern Chile and Julia Planella Chanales to Inca de Oro.

Are Foreign Ministers meeting in political cooperation (EPC) aware of these cases of human rights violations?

Will Foreign Ministers state what efforts are being made to ensure respect for human rights in these cases on the part of the governments concerned?

Answer:

The cases of Dr Anatoly Ivanovich Koryagin, Claude-Ernest Ndalla and Hurtaeo Pastén to which the Honourable Member refers have not so far been discussed specifically by the Ministers for Foreign Affairs meeting in European political cooperation.

These cases are such that they form part of a series of similar cases on which the Ten have repeatedly made their position clear, especially in the context of the CSCE and the United Nations, where they have reminded the countries concerned of their undertakings regarding human rights and fundamental freedoms.

Action by the Ten to ensure that these values are respected has also taken the form of direct approaches to the governments of a number of States, in Europe, Africa and Latin America, on behalf of persons or groups of persons where the gravity of the situation or the urgency called for joint action. This was done either through joint representations or by raising these issues in contacts between the Ten and the governments of the countries concerned.

86/060. Statement on the Elections Planned in Sudan

Date of Issue: 24 January 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Declaration

The Twelve welcome the announcement by the Transitional Military Council and the Council of Ministers of a timetable for general elections to be held in the Republic of Sudan in April 1986. They view the holding of these elections as a concrete step towards a return to democracy, to which aim the Sudanese Government pledged itself when taking over power in April 1985.

The Twelve express the hope that the elections will be preceded by negotiations designed to lead to national reconciliation.

86/061. Statement on the Combating of International Terrorism

Date of Issue: 27 January 1986

Place of Issue: Brussels

Country of Presidency: The Netherlands

Source of Document: Foreign Ministers

Status of Document: Declaration

1. The Twelve reaffirm their strong condemnation of the recent terrorist attacks at Rome and Vienna airports, which are the latest outrages in the persistent phenomenon of international terrorism. They deeply deplore the loss of innocent lives. The Twelve condemn all forms of international terrorism, the perpetrators, accomplices and instigators as well as governments that support them. They condemn statements emanating from any quarter expressing support for terrorist attacks. Such terrorist attacks can never be justified and do not serve whatever political cause the perpetrators claim to be assisting.

2. The Twelve express their strong concern about the tension that has developed in the Mediterranean. They reaffirm their support for urgent progress in the search for a just, lasting and comprehensive solution by peaceful means of the problems of the region and their readiness to play a part in efforts towards that end. The Twelve express the wish to cooperate with all States, including those in the region, to deny terrorists support, cover or refuge.

They are ready to embark on a dialogue in the most appropriate manner with the countries of the region on the problem of international terrorism and the need to tackle its roots.

States that favour or protect terrorists cannot expect indulgence nor can they expect to have normal relations with the Twelve.

The Twelve will study in what way they can jointly clarify responsibilities for terrorist acts. They call upon all countries which are supporting or have been accused of supporting terrorism to renounce such support.

3. The Twelve welcome the strong and unequivocal condemnation of all acts of international terrorism recently expressed by the Security Council and the General Assembly of the United Nations.

4. The Twelve reiterate their determination and commitment to combat international terrorism in all its forms. They have reviewed and increased their security arrangements and cooperation in an effort to prevent further terrorist acts. In this respect they welcome and fully support the resolution of the European Parliament of 16 January 1986 in which the representatives of the European peoples condemned in the strongest terms these barbaric acts of terrorism and asked Ministers to step up consultations and cooperation on anti-terrorist measures and public security.

5. The Twelve recall their previous decisions and efforts to curb these outrages, in particular:

- i) the agreement of September 1984 on a set of principles to increase cooperation against international terrorism, including the need for a joint response in the event of a serious terrorist attack involving the abuse of diplomatic immunity;
- ii) the recommendations dealing with the hijacking of aircraft adopted by the Ministers of the Interior and Justice in June 1985;
- iii) the decision of July 1985 to increase cooperation on aviation security.

Experts of the Twelve have continued to meet on numerous occasions during the last months to strengthen their cooperation and to elaborate common measures.

6. The Twelve have now decided to intensify these efforts and to promote common action, particularly in the following areas, both to improve their own defences against terrorism and to discourage those who support it:

- i) security at airports, ports and railway stations;
- ii) control by Member States of persons entering or leaving the Community and circulating in it;
- iii) visa policies with respect to the problem of terrorism;
- iv) abuse of diplomatic immunity.

They have decided to establish a permanent working body with a precise mandate, within the European political cooperation, which will monitor and give impetus to the implementation of the above-mentioned measures.

7. Furthermore, in addition to restrictions they already apply, the Twelve decided not to export arms or other military equipment to countries which are clearly implicated in supporting terrorism.

The Twelve have, in addition, decided to examine jointly with special care national measures designed to prevent the export of arms or other military equipment from being diverted for terrorist purposes.

8. The Twelve will do everything within their power in order to avoid their nationals and industry seeking any commercial advantage from measures in reaction to terrorist attacks and other terrorist activities.

9. The Twelve will keep the problems of international terrorism under constant review and take appropriate additional measures whenever the situation requires it.

86/062. Question No 728/85 by Ms Dury (S-B) concerning the American Trade Embargo Against Nicaragua

Date of Issue: 31 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency (on behalf of the Foreign Ministers and the Council)

Status of Document: Answer to written Parliamentary Question of 17 June 1985

On 1 May 1985, President Reagan announced a total trade embargo against Sandinist Nicaragua with effect from 7 May 1985. Can the Council of Ministers of the European Community explain its official and joint position on this measure and any protests it has made to the United States Government?

Answer:

The Council's position on the situation in Central America is clear and has been presented to Parliament on several occasions since the San José Conference in September 1984. The Community's analysis of the origin and causes of the crisis in this region as well as the resolute support which it is giving to the peace initiatives undertaken within the framework of the Contadora procedure is known.

Furthermore, at the San José Conference, the Council undertook to negotiate a framework cooperation agreement covering all six countries of the Central American Isthmus without discrimination or exclusion; this was signed on 12 November 1985 at the end of the Luxembourg Conference.

In particular, as regards the embargo decided upon by the United States *vis-à-vis* Nicaragua, the Community has not been asked to be associated with it.

86/063. Question No 845/85 by Ms Simons, Mr Mihr, Mr Peters, Mr Vetter, Mr Vittinghoff and Mr Wagner (S-D) concerning Coal Imports From South Africa Into the Community

Date of Issue: 31 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency (on behalf of the Foreign Ministers and the Council)

Status of Document: Answer to written Parliamentary Question of 3 July 1985

1. What contracts or agreements has the Community concluded with South Africa on coal imports?
2. Does the Community intend to uphold or indeed renew them?
3. Would the Council agree that the increasing repression of the black majority in South Africa calls for more tangible action particularly by the European Community, than mere manifestation of its rejection of apartheid? Does the Commission regard a Community ban on coal imports from South Africa as practical and feasible?

Answer:

1. No agreements of the kind which the Honourable Members refer exist with South Africa and the Council has not discussed the question of concluding any such agreements in the future.
2. At their meeting on 10 September 1985 the Ministers for Foreign Affairs of the Ten and of Spain and Portugal decided to maintain their pressure on South Africa and to that end to harmonize their attitudes on a number of restrictive and positive measures¹. As the Ten, together with Spain and Portugal, stated on 22 July 1985, they may have to re-examine their attitude in the absence of significant progress within a reasonable period². The question of other measures, including sanctions, remains on the agenda.

¹ *EPC Bulletin*, Doc. 85/172.

² *EPC Bulletin*, Doc. 85/161.

86/064. Question No 958/85 by Mr Seefeld (S-D), and Questions No 965/85, 1045/85 and 1117/85 by Mr Cottrell (ED-UK), on the Hijacking of Aircraft and on Safety at Airports

Date of Issue: 31 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency (on behalf of the Foreign Ministers and the Council)

Status of Document: Answer to written Parliamentary Questions of 12 and 25 July and 3 September 1985

Question No 958/85:

What action is the Council of Ministers taking in the Member States and in cooperation with other countries to improve the safety of airline passengers in view of the increase in the number of hijackings of airliners?

Question No 965/85:

Four serious incidents – two in Europe – now indicate the necessity for a massive increase in airport security. The hijacking of the TWA airliner at Athens and the bomb explosion at Frankfurt underline the fact that many lives are at risk. This view is reinforced by the loss of the Air India airliner with all passengers and crew in the sea off Ireland, and the explosion at the same time in luggage from an Air Canada jet off-loaded in Tokyo. Without presumption of guilt in any quarter at this stage will the Council now urgently recognize the necessity for a combined anti-terrorist policy at European airports, the elements of this policy to include:

- an urgent meeting of Foreign Ministers to confront the problem of airborne terrorism,
- the setting of maximum standards for the checking of passengers' luggage and air-freight,
- double inspection of all hand-baggage before boarding,
- new arrangements for transit passengers and checking of hand-baggage,
- effective checking of passports against the names on issued tickets,
- penalties against any airport which refuses to conform with higher standards?

Question No 1045/85:

On 29 April, airlines serving Athens airport sent a telex to Prime Minister Papandreu protesting over the inadequacy of security at Athens. This warning followed months of warnings about security at Athens

from IATA. The response of the Greek Government was to order airlines who have installed secondary screening equipment to remove it, on the basis that the necessity for it reflected badly on Greek security personnel. Even after the TWA airliner had been hijacked, one news reporter strolled unchecked through security at Athens. And even if those checks are properly operated, the inadequate perimeter fencing at the airport provides opportunity for security breaches. IATA declares that Athens is one of six key international airports causing immense concern. In the light of the TWA hijacking, what pressure will the Council now exert on the Greek authorities to improve security at Athens airport?

Question No 1117/85:

The decision of the Greek authorities to release a member of the terrorist gang who seized the TWA jet at Athens airport appears to be in clear contravention of the 1970 Hague Convention on hijacking. If the Council shares that view what representations to the Greek Government do they propose to make?

Answer:

The Council must point out that the introduction or stepping-up of measures to protect civil aviation against hijacking is not a matter for the Council. Such measures fall within the province of the Member States.

In this connection the Council would like to draw attention to the statement adopted by the Ministers for Transport at the Council meeting in Luxembourg on 24 June 1985 in which the Ministers, noting the resumption of terrorist activity against civil aircraft and airports, unanimously declared their resolve, through action by Member States in the competent bodies, to renew the determination of Community Governments to implement the necessary measures to ensure the highest possible level of security in civil aviation.

The Governments of the Member States of the Community fully share the concern expressed by the Honourable Members regarding the new wave of terrorism and air piracy and are agreed that every appropriate measure must be taken to deal with it.

On 20 and 21 June 1985, the Ministers for the Interior and for Justice meeting in Rome decided to step up cooperation to combat terrorism and organized crime.

The Ministers for Transport of the Ten at the Council meeting in Luxembourg on 24 June 1985 emphasized the determination of the Member States to take the necessary measures within the competent organizations to ensure the highest possible level of security in air transport.

Finally, in the statement of 22 July 1985, the Foreign Ministers expressed their profound concern at the resurgence of terrorist activity and the hijacking of aircraft, which violated every rule of civilized behaviour, and above all put innocent lives at risk¹.

They decided to examine as a matter of urgency, in the context of political cooperation, and in collaboration with the other Ministers competent in this area, the possibility of establishing and maintaining reinforced international security standards for air transport and airports with a view to preparing specific recommendations. This would involve concerted action by the Governments of the Member States to promote achievement of that objective by the ICAO. In addition, they intend to follow up their action in third countries which are not party to the existing international conventions to encourage their participation.

These problems have been the subject of more detailed examination, in the context of EPC, in an *ad hoc* working party which also comprised experts from other competent administrations.

¹ *EPC Bulletin*, Doc. 85/163.

86/065. Question No 1056/85 by Ms Heinrich (ARC-D) concerning Mozambique

Date of Issue: 31 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency (on behalf of the Foreign Ministers and the Council)

Status of Document: Answer to written Parliamentary Question of 25 July 1985

1. What measures is the Council considering to counter the activities of the MNR which is seeking to destabilize the country by using burnt earth tactics against the civilian population?
2. What Community development programmes are currently in progress for Mozambique?
3. Is their implementation threatened?
4. If so, by what?
5. Has the Council taken any steps against the machinations of MNR representatives and their offices in the Member States and if so, what measures?

Answer:

1. Mozambique is currently receiving Community aid under the programme of financial and technical assistance to non-associated developing countries.

It is also a party to the third ACP-EEC Convention, signed in Lomé on 8 December 1984, which should enter into force some time in 1986. Under this Convention Mozambique will in particular receive financial aid from the Community, aid which is currently being programmed.

It is the Commission which is responsible for implementing Community aid.

2. The member countries of the European Community confirm the need to ensure that the agreements between Mozambique and South Africa are respected in an effort to achieve greater security and increased stability in the region. They deplore the fact that continued fighting in Mozambique and outside interference have prevented this country from enjoying the economic security and other advantages which should result from implementation of the agreements reached. They emphasize that it is important that all governments encourage the promotion of peace and reconciliation in Mozambique and prevent unauthorized arms supplies.

86/066. Question No 1114/85 by Mr Cottrell (ED-UK) concerning the Situation in Zimbabwe

Date of Issue: 31 January 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency (on behalf of the Foreign Ministers and the Council)

Status of Document: Answer to written Parliamentary Question of 3 September 1985

The Prime Minister of Zimbabwe Mr Robert Mugabe has made serious threats against the safety and security of the white population of the country following their clearly expressed preference for the party of Mr Ian Smith in the recent elections for the white-reserved seats. Mr Mugabe has said there will be retaliation against the whites and says that he will encourage black employees to spy on their employers to find out which way they voted. This is racism in its worst form, and demonstrates the distaste which Mr Mugabe has for democracy. Since Mr Mugabe and many more of his friends in the black African States are constantly denouncing the European nations for their alleged support for racism, will the Council now make plain to Mr Mugabe that he should practice what he preaches? Will they do so within the framework of the EC-ACP convention, which is supposed to be concerned with the protection of human rights?

Answer:

It is not Council practice to comment on statements made by a leader of a State signatory to the Lomé Convention.

The Council would reiterate the importance it attaches to respect for human rights and human dignity under the new ACP-EEC Convention.

It is true to say that the situation concerning respect for human rights remains difficult. This matter is the subject of the concern and constant vigilance of the Twelve who will not fail to take due account of this problem in their contacts with the authorities of Zimbabwe.

86/067. Speech at the Occasion of the Political Dialogue with the Front-Line States in Lusaka

Date of Issue: 3 February 1986

Place of Issue: Lusaka, Zambia

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Statement in international forum

Mr Van den Broek: Mr President, Your Excellencies, Ladies and Gentlemen, may I, on behalf of the delegations of the twelve European countries present here, express my gratitude for the warm welcome extended to us by you, Mr President, by the Zambian people and by the representatives of the Front-Line States. We are impressed by the way in which Lusaka has received us and I can assure you, Mr President, that we all feel at home here and well prepared for the important task which lies ahead of us. Lusaka is known all over the world as a centre of intensive diplomatic activity intended to resolve the conflicts in Southern Africa. Your name, Mr President, has become synonymous with persistent efforts to achieve peace in the region. We know of the great trust which people all over Africa have in you and I can assure you, Mr President, that your statesmanship is equally admired in Europe. We therefore hope that the exchanges of views and the discussions which we will have today and tomorrow will make a contribution to the efforts to bring peace, stability and prosperity to Southern Africa.

Background to the Dialogue

The central and active role played by the Front-Line States in the search for solutions to the problems of the region is illustrated by this dialogue which commences here today. The dialogue has been initiated by the Front-Line States and in this connection I would like to pay particular tribute to the renowned African leader, former President Nyerere of Tanzania, for his contribution to this process. Africa and Europe have close political, historical and economic ties. This seems to be particularly true when it comes to Southern Africa. The situation in Southern Africa is frequently discussed in the framework of European political cooperation and interest among Europeans in the developments in Southern Africa is intense. In our national parliaments, in our newspapers and on our television screens attention is often focused on Southern Africa. Deep and strong though our ties may be, however, it is clear to all present here today, that the most important reason for us to gather today in Lusaka is our shared concern both about developments in the Republic of South Africa and about the wider international repercussions of these developments. Pretoria's reluctance to initiate the urgently-required change in South Africa, the abolition of apartheid and the creation of a society based on democracy, justice and equality, is not only undermining the prospects for peace and stability in South Africa itself. It is also endangering peace and stability in the region as a whole. May I add at this point, that the Twelve remain firmly committed to the development of all the Front-Line States. They will continue their contribution to this process, notably through the Southern African Development Coordinating Conference.

Reasons for the Twelve to enter the Dialogue

The Twelve are determined to use their collective weight to contribute to the abolition of apartheid and to this end a comprehensive set of measures was agreed upon in Luxembourg on 10 September 1985. The adoption of the Luxembourg programme was preceded by the visit of a European delegation to South Africa. This delegation had intensive discussions with the South African Government, and with representatives of a wide range of South African organizations. The delegation returned to Europe with a strong conviction that urgent measures to abolish apartheid had to be taken.

Policy of the Twelve on South Africa

The twelve European countries represented here are fully aware of the importance of convincing the South African Government and all parties concerned of the need for urgent and profound change without which the deteriorating situation and further escalation of violence in South Africa will continue. All eighteen nations present here should try to make common efforts to that end.

The Twelve have repeatedly made it clear that their rejection of apartheid is based on their total commitment to the fundamental human rights laid down in the United Nations Charter and in the Universal Declaration on Human Rights. Our basic position is clear: the system of apartheid should be completely dismantled to create a free, democratic and prosperous South Africa in which all South Africans, irrespective of race, will enjoy equal rights. The Member States of the European community firmly reject the use of violence from whatever source and have repeatedly called upon all parties concerned to seek peaceful solutions to the problems facing South Africa. All South Africans, whatever their colour, are entitled to live together in peace. The Twelve have appealed to the South African Government to commit itself, without further delay, to a programme of reform designed to abolish the system of apartheid.

In this respect they have taken note of President Botha's speech to Parliament on January 31, when he announced a number of measures affecting South African society. While these measures appear to contain positive elements they are both in time and substance inadequate to bring about the fundamental change which should follow from President Botha's recognition that 'South Africa has outgrown the outdated system of apartheid'. Time is running out. If a tragedy is to be averted, a real dialogue between the South African Government and the true representatives of the South African people, including those currently in prison, should commence as soon as possible.

In order to establish an environment in which such a dialogue would be possible, the Twelve have urged the South African Government to take confidence-building measures, notably:

- the lifting of the state of emergency;
- the immediate and unconditional release of Nelson Mandela and other political prisoners;
- the cessation of the practice of detention without trial;
- the termination of forced removals;
- and the repeal of legislation such as the pass laws and the Group Areas Act.

In this context, we welcome the initiative taken by Commonwealth Heads of Government to establish a Group of Eminent Persons to help encourage dialogue in South Africa.

Following the visit of the European mission to South Africa in August/September 1985, the Twelve decided to maintain their pressure on South Africa and to harmonize their attitudes on a number of specific measures including:

- a rigorously implemented embargo on the export to and the import from South Africa of arms and para-military equipment;
- a refusal to cooperate in the military sphere;
- the recall of military attachés accredited to South Africa and the refusal to grant accreditation to military attachés from South Africa;
- the discouragement of cultural and scientific agreements and sport contacts;
- a cessation of the export of oil and sensitive equipment to South Africa;
- prohibition of all new nuclear collaboration.

At this point, I would also like to recall the position of the Twelve that they reserve the right to review their attitude, if no acceptable progress in South Africa has been made within a reasonable period of time.

The Twelve share the view that they cannot provide a blueprint for South African society. It is the South Africans themselves who must decide on the future of their country. It is therefore felt by the Twelve that those groups and organizations in South Africa which contribute to peaceful change in their country should be supported. Measures to this effect taken by the Twelve include:

- programmes to assist non-violent anti-apartheid organizations, particularly the churches;
- programmes to promote the education of the non-white community;
- the intensification of contacts with the non-white community in the political, trade union, business, cultural, scientific and sporting sectors;
- and the initiation of programmes to increase awareness of apartheid and its consequences among citizens of the Member States resident in South Africa.
- strengthening the Code of Conduct for European companies with interests in South Africa, in order to improve its effectiveness as a way of contributing to the abolition of apartheid.

These various measures have been taken by the Twelve as a result of their determination to contribute to the creation of a new political climate in South Africa – one in which real prospects exist for profound and peaceful change.

Namibia

One of the major challenges facing Southern Africa is the continued illegal occupation of Namibia by South Africa, which is strongly condemned by the Twelve. The Twelve are deeply concerned about the lack of progress in the process leading to the independence of Namibia. The Namibian people have a right to self-determination and independence which they should be able to exercise as soon as possible through free elections, conducted according to the plan laid down in Security Council Resolution 435 and supervised by the United Nations. The Twelve therefore consider the interim administration, established by South Africa, to be null and void. Moreover, they find it unacceptable that the implementation of the United Nations plan is retarded by considerations which are unrelated to the substance of Security Council Resolution 435.

In the view of the Twelve, all conditions necessary for the implementation of this Resolution have not been fulfilled and we strongly advocate the immediate and full execution of the plan laid down in Resolution 435.

Angola and Mozambique

While the governments of the Front-Line States are attempting to further develop their countries, through for example their joint efforts in the Southern African Development Coordinating Conference, the continuing instability in the region seriously hampers such development. Violence in the region, particularly in Angola and Mozambique, has very serious consequences for economic and social progress and we are well aware of the suffering that war brings to the populations of these countries. The Twelve deeply regret that, in spite of various regional agreements reached in 1984, armed struggle continues in Angola and Mozambique and prevents these countries from pursuing national development.

South Africa's raids on neighbouring countries

It is, however, not only Angola and Mozambique which have suffered from violence, including large scale military operations by the South African Defence Force. In the streets of Gaborone and Maseru normal life has been brutally disrupted by South African raids during which innocent people, among them children, were killed by professional soldiers. The indiscriminate character of these killings has shocked people throughout Europe and has made them intensely aware of the violent nature of the political struggle in Southern Africa. These raids have been condemned by the Twelve as totally unacceptable breaches of the territorial sovereignty of the countries concerned. In this respect, the Twelve attach particular importance to recently adopted Security Council Resolutions in which South Africa's military

interventions are condemned and in which the parties involved are called upon to settle their differences peacefully. The Twelve have recently expressed in clear terms their concern on this point to the South African Government, urging the South African authorities to settle conflicts with neighbouring states by peaceful means.

Conclusion

In conclusion, Mr President, I would like to emphasize how clearly the Twelve realize that apartheid, South Africa's system of institutionalized racial discrimination is not only a denial of basic human dignity but also the fundamental obstacle to regional progress. To develop its full potential, Southern Africa requires peace, stability and justice. It is our sincere hope that we will be able, today and tomorrow, to contribute to the achievement of these ends. We are looking forward to our discussion which will, we are sure, be open, meaningful and, we trust, fruitful.

Mr President, our common goal is indisputably the ending of apartheid. Even where differences might occur regarding the most appropriate ways and means to achieve this end, you may rest assured of our unrelenting commitment to respond to the democratic aspirations of the people of South Africa. Once these aspirations are fulfilled, the expression 'front-line States' will have become a mere relic of the past.

86/068. Communiqué of the Meeting of the Foreign Ministers of the Front-Line States and Those of the Member States of the European Community on the Political Situation in Southern Africa, Held in Lusaka on 3 and 4 February, 1986

Date of Issue: 4 February 1986
 Place of Issue: Lusaka, Zambia
 Country of Presidency: The Netherlands
 Source of Document: Foreign Ministers
 Status of Document: Joint Declaration

1. The Foreign Ministers of the front-line States and those of the Member States of the European Community as well as a member of the Commission of the European Communities met in Lusaka, Zambia on 3rd and 4th February, 1986 to consider the situation in Southern Africa.
2. The meeting was held in an atmosphere of cordiality and complete trust and understanding.
3. The Ministers examined the general situation prevailing in the sub-region. In particular, they reviewed recent developments and the current situation in South Africa and discussed such issues as the policies to be followed *vis-à-vis* South Africa aimed at contributing to the abolition of apartheid and thereby facilitating a peaceful solution in South Africa; the relations between the Republic of South Africa and other States in the region; and the question of the independence of Namibia.
4. Regarding South Africa, the Ministers deplored the violence and the progressively deteriorating situation inside that country resulting in the continuing loss of life and destruction of property. They attributed this state of affairs to the existence and entrenchment of the immoral policy of apartheid and the refusal by the South African Government to abolish that system to pave the way for negotiations with all its citizens regarding the future of that country.
5. The Ministers regarded South Africa's policy of apartheid as a violation of the fundamental human rights laid down in the United Nations Charter and the Universal Declaration on Human Rights. In this regard, they re-affirmed their unqualified condemnation of apartheid and called for its elimination in the interest of peace and stability in Southern Africa.
6. In order to ameliorate the situation inside South Africa, the Ministers called on the government of the Republic of South Africa to declare categorically that apartheid will be dismantled completely, to end the state of emergency; and to initiate a dialogue with the genuine representatives of those South Africans now excluded from the present government structure on the future of that country. As a necessary step, they appealed to the South African government to release unconditionally all political prisoners and detainees, including Nelson Mandela, to facilitate the process of negotiations. In this

regard, they also urged the government of South Africa to lift the ban on the African National Congress of South Africa, Pan Africanist Congress of Azania and other political parties so as to create an atmosphere conducive to the desired political dialogue. Furthermore, the Ministers welcomed the creation of a Group of Eminent Persons by the recent summit of the Commonwealth aimed at promoting a dialogue in South Africa and urged the Government of South Africa to co-operate with the Group.

7. Concerning the policies to be followed *vis-à-vis* the Republic of South Africa aimed at contributing to the abolition of apartheid, the Ministers considered a wide range of options. They stressed the importance of continuing international pressure on the Government of South Africa to bring about the abolition of apartheid through peaceful means, in the interest of peace and stability in South Africa itself and in the region.

8. They agreed that the measures against South Africa announced by the EC, the Commonwealth, the Nordic countries, the United States of America and other governments and organizations are very important. In the event that all these various measures fail to achieve the desired results, the Ministers agreed that further measures should be considered.

9. Regarding relations between the Republic of South Africa and other Southern African States, they noted that the dismantling of apartheid would significantly contribute to the peaceful co-existence of all the States in the region. The Ministers condemned the military acts of aggression and destabilization perpetrated by South Africa against the neighbouring States in the region. In this connection they demanded the complete withdrawal of all South African troops from Angola. They deplored the loss of human life and destruction of property resulting from these actions on the part of South Africa. They recognised the fact that these actions cannot bring peace to the region; on the contrary, they endanger the peace and stability of the region.

10. The Ministers equally condemned South Africa's policy of destabilization in all its manifestations, including the use of any direct armed actions in neighbouring States, in particular Angola and Mozambique. In this regard they agreed to deny perpetrators of such actions any assistance or support.

11. In relation to Namibia, the Ministers condemned South Africa's continuing illegal occupation of that international territory and the stalemate in efforts aimed at securing its independence within the framework of the United Nations independence plan for Namibia. In this connection, they re-affirmed the centrality and relevance of United Nations Security Council Resolution 435 (1978) which to-date represents the only valid basis for a peaceful solution of the question of the independence of Namibia. They called for the implementation of this resolution without further delay. In this connection, the Ministers rejected attempts to delay Namibia's independence by linking it to the withdrawal of Cuban troops from Angola.

12. In this connection, the Ministers considered as null and void the so-called interim administration in Namibia which was set-up contrary to Resolution 435, and appealed to all countries to desist from giving it any form of assistance.

13. The Ministers re-affirmed the commitment of their respective countries to work towards the abolition of apartheid in South Africa and to promote efforts aimed at bringing about independence for Namibia.

14. The Ministers expressed their thanks and appreciation to the government and the people of Zambia for hosting the meeting and for the warm hospitality accorded to them during their stay in Lusaka.

86/069. Press Communiqué concerning the Meeting Between Mr Van den Broek and Mr Pik Botha, Foreign Minister of the Republic of South Africa

Date of Issue: 13 February 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Press release

On Friday 14 February Minister Van den Broek, representing the 12 Member States of the European Community, will have a meeting in Geneva with his South African counterpart.

Minister Van den Broek will communicate to his South African colleague in the clearest possible terms the Twelve's grave concern about developments in South Africa.

Minister Van den Broek will also draw the attention of the South African Minister to the conclusions of the consultations with the front-line States on 3 and 4 February in Lusaka.

86/070. Declaration on the Situation in the Philippines

Date of Issue: 14 February 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Presidency

Status of Document: Declaration

The twelve Member States of the European Community are deeply concerned about the developments arising from the presidential elections in the Philippines and in particular about the reports of fraud and violence.

They stress the great importance they attach to the strict respect for legal and constitutional procedures to ensure democratic elections.

In order to meet the expressed wishes of the Philippine people, they urge the Philippine authorities to facilitate a full and impartial investigation of these reports, commanding the full confidence of the Philippine people.

86/071. Question No O-171/85 by Ms Veil concerning Peace in the Middle East

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

What initiative does the Presidency of the Council intend to take to ensure that the Community makes a genuine contribution to the negotiations between Israel and its neighbours in respect of the peace process in the Middle East?

Mr Van den Broek, President-in-Office of the Foreign Ministers: Madam President, may I begin by expressing my appreciation of Ms Charzat's report and the further details she has provided. I can assure her that the report and also the motion for a resolution which it contains will certainly be useful in the European political cooperation meeting we shall be holding next week. I believe, if I may say so, Madam President, and although the Twelve have not yet been able, by the nature of the report, to discuss it or the resolution as a body, I believe that Ms Charzat has managed in her report to give a balanced picture of the concrete situation regarding the Middle Eastern problem as it has appeared to us recently, an exceptionally balanced presentation, and that the suggestions she makes will certainly merit consideration by the Twelve. The Twelve too will have to decide in the near future what part the Community can play in the Middle Eastern peace process. The Honourable Members of this House are sufficiently aware that respectful and very close attention has been paid for many years in European political cooperation to the peace process in the Middle East.

I think I can also add that there have been certain developments in the Middle East in recent months, in the past six months, which indubitably require renewed and close scrutiny. I am thinking of measures such as the Amman Agreement of 11 February last year between King Hussein and the Palestinians, an

initiative which was at the time, and still is, clearly supported and welcomed by the Twelve; initiatives by King Hussein which the Twelve still endorse, together with moves which are under way by President Mubarak of Egypt in response to those by King Hussein.

As things appear at the moment I believe it is of paramount importance, and I think Ms Charzat was right to point this out, that we should see how Europe can help to bring about negotiations between the parties most closely affected. We should concern ourselves not so much with devising blueprints for the outcome of negotiations but with trying to solve the problems which still stand in the way of the negotiations, to solve those problems and bring the parties closer together, to see where Europe can help to build bridges between those of differing views. The Europe of Twelve has by the nature of things many firm bases from which to do this, such as those laid down *inter alia* in the Venice Declaration, and not just there, but also in a large number of statements by the Twelve since 1980 prompted by events in the Middle East.

We were recently privileged to be visited by the Egyptian Foreign Minister who briefed us again on how Egypt views the situation and more particularly on a recent speech by President Mubarak on the Council of Europe, in which President Mubarak called on the Twelve to show where they stood on events in the Middle East, to step up their contacts with all the parties involved in the conflict, and to consider how the Twelve might try to bridge outstanding differences and get the parties to the negotiating table. As you know there are at least two crucial factors here: firstly, how to create an international forum in which such negotiations could start and, secondly, a crucial point on which the parties are deadlocked at present, how to involve the Palestinians in these negotiations, a matter on which the Twelve have stated their position fairly clearly, but one which is also extremely complicated and delicate.

And so, Madam President, I will return to what was actually my initial reaction and say once again how valuable Ms Charzat's report will be for us when we meet as the Twelve, in political cooperation. The same goes for the resolution, and I can assure her that the Twelve, at ministerial level also, are very receptive to the various appeals made to the Community actually by all parties to the conflict that it should try to help overcome the first and most important obstacle in getting negotiations under way between the parties most affected.

Without meaning to, Madam President – I don't know exactly in what order you wanted to take things – I think I have also answered Ms Veil's question, which came within this context and which more particularly asked what initiatives might possibly be taken by the Community. I have indicated that we shall ourselves be discussing the matter again shortly and what lines our thinking follows.

86/072. Question No O-202/85 by Mr Glinne and Others concerning Three Important Meetings in Southern Africa

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Three important meetings have been held during the past three weeks in Southern Africa: the APC-EEC Joint Committee in Swaziland, the meeting between the African and European partners of the SADCC and the meeting in Lusaka between the three Foreign Ministers of the Member States of the European Community and their counterparts from the front-line States.

In view of the contradictory interpretations placed on the outcome of the meetings in Harare and Lusaka in particular, it would be desirable for the President of the Council to provide Parliament with the Presidency's assessment of these meetings. Where parallel meetings held during the Lusaka and Harare meetings and, if so, by whom and with what results?

Mr Van den Broek, President-in-Office of the Council: Mr President, the Honourable member Mr Glinne asked about the recent conferences in Harare and Lusaka. The Harare conference, of the SADCC, took place on 30 and 31 January and was an important meeting which reviewed the first five years of the

SADCC, Southern Africa's development organization, as you know, and discussed strategy for the next five years. As usual emphasis was laid during this meeting on the technical and financial aspects of cooperation between the SADCC member States and the donor countries.

Ongoing projects were also discussed in depth and new projects and programmes were set in train, among them the improvement of systems of transport between the ports of Beira and Dar-es-Salaam and the hinterland, training programmes and agricultural programmes. As you know the aim of contact, with the donor countries too, is to reduce the economic dependence of those countries on the economy of South Africa.

Political discussions among the front-line States took place in Lusaka on 3 and 4 February this year, attended by political representatives of all twelve EC Member States. The discussions covered the developing situation in South Africa, the question of Namibia, the attitude of South Africa towards the neighbouring States and ways of assisting the process of peaceful change in South Africa. This was an exchange of views not previously held in any such forum, and in our view it was extremely important for the countries of both groups taking part. This is particularly apparent from the content of a joint final communiqué by all eighteen countries, which I am passing on to your secretariat. In the view of the Twelve the dialogue has enabled us to reaffirm and give new strength to our support of the front-line States, their total condemnation of apartheid and their determination to work for its total abolition. To this extent the meeting can certainly be regarded as a success.

In a parallel meeting leading members of the EC delegation also met on 3 and 4 February with representatives of the ANC and SWAPO for a thorough exchange of views on the situation in South Africa. The ANC was told that the European Community would continue to work for a lifting of the ban on certain political organizations in South Africa, whilst the ANC representatives were also called on to do more to bring about peaceful change in Southern Africa.

Finally, Mr President, it is not essential but nevertheless interesting to mention the meeting I had in Geneva last Friday on behalf of the Twelve with the South African Foreign Minister Mr Botha. It goes without saying that I made use of this meeting to reiterate the worry and anxiety of the Twelve over the situation in South Africa, to set out the conclusions reached by the eighteen countries meeting in Lusaka and to underline once again how important it is in the view of the Twelve that the South African Government should take credible measures which will open the way for a national dialogue between the Government and the truly representative leaders, including those of the black population, all of this aimed of course at achieving fundamental peaceful change.

86/073. Question No H-744/85 by Sir James Scott-Hopkins concerning the Arrest and Torture of Suspect Government Opponents in Zimbabwe

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Can the Foreign Ministers say whether they are aware of the investigations carried out by Amnesty International which show that the arrest and torture of suspect government opponents in Zimbabwe has risen sharply since the July general election? What representations have been made to the Zimbabwean Government on this subject in recent months? What do the Foreign Ministers intend to do now to try to prevent such violations of human rights occurring?

Mr Van den Broek, President-in-Office of the Foreign Ministers: Sir James' question concerns the situation in Zimbabwe. Referring to reports by Amnesty International and others dating, I believe, from some time ago, he is asking about the situation as it is at present.

Is the Honourable Member aware that an attempt is currently being made in government circles in Zimbabwe to bridge what have regrettably become traditional political and ethnic differences between the

two main political groups? We know that such efforts have not succeeded in the past, on the contrary that they have actually led to situations like that in Matabeleland, on which the Community has expressed concern. I trust that the groups concerned will indeed see their way to overcoming their differences.

Sir James Scott-Hopkins (ED): Will the Minister accept that these killings are still going on in Matabeleland, as far as one can hear, and certainly from the reports of Amnesty International? Would it not be helpful if the Foreign Ministers acting in political cooperation could give more aid to Zimbabwe? That might be one of the things that could ease the situation there. Everything else seems to have been tried and failed. Perhaps that is the only avenue along which to continue.

Mr Van den Broek: I can assure the Honourable Member that the Twelve or the Presidency have not ceased and will not cease in their dealings with the Zimbabwe authorities to take due account of the problems which the Honourable Member raises.

Mr De Vries (L): In view of the fact that the Council's efforts to improve the situation have not brought any worthwhile results so far, does the Council Presidency share my view that it is time for a discussion by the Twelve on their development relations with Zimbabwe, whereby both the stepping up and if necessary the freezing or reducing of development cooperation might be considered?

Mr Van den Broek: We are getting into a rather delicate discussion now, because that is naturally a fundamental problem. If I may in turn refer to information from Amnesty International which shows that 123 of the 160 members of the United Nations are in some way guilty of human rights violations, and if I refer to earlier discussions by the Twelve whereby in the past human rights violations in a third world country have only once brought repercussions for the development relations between the EC and that country, I hope that Mr De Vries's question can be regarded as premature.

86/074. Question No H-768/85 by Ms Van den Heuvel concerning Coal Imports from South Africa

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Do the Ministers consider that last year's large increase in coal imports from South Africa in practically all Member States (see answer to Written Question No 1002/85)¹ is compatible with the Luxembourg decisions concerning trade sanctions against South Africa, even though these decisions do not specifically relate to trade in coal, and are these facts a further incentive for Ministers to adopt more far-reaching sanctions?

Mr Van den Broek, President-in-Office of the Foreign Ministers: I can only say to Ms Van den Heuvel that she may well be right as regards the increase in Community coal imports from South Africa, but this is not an import item covered by the package of restrictive measures agreed on by the Foreign Ministers on 10 September last².

Ms Van den Heuvel (S): I was aware of the last fact. The question also says that it is not part of the package. But it cannot be the intention of the Twelve on the one hand to adopt a package of measures against apartheid in South Africa and on the other to help coal imports from that country to go on increasing. So my question was not whether this was included in the package; I knew that beforehand. My question was whether or not this was a reason to go further than the package agreed on in Luxembourg.

Mr Van den Broek: If it imports into the Community which are meant, we are not discussing those here. The nature of the question is quite different: what do the Twelve seek to agree on if they are considering restrictive measures – sanctions – against South Africa? I phrased my answer initially as I did in order to intimate to Ms Van den Heuvel that the Twelve as such are not prepared to take measures of the kind she suggests.

Mr Ulburghs (NI): Can the Minister confirm that imports of South African coal, because of low wages and apartheid, constitute a grave threat to the Community coal industry? Is he aware that the social and religious organizations in South Africa are themselves pressing for such a boycott? If so, what steps might the Ministers take for a boycott of South African coal?

Mr Van den Broek: The subject as such has never been discussed by the Twelve. Speaking personally, on my own account, I can say that if we talk of the desirability or otherwise of restricting coal imports from South Africa the discussion will not be prompted by the question of how far such imports constitute a threat to our own coal industry. I would also remind the Honourable Member that many Community countries also import coal from third countries, which might be a threat to their own coal industries.

Ms Tongue (S): How could the South African Foreign Minister return to South Africa after talks with Mr Van den Broek in Geneva and say he was 'encouraged' by his discussions? Does the Minister believe it is his task to encourage the South African Government? Did he assure him that coal imports from South Africa to the European Community would increase this year – imports which are the product of slave labour and which have been stopped by a Swedish Socialist Government and by a Danish Conservative Government?

Mr Van den Broek: I think the connection with the earlier question of whether Mr Botha, South Africa's Foreign Minister, said he was encouraged or not, is somewhat contrived. I have just made clear, in my reply to Mr Glinne's question³ what message I gave to the South African Minister. I cannot judge my South African counterpart's reasons for saying that he was encouraged. If he had said he felt encouraged as a result of our conversation to follow the course urged by the EC of the Twelve or the political representatives of the Twelve, then I would feel some satisfaction, for the simple reason that the message transmitted to him was this: what has been done to date is not enough, more must follow and quickly.

Mr Blumenfeld (PPE): Can the President-in-Office confirm that one of the most impressive leaders of black Africans, Chief Buthelezi, has asserted, in the course of his visit to Europe in recent weeks, in Strasbourg, London, Bonn – and I assume also in The Hague – that the effect of sanctions, especially on mineworkers, is to make them unemployed, that they are a backward step economically because they hit hardest in precisely those regions of South Africa where they affect the wrong people, and that consequently they are not an effective means of combating apartheid?

Mr Van den Broek: I am very familiar with Chief Buthelezi's arguments. I would also remind the Honourable Member that even inside South Africa there is not unanimity regarding the desirability or otherwise of imposing economic sanctions against South Africa. I must thus tell the Honourable Member that this view is just one view, that there are many others pressing very strongly both inside and outside South Africa for economic sanctions, and I am thinking here of the front-line states, which might be used as a means of exerting political pressure on the South African Government.

¹ *Written Question* No 1002/85 to the Commission, No C 291, 13 November 1985, pp.11-12.

² *EPC Bulletin*, Doc. 85/172.

³ *EPC Bulletin*, Doc. 86/072.

86/075. Question No H-776/85 by Mr O'Donnell concerning the Disappearance of Fr Rudi Romano

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Have the Foreign Ministers received any report from the Phillipine authorities as to the whereabouts of Fr Rudi Romano or on the progress of the official investigations into his disappearance, and if not, whether it is proposed to take any further action on the matter?

Mr Van den Broek, President-in-Office of the Foreign Ministers: In my reply to oral question No H-628/85¹ I told the Honourable Member that the Twelve have approached the Philippine Government for information concerning the fate of Father Romano.

The Philippine authorities have made it known that an enquiry has been instituted and that the findings will be communicated to a representative of the Twelve in Manila. The Twelve have not as yet received the results of the enquiry. Their representatives in Manila are following attentively the case of Father Romano, a member of the Redemptorist order, and will keep the Honourable Member informed of their efforts.

Mr O'Donnell (PPE): Unfortunately, I find the Minister's reply most unsatisfactory and disappointing. It is an appalling situation that although Father Romano was abducted in July 1985, to date we do not know of his whereabouts or whether he is alive or dead. Would the Minister, together with his fellow Ministers, renew their efforts to obtain some positive information from the Philippine authorities as to Father Romano's whereabouts – a matter of great concern?

Mr Van den Broek: I can assure the Honourable Member that we find the course of events just as unsatisfactory as he does and we propose to bring the matter to the attention of the Philippine authorities again if no further details are forthcoming within a reasonable period of time.

Mr Balfe (S): Will the Minister accept that many of the Roman Catholic communities in my area are deeply concerned at the continuing lack of news about Father Romano, and will he make contact with Mr Philip Habib, Mr Reagan's special envoy to the Philippines, and ask that he raise this matter during the course of his talks in the Philippines?

Mr Van den Broek: I will consult the Twelve further on this matter.

Mr Maher (L): Knowing the despicable record of the Marcos regime in the Philippines with regard to human rights, is it really a useful exercise to be dealing with the Philippine Government on a matter of this kind? Are you likely to get the truth, or would it not be more fruitful now to approach the real government of the Philippines – namely, Ms Aquino and her followers – and see whether they could help you to find out exactly what has happened to Father Rudi Romano.

Mr Van den Broek: The Honourable Member can rest assured that all possible sources of information on the spot will be tapped in order to obtain more information about Father Romano's disappearance.

Mr Alavanos (COM): I would like to return to the question put by my colleague Mr Maher, regarding which authority the Community will appeal to considering the matter of Reverend Romano. With this opportunity, I would also like to ask the President-in-Office to tell us what effect recent events, in other words the illegitimacy of the elections and the massive loss of confidence by the Philippine people in the Marcos regime, have had on the Community's diplomatic representation, and generally its policy toward the Philippines.

Mr Van den Broek: I was just wondering whether I could mention a statement issued, I think, by the Twelve about events in the Philippines leading up to the elections and in which clear disquiet was expressed. So much in reply to the Honourable Member who asked this most pertinent supplementary question. As for the rest, no further position has been decided on by the Twelve regarding relations with the Philippines as such.

¹ *EPC Bulletin*, Doc. 85/262.

86/076. Question No H-777/85 by Ms Tongue concerning an EC Programme of Measures as Regards Dismantling Apartheid

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

At a recent meeting of Church leaders from Western Europe, North America, Australia, South Africa and other parts of Africa, the apartheid structure was declared to be 'against God's will and morally

indefensible'. In view of the strong feelings in the European Parliament that apartheid should be dismantled and that the European Community should associate itself with the cause of the South African Council of Churches, South African Catholic Bishops Conference and the Confederation of South African Trade Unions, will the Council establish a programme of positive measures in close consultation with the aforementioned organizations, aimed at dismantling apartheid in South Africa?

Mr Van den Broek, President-in-Office of the Foreign Ministers: That is more a question about South Africa and Community measures, to wit the Luxembourg package of 10 September last. I would remind the Honourable Member that on 10 September the Twelve agreed on a package comprising not only restrictive measures but also so-called 'positive measures' aimed at helping to get rid of apartheid in South Africa. One of these positive measures is the inclusion in the Community's 1986 budget of 10 million ECU, and the Council agrees that priority must be given in allocating these funds to measures to improve the social position and education and training of the non-white population and of political refugees. These Community activities will be pursued in cooperation with appropriate partners in South Africa, for example the churches, and are designed to intensify the positive measures already taken by individual Member States.

Ms Tongue (S): Do I therefore have an assurance from the Council that it will not in any way alter the content of the programme of measures towards dismantling apartheid discussed by the South African Council of Churches and the South African Catholic Bishops Conference with the European Commission? Can the Council give this House assurances that funds from the EEC – the 10 million ECU you mentioned – will not be used for programmes which the apartheid regime could be legitimately expected to cover, and programmes initiated and controlled by the so-called independent Bantustans?

Mr Van den Broek: There is an agreed procedure within the EC whereby the Commission can put forward proposals for the use to which such funds are put. Naturally the Member States can also comment on these. For this purpose it is agreed that a group of experts from the Twelve meet on a regular basis. Projects which encounter opposition from certain delegations are referred to COREPER or in the final instance, if agreement cannot be reached, to the Council.

Ms Van den Heuvel (S): I should like to ask the Minister if the wish he has publicly expressed to meet with Mr Savimbi, the leader of the armed opposition to an ACP State, is also to be regarded as a positive measure in the fight against apartheid and oppression. I would ask the Minister whether he consulted the Heads of State of the ACP countries before making this statement and expressing this wish?

Mr Van den Broek: I have the feeling that whenever we talk about South Africa things get over-simplified and that the finer points are lost from sight. What I mean is this. At no time, Ms Van den Heuvel, did I express the wish to meet with Mr Savimbi. I was asked, on the occasion of Mr Savimbi's visit to the White House in Washington, if I would also be prepared to meet him. I then replied that it was the policy of the Netherlands Government – I was speaking personally and not as President of the Twelve – of the Netherlands Ministry of Foreign Affairs, to be prepared to meet with all kinds of groups, including opposition groups, so that it could also take account of the views of those groups. On one occasion, for example, when a party in the Netherlands, the Labour party, pressed for contacts to be established with the armed resistance in El Salvador, the Netherlands Government did this in order to see how far the views of the opposition and those of the Government might be reconciled. The same has been done in Nicaragua, and in Angola. But this should not be construed as a declared wish on my part to meet Mr Savimbi, because there has never been any question of that.

86/077. Question No H-730/85 by Mr Marshall concerning the Spanish Law on Foreigners

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Have the Foreign Ministers discussed this law, which imposes discrimination on non-Spanish owners of property, many of whom are Community citizens?

Answer:

This matter does not fall within the terms of reference of the Foreign Ministers meeting in political cooperation.

86/078. Question No H-794/85 by Mr Selva concerning the Terrorism at Rome and Vienna Airports

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

What action does the Council intend to take in view of the statement by Colonel Ghaddafi's official Libyan press agency that the terrorist attacks at Rome and Vienna airports on 27 December 1985, which claimed many lives, including that of an eleven year-old girl, were 'heroic operations'? Although this statement has since been toned down, the even more serious fact remains that the passports used by the three terrorists from the Abu Nidal group who carried out the Rome massacre were confiscated from Tunisian citizens by the Libyan authorities and that Abu Nidal is being given shelter and assistance in Libya.

Answer:

The Ministers of Foreign Affairs of the Twelve have condemned all forms of international terrorism, the perpetrators, accomplices and instigators as well as governments that support them. They have also condemned statements emanating from any quarter expressing support for terrorist attacks. Such attacks can never be justified and do not serve whatever political cause the perpetrators claim to be assisting.

The Twelve have expressed the wish to cooperate with all States to deny terrorists support, cover or refuge. They have made it known that States that favour or protect terrorists cannot expect indulgence nor can they expect to have normal relations with the Twelve. They have called on all countries which are supporting or have been accused of supporting terrorism to renounce such support.

In addition to restrictions they already apply, the Twelve have decided not to export arms or other military equipment to countries which are clearly implicated in supporting terrorism. They will examine jointly with special care national measures designed to prevent the export of arms or other military equipment from being diverted for terrorist purposes. A statement to this effect was issued by the Twelve on 27 January 1986¹.

¹ *EPC Bulletin*, Doc. 86/061.

86/079. Question H-816/85 by Mr Lomas concerning Human Rights in Grenada and Mr Chester Humphries

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Will the Foreign Ministers make representations to the appropriate authorities in Grenada on behalf of Mr Chester Humphries, President of the Technical and Allied Workers' Union, who was arrested in

Grenada, following the United States invasion in 1983? Mr Humphries was first charged with arms smuggling, this charge was later dropped. He was then charged with forging a document in the United States and extradition was demanded by the United States Government. He has been ill-treated in prison and is now on hunger strike, his condition is poor and he is extremely weak. Will the Foreign Ministers press for Mr Humphries' immediate release from prison, and impress upon the Government of Grenada, which is part of the ACP/EEC Agreement, the need to improve its human rights record?

Answer:

Since the Honourable Member tabled his question, Mr Humphries' case has been considered by the Grenada Court of Appeal. The three judges were unanimous in their decision on 21 January which reversed earlier rulings of the Magistrates Court and the High Court. Mr Humphries was released.

86/080. Question No H-841/85 by Mr McMahon concerning Latin America and Question No H-856/85 by Mr Alavanos on Lifting the Economic Embargo Against Nicaragua

Date of Issue: 19 February 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

Question No H-841/85:

Have the Foreign Ministers discussed attempts by the US to destabilize the Nicaraguan regime by imposing a trade embargo on Nicaragua and have the Ministers considered the positive proposals put forward by the Scottish Churches Council to bring peace to Central America?

Question No H-856/85:

At the beginning of December, the UN General Assembly adopted, by 84 votes to 4 with 33 abstentions, a Nicaraguan motion for a resolution calling for the immediate lifting of the US embargo against Nicaragua.

Do the Foreign Ministers intend to approach the USA Government to ensure that it respects and complies with the above UN resolution?

Answer:

The Twelve have repeatedly made clear their conviction that the problems of Central America can only be resolved through a negotiated settlement based on the Contadora objectives and involving all the parties concerned. They have ensured that the US administration is aware of the Twelve's views including the importance which they attach to Nicaragua and the US resolving their bilateral differences through the appropriate diplomatic channels.

As was made clear at the ministerial meeting in Luxembourg in November 1985¹ the Twelve are ready – if called upon – to consider providing appropriate assistance in support of the peace process in Central America.

¹ *EPC Bulletin*, Doc. 85/253.

86/081. Question No H-857/85 by Mr Ephremidis on the Lifting of Economic Sanctions Against Libya

Date of Issue: 19 February 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

The imposition of an economic embargo by the USA and the various other measures (transfer of the Sixth Fleet to the Mediterranean, etc.) taken against Libya, especially in the absence of proof of Libya's involvement in the recent Arab terrorist attacks in the airports of Rome and Vienna, are straining still further the already tense situation in the Middle East.

What measures do the Foreign Ministers intend to take to exert pressure on the USA to lift economic sanctions against Libya and call a halt to their reported hostile preparations in the area?

Answer:

The Twelve would like to point out again that they have on numerous occasions strongly condemned the scourge of terrorism, most recently on 30 December 1985 following the attacks in the airports in Rome and Vienna¹.

The Twelve have condemned all forms of terrorism and not only the perpetrators, accomplices and instigators but also the governments which support them. They also condemn statements from any source which express support for terrorist attacks. Such attacks can never be justified and cannot help any political cause which the perpetrators claim to support.

The Twelve have not discussed the issue of the measures referred to by the Honourable Member.

¹ *EPC Bulletin*, Doc. 85/333.

86/082. Question No H-858/85 by Mr Adamou on Siting Pershing and Cruise Missiles in West Germany

Date of Issue: 19 February 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

What is the Foreign Ministers' position with regard to the siting of 108 Pershing II missiles in West Germany and the recent siting of the first of the 98 cruise missiles that are to be installed there, and what is their attitude towards the opposition of the peace movement in West Germany, whose members are calling for the Pershing II and cruise missiles to be removed from their country?

Answer:

The question tabled by the Honourable Member touches on military aspects of security and therefore lies outside the scope of European political cooperation.

86/083. Question No H-859/85 by Mr Simpson concerning Ethiopia

Date of Issue: 19 February 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Will the Council please state what steps it has taken since its reply in October to Question H-370/85¹ by Mr Elles to persuade the Ethiopian Government to bring about a cease-fire in the civil wars in Eritrea and Tigre, and is the Council satisfied with the present arrangements for distribution of Community food aid in Ethiopia, particularly in the war-torn areas of Eritrea and Tigre?

Answer:

The Twelve would point out that in the course of their regular contacts with the Ethiopian Government, at which the problems caused by the distribution of emergency food aid in the famine-hit areas of the north are discussed, they have stressed, and continue to stress, the importance they attach to an early end to the fighting.

In its answer of 12 June 1985 to the oral question with debate tabled by Mr Jackson and others² the Council described the arrangements for the distribution of food aid in Ethiopia, bearing in mind the strictly humanitarian nature of that aid which is designed to meet the needs of all those suffering from hunger. It pointed out that those arrangements, which are still in operation, are in line with the appeal made to the governments of the countries affected, i.e. including Ethiopia, that they should do their utmost to ensure that food aid and emergency aid should be directed to all the regions affected and benefit all the people involved.

On the basis of the information supplied by the Commission in particular, the Council is keeping a close watch on the development of the food situation in Ethiopia. It would currently appear that despite some improvement, the situation is such that aid campaigns must be continued, especially as part of the plan for the recovery and rehabilitation of the African countries most affected, in respect of which the Council (of Development Ministers) reached agreement in November 1985.

¹ *EPC Bulletin*, Doc. 85/197.

² *OJ* No 2-327 of 12 June 1985, pp. 101-105.

86/084. Question No H-873/85 by Mr Boesmans concerning Serge Berten

Date of Issue: 19 February 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

The Flemish 'Scheut' missionary, Serge Berten, was abducted in Guatemala on 20 January 1982 by an extreme right-wing commando group. Since then there has been no news of him. Have the Foreign Ministers meeting in political cooperation recently made any further representations to the Guatemalan authorities to discover Serge Berten's fate? If not, why not? If so, exactly what information have the Ministers obtained, so that the truth about the disappearance of Serge Berten will finally be known?

Answer:

The question on human rights in Central America is a constant preoccupation of the Twelve and they follow with particular concern incidents involving citizens of the Member States of the European Community. The specific case mentioned by the Honourable Member has not, however, been discussed within the framework of European political cooperation. The previous government of Guatemala never clarified the circumstances in which the Belgian national, Berten, disappeared in Guatemala in spite of the numerous demarches by one of the Member States.

86/085. Declaration on the Relations Between Costa Rica and Nicaragua

Date of Issue: 24 February 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Declaration

The Twelve welcomed the news that Nicaragua and Costa Rica, in their letters of 13 February 1986, put an end to their dispute and agreed to pave the way for constructive relations based on peaceful coexistence and mutual respect.

The Twelve fully support this gesture of goodwill, which constitutes a positive contribution to the easing of tension in the region and to the Contadora peace process.

86/086. Declaration on Southern Africa

Date of Issue: 25 February 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: Foreign Ministers/The Twelve
Status of Document: Declaration

The Ministers discussed recent developments in Southern Africa. They reaffirmed their position as set out in the joint communiqué with the front-line States, issued in Lusaka on 4 February 1986, and expressed their grave concern about the progressively deteriorating situation and about the lack of real progress towards the abolition of apartheid. These concerns were conveyed in the most forthright terms to the Minister of Foreign Affairs of the Republic of South Africa by the Presidency on behalf of the Twelve in Geneva on 14 February 1986.

The Ministers reviewed President Botha's speech of 31 January 1986. They call upon the South African Government, as an earnest of its good intent, to implement as soon as possible the reforms announced in that speech. The Ministers concluded, nevertheless, that the proposed reforms as presented fell short of the urgent and far-reaching measures which are required to abolish apartheid in the shortest possible term. Recent events in Alexandra have once again highlighted the seriousness of the situation.

The Ministers once more stressed the need for a national dialogue with the genuine representatives of those South Africans excluded from the present government structure. They call upon the South African Government to take the necessary measures to promote this dialogue without delay. These measures should involve, *inter alia*, the unconditional release of Nelson Mandela and all political prisoners and detainees, the lifting of the ban on the African National Congress and other political parties, the termination of the state of emergency as well as the suspension of the process leading to the 'independence' of Kwandbele.

The Ministers noted that the measures agreed upon in Luxembourg on 10 September 1985¹ are now being implemented. They noted that funds have been set aside for projects in favour of victims of apartheid.

The Ministers reaffirmed that in the absence of significant progress in the abolition of apartheid within a reasonable period the attitude of the Twelve on South Africa will need to be reconsidered.

The Ministers condemned all acts of aggression and destabilization perpetrated by South Africa against neighbouring States in the region. They demanded once again the complete withdrawal of all South African troops from Angola. In this context they also addressed the concerns recently expressed by the Government of Angola.

¹ *EPC Bulletin*, Doc. 85/172.

86/087. Declaration on the Iran-Iraq Conflict

Date of Issue: 25 February 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Declaration

The Twelve are gravely concerned by the renewed escalation of the conflict endangering peace and security in the whole region. They call upon the parties to the conflict to respect strictly the sovereignty and territorial integrity of neighbouring States and not to interfere with the third countries' commercial navigation in international waters or with civil aviation in the area.

The Twelve are particularly alarmed by renewed violations of humanitarian law and other laws or armed conflict, including the use of chemical weapons, and they condemn such violations wherever they occur.

The Twelve welcome and fully support the renewed appeal made by the Secretary-General of the United Nations on 14 February 1986, to the Governments of Iraq and Iran for a cessation of hostilities, in order to facilitate efforts to promote a just and peaceful solution of the conflict. They urge both parties to cooperate with these efforts of the Secretary-General. The Twelve believe that a solution should be based on a thorough examination of all aspects of the conflict. On such a basis they urge both parties to comply with the terms of Security Council Resolution 582, adopted unanimously on 24 February 1986 and to cooperate with the Security Council in its efforts to help achieve a just and honourable peace between Iraq and Iran.

As before, the Twelve are ready to lend their support to these and other endeavours, which have the object of bringing the conflict to a solution in the shortest possible time, thus restoring peace and international security in the area.

86/088. Declaration on Sri Lanka

Date of Issue: 25 February 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Declaration

The Twelve are following developments in Sri Lanka closely and wish to express their regret that the intensive efforts to bring about a reconciliation have unfortunately not yet been successful. They appeal to all parties concerned to continue their dialogue in order to achieve a political solution, in the interest of peace and reconciliation within the framework of a united Sri Lanka.

The Twelve value the fact that, with the agreement of the parties involved, India is supporting the search for a political solution.

86/089. Press Communiqué on the Philippines

Date of Issue: 25 February 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Press Statement

The twelve Ministers of Foreign Affairs of the Member States of the European Community discussed the current developments in the Philippines to which they have already referred in their Declaration of 14 February 1986.

The Twelve commend the adherence of the Philippine people to democratic principles. This was evident during the elections and became increasingly evident in the views put forward by church leaders, trade unions, commercial and industrial circles and by sections of the armed forces.

The Twelve warmly commended Ms Aquino for her consistent stand in defence of democratic principles and for the important role she is now playing in the Philippines. The Twelve convey their congratulations to Ms Aquino, who as President of the Philippines will have the heavy responsibility to fulfill the deepest desires of the Filipino people.

Reaffirming their belief that democratic processes must be respected, the twelve Member States of the European Community will continue to support the forces of democracy in the Philippines.

They welcome the fact that President Marcos has decided to step down. They are confident that this action will contribute to the restoration of democracy in the Philippines and the promotion of national reconciliation.

The EC ambassadors have been requested to bring this statement to the attention of Ms Aquino. Member States of the Association of South-East Asian Nations and their dialogue partners will also be informed.

86/090. Ministerial Decision on the Practical Application of Certain Aspects of Title III of the Single European Act

Date of Issue: 28 February 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: Foreign Ministers

Status of Document: Decision

The Foreign Ministers, meeting in the framework of European political cooperation, hereby decide, on the occasion of the signing of the Single European Act¹ to adopt the provisions set out in the body of this text concerning the practical application of certain aspects of Title III of this Act. These provisions may be reviewed in accordance with the procedures in force within European political cooperation.

The Ministers confirm that the customary procedures which have been set up to ensure the practical working of European political cooperation, in particular in the Luxembourg (1970), Copenhagen (1973) and London (1981) reports and the Solemn Declaration on European Union (1983), and which are summarized in the 'Coutumier', remain in force, the following provisions being supplementary to them.

I. Relations between European political cooperation and the European Parliament

With a view to ensuring the close association of the European Parliament with European political cooperation contacts with the European Parliament shall take place as follows:

1. The Presidency shall regularly inform the European Parliament of foreign policy topics discussed in the context of European political cooperation.

2. The Presidency shall address the European Parliament at the start of its period in office and present its programme. At the end of this period, it shall present a report to the European Parliament on progress made.

3. Once a year, the Presidency shall send a written communication to the European Parliament on progress in the field of European political cooperation and take part at ministerial level in the general European Parliament debate on foreign policy.

4. The Presidency-in-Office of European political cooperation and the members of the Political Affairs Committee of the European Parliament shall hold an informal colloquy four times a year to discuss the most important recent developments in European political cooperation.

In order to prepare these colloquies, the Political Committee shall draw the Ministers' attention to the positions adopted by the European Parliament on foreign policy matters.

In order to make these discussions more fruitful the Presidency and the Political Affairs Committee of the European Parliament shall communicate to each other in advance the main possible topics for discussion.

5. By joint agreement, special information sessions at ministerial level on specific European political cooperation topics may be organized as required.

6. The Presidency shall reply to parliamentary questions on European political cooperation activities and take part in European Parliament question time according to the approved customary procedures.

7. The Presidency shall ensure that the views of the European Parliament, as expressed in its resolutions, shall be duly taken into consideration in European political cooperation work. It shall reply to resolutions on matters of major importance and general concern on which the European Parliament requests its comments.

8. The Presidency shall transmit to the European Parliament as soon as possible declarations adopted within the framework of European political cooperation.

II. Cooperation of Member States' missions and Commission delegations in third countries and international organizations

1. Member States' missions and Commission delegations shall intensify their cooperation in third countries and international organizations in the following areas:

- a) exchange of political and economic information;
- b) pooling of information on administrative and practical problems;
- c) mutual assistance in the material and practical sphere;
- d) communications;
- e) exchange of information and drawing up of joint plans in case of local crises;
- f) security measures;
- g) consular matters;
- h) health, particularly in the field of health and medical facilities;
- i) educational matters (schooling);
- j) information;
- k) cultural affairs;
- l) development aid. The relevant Council provisions should be noted here.

2. The Member States' Heads of Mission and the Commission's Representative in third countries shall meet regularly in order to coordinate their views and prepare joint reports, either at the request of the Political Committee or on their own initiative when the situation requires.

3. With a view to strengthening the cooperation of missions in third countries, this topic shall be examined periodically by the Political Committee on the basis of reports drawn up for this purpose by the missions.

4. The Member States shall examine the possibility of providing help and assistance in third countries to nationals of Member States which have no representation there.

III. European political cooperation Secretariat: responsibilities and organization

The Secretariat of European political cooperation shall act under the authority of the Presidency. It shall assist the Presidency in preparing and implementing European political cooperation activities and in administrative matters.

It shall assist the Presidency in ensuring the continuity of European political cooperation and its consistency with Community positions.

The Secretariat shall:

- a) assist the Presidency in the organization of European political cooperation meetings, including the preparation and circulation of documents and the drawing up of minutes;
- b) work with the European Correspondents Group in the preparation of conclusions and guidelines and in carrying out any other task entrusted to the Group by the Political Committee;

- c) assist the chairmen of working groups as regards procedures and precedents and the drafting of oral reports and studies;
- d) assist the Presidency in the preparation of texts to be published on behalf of the Member States, including replies to parliamentary questions and resolutions as defined in item 7, paragraph 2 of Chapter 1 on relations between European political cooperation and the European Parliament;
- e) maintain the European political cooperation archives and assist the Presidency in preparing the six-monthly compilation of European political cooperation texts;
- f) keep up to date the body of European political cooperation working practices;
- g) assist the Presidency, where appropriate, in contacts with third countries.

2. The Secretariat shall make the necessary arrangements to provide interpretation into all the official languages of the Community at meetings of Heads of State or Government as well as ministerial meetings. It shall ensure that all European political cooperation texts submitted to or adopted at these meetings are immediately translated into all the official Community languages.

3. The Secretariat shall be composed of five officials. Following on from the support team arrangement, the Presidency-in-Office of European political cooperation together with the two preceding and the two following Presidencies shall each second an official for a period covering five presidencies. The status of the officials of the Foreign Ministries on temporary secondment to the Secretariat shall be identical to that of members of the diplomatic missions in Brussels, to which they shall be administratively attached.

The Head of the Secretariat shall be appointed by the Foreign Ministers under arrangements to be agreed between them.

4. Matters concerning administrative staff, infrastructure, equipment and operating expenses will be the subject of a further decisions.

IV. *Venues for European political cooperation meetings*

European political cooperating meetings shall normally be held at the seat of the Secretariat. Ministerial-level and Political Committee meetings may take place in the capital city of the Presidency.

V. *Use of languages in European political cooperation*

Use of languages shall be in accordance with the rules of the European Communities.

For meetings of officials and Coreu communications, the current practice of European political cooperating will serve as a guide for the time being.

86/091. Question No O-194/85 by Mr Seeler and Others on the Political Situation in Pakistan¹

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

On 1 January 1986 the state of martial law in Pakistan, which had been imposed following the military coup d'état of General Zia ul Haq in July 1977, was officially lifted. This event had been preceded by a bogus referendum held on 19 December 1984, the result of which led to a general election being held on 25 February 1985, in which the political parties were not allowed to take part. Moreover, even by November 1985, according to a report of Amnesty International, there were still

more than 130 political prisoners, most of them civilians (...) serving sentences of between seven and forty-two years after being denied fair trials by military courts,

many having suffered torture and kept in inhuman conditions.

1. Can the Ministers state whether the lifting of martial law in Pakistan has enabled the political parties, in particular those belonging to the Movement for the Restoration of Democracy, to resume normal political activities as foreseen in the 1973 Constitution?

2. Will the Ministers explain what has become of those political prisoners who were detained without fair trial under martial law?

3. Will the Ministers now report to Parliament on the outcome of its deliberations on the memorandum submitted by the Government of Pakistan, in accordance with the undertakings given by the President-in-Office to Parliament on 10 July 1985?²

4. Do the Ministers consider that the lifting of martial law effectively constitutes those 'additional steps in the direction of democratization and respect for human rights', which the President-in-Office informed Parliament would be asked of the Government of Pakistan, as a condition for the conclusion of the proposed new cooperation agreement between the Community and Pakistan?³

Mr Van den Broek, President-in-Office of the Foreign Ministers: The Member States of the European Community, meeting in political cooperation, have considered the development of the political situation in Pakistan at regular intervals. They believe that gradual progress has been made in the democratization process in Pakistan. The elections held on 25 February 1985, in which the political parties were not, however, involved, and the lifting of martial law on 30 December 1985 were in themselves important steps towards further democratization.

Now that martial law has been lifted in Pakistan, the political parties can operate again, although their registration has not yet been completed. They are nevertheless more active, and the demonstrations and political debates in which they take part are reported in the press. Political prisoners are being released, although it is not known how many people are concerned. The abolition of the military courts, the repeal of most of the regulations based on martial law and the reinstatement of the provisions of the Constitution which guarantee fundamental human rights are important developments in this connection.

Another development worth mentioning has been the closure of the Fort Lahore and Fort Atak prisons, which were notorious for their strict regime. The Community's failure to conclude a new cooperation agreement with Pakistan would, in our view, have a counterproductive effect.

Mr Seeler (S): Mr President, ladies and gentlemen, I am one of the authors of the question to the Council and I have just learned from the answer of the President-in-Office of the Council that the prisons in which political prisoners are detained contrary to our concept of legality still exist. Can the President-in-Office of the Council confirm that the political prisoners who were thrown into goal during martial law in Pakistan have still not all been released? That is the question I would like to ask after his reply.

Mr Van den Broek (NL): I tried to make it clear in my answer that there have been various improvements. I also referred to the release of political prisoners, although I was unable to give a precise figure. Clearly, we must therefore allow for the possibility that not all political prisoners have yet been released. The Honourable Member may rest assured that we shall continue to keep a close watch on this aspect of the situation in Pakistan.

¹ Cf. *OJ* No 2-337 of 12 March 1986, pp. 69-83 and pp. 85-86.

² Question No H-288/85 to the Council on the Community's relations with Pakistan, *OJ* No 2-328 of 10 July 1985, pp. 146-147, at p. 147.

³ *Idem*, at p. 146.

86/092. Question No H-801 by Ms Boot concerning the Relations Between Eastern and Western Europe

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

It is surprising, to say the least, that shortly after returning from the European summit in Luxembourg, where the leaders of the twelve Member States had agreed to coordinate their foreign policy more closely, President Mitterand of France received the Polish leader, General Jaruzelski, at the Elysee without prior consultation.

What view do the Foreign Ministers meeting in political cooperation take of this action by President Mitterand, and in view of the importance of East-West relations within Europe, are they prepared, or do they intend, to make political decision-making *vis-à-vis* the countries of Eastern and Central Europe, and in particular Poland, part of a genuine common foreign policy of the Community?

Mr Van den Broek, President-in-Office of the Foreign Ministers: I can best answer Ms Boot's question as follows. The Twelve are guided in their relations with Poland by the idea that there is no need to avoid high-level contracts with the Polish authorities. These contracts are used to conduct a critical dialogue, the persistent internal repression in Poland being condemned, for example, with references to the Helsinki Final Act. This was also done during the discussions referred to in the question.

Ms Boot (PPE): For the sake of clarity – I see that the gallery is full – we are talking about Jaruzelski's visit to Paris at the invitation of Mr Mitterand. I asked the Council whether it was usual for this to happen without prior consultations, especially as only the day before the European Council meeting in Luxembourg had reached new agreements on European policy. May I ask whether this specific incident, of which the other Member States were not fully informed, was subsequently discussed with Mr Mitterand and whether there is any plan to have this kind of thing, consultations at Community or international level, governed by agreements in the future.

Mr Van den Broek: The answer to the more specific question about subsequent discussions is 'no'. I would add to my first answer to the Honourable Member's question that the Foreign Ministers of the Twelve meeting in political cooperation very frequently discuss relations between the Twelve and other countries. Where these relations and indeed any other aspect of EPC are concerned, the Twelve try to formulate and pursue a European foreign policy together.

When adopting positions or taking action at national level, each Member State of the Community takes account of the positions of its partners and has due regard for the desirability of adopting and implementing common European positions. Each partner similarly refrains from taking action or adopting a position which might detract from the effectiveness of the Twelve as a consistent force in international relations. The Twelve do not believe that the occasion to which Ms Boot has referred infringes or conflicts in any way with the procedures and objectives of EPC at its present state of development, which was again confirmed at the meeting of the European Council on 2 and 3 December 1985¹.

¹ See *EPC Bulletin* 1986-1, Doc. 85/341.

86/093. Question No H-817/85 by Mr Mattina and Question No H-832/85 by Mr Rogalla concerning Coordination and European Cooperation in the Fight Against Terrorism

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Question No H-817/85:

Having regard to the recent terrorist attacks at Rome and Vienna airports, what measures have the Foreign Ministers meeting in political cooperation adopted or do they intend to promote to strengthen the image of Community cooperation in the fight against international terrorism and in formulating a peace strategy in the Middle East?

Question No H-832/85:

What liaison, talks, coordination or common action have the Member States had, agreed or conducted since the inception of EPC by way of joint action against terrorist activities, serious crimes and drug trafficking, and with what success? What individual improvements are being sought?

Mr Van den Broek, President-in-Office of the Foreign Ministers: In answer to both questions, I can tell you that on 11 September 1984 the Foreign Ministers of the Ten studied the question of international terrorism and the abuse of diplomatic immunity and that they agreed on a number of measures to strengthen cooperation in the fight against this phenomenon. I would also refer to the meeting in Luxembourg on 24 June 1985, where the Transport Ministers of the Ten underlined the determination of the Ten to take the necessary measures within the appropriate organizations to ensure optimal air safety.

As you will also know, the Council decided at its meeting in Brussels on 27 January – I should not really say the Council but the Council of Foreign Ministers of the Twelve – sharply to condemn all forms of international terrorism, the perpetrators, their accomplices and the people behind them as well as the governments that support them, and they also condemned declarations of support for acts of terrorism, from whatever source. I am quoting from a declaration with which Parliament is undoubtedly familiar. On this occasion the Twelve also expressed a desire to cooperate with all countries in denying terrorists assistance, shelter or asylum. They made it clear that countries which help or protect terrorists can expect no sympathy from or to maintain normal relations with the Twelve. The Twelve also appealed to all countries that help or are accused of helping terrorists to refrain from doing so completely.

In addition to the restrictions they already impose, the Twelve also decided on this occasion not to export weapons or other military equipment to countries which are clearly involved in supporting terrorism, and they will together make a particularly careful study of national measures to prevent exported weapons and other military equipment from being used for terrorist purposes.

Also discussed on this occasion – I am still referring to the meeting of 27 January – were serious crimes and drug trafficking. There have been consultations and exchanges of information on these activities from the outset, and joint measures have been agreed in various other bodies which are already considering these matters, such as the Council of Europe, the Pompidou Group and the meetings of the Internal and Justice Ministers, known as the Trevi meetings. In addition, there has always been close cooperation, and it will continue, between the EPC partners, both through international customs and police organizations and at bilateral level.

Mr Mattina (S): I was already familiar, Minister, with these declarations, which I appreciate, but I think that we are still a long way from defining a genuine Community strategy for fighting terrorism.

What comes out of the statements made by you is that, despite certain dissuasive measures adopted to date, there are two problems. The first concerns the launching by the European Community, particularly in the Middle East, of a more effective initiative designed to bring peace to that part of the world. The second problem, which it seems to me is never brought out in very clear terms – as is shown also by the terrorist activities that have occurred since the attacks on Rome and Vienna airports, to which I and Mr Rogalla are referring – is the obvious link between international terrorism, national or 'closed' terrorism and criminal organizations. At this point something more than prison sentences is needed: there has to be a modicum of political and legal initiative, co-ordinated between the different European countries.

Mr Van den Broek: I agree with the Honourable Member that, wherever possible, we must not leave it at declarations but also take real action. Where a side-effect of tension in a region is terrorism – although this can never be accepted as an excuse for terrorism – there is undoubtedly a need to tackle various underlying causes. The Honourable Member is fully aware of the improvement of the Twelve in efforts to solve the Middle East problem. I am referring to the contracts that have again taken place very recently with all the parties concerned and will continue in the near future. Opinions do not therefore differ in this respect.

As I failed to mention this in my initial answer, I would perhaps do well to refer the Honourable Member to the formation of a special working group on terrorism, another decision taken on 27 January, when the Twelve discussed terrorism at length. This is a permanent working group with a special

mandate. It is to evaluate the possible causes of terrorism and to put forward constructive proposals for preventing it in the future.

Mr Rogalla (S): I must express a certain disappointment. First we must draw a very careful distinction between customs union and internal market. We are not just committed Europeans, we are also politically motivated experts who are just as good as those who are sitting in the Ministries. So I would like to ask the following:

Does the President-in-Office of the Council share my view that in this matter the specialist ministers of the Member States have not acted in European political cooperation but as a Community organ, for he states that on various dates, 11 September 1984, 24 June 1984, and so on, the Foreign Ministers considered the matter, then the transport Ministers and then the Foreign Ministers again?

Is the President of the Council prepared, within the working party of whose mandate he spoke, to urge the need for practical cooperation between the Community bodies, police, customs, etc. in three areas, namely the exchange of information, pursuit across internal frontiers and legal and administrative aid?

Mr Van den Broek: I consider it more important that something is actually done than that it be done at Community level or at the level of the Twelve. I am sure the Honourable Member agrees with me. Of course, the Justice and Internal Ministers, for example, try at their Trevi meetings to ensure that coordination and the exchange of all kinds of police information are improved. I have referred in another context to activities in the Council in Europe, the Pompidou Group, as it is known. The working group I have mentioned is specifically concerned with evaluating the causes of terrorism and suggesting ways of improving security in the Member States and preventing terrorism.

So when the Honourable Member says that he is disappointed, I must ask him to take another careful look at the activities I have listed, which, I believe, clearly indicate the serious concern felt in the Twelve, whether or not in a Community context, about the phenomenon of terrorism. And the determination to do something about it by joining forces is not confined to Europe but also extends to contacts between Europe and other countries.

Ms Lizin: Could the Minister tell us, in addition to the information already given, whether it would be possible for Honourable Members who were interested to have access to certain minutes of the Trevi Working Party? Secondly, what is the exact composition of the Anti-Terrorism Working Party? To take Belgium as an example, is the GIA, the *Groupe interforces anti-terroriste*, represented on it? Is consideration currently being given to the possibility of setting up a computerized and standardized circuit to link police forces? On the matter of drugs, have special discussions been opened with countries where they are produced, such as Morocco?

Mr Van den Broek: I hope the Honourable Member will appreciate that the nature of the subject happens to be such that a degree of confidentiality must be maintained and that I am not therefore free to provide the information he has requested.

Mr Cornelissen (PPE): Is the Council prepared to consider the possibility of imposing sanctions on countries or airports where the responsible authorities fail to observe the conventions against hi-jacking, as the Assembly of the Council of Europe, the international pilots' associations and other bodies have requested?

Mr Van den Broek: In answer to the Honourable Member's more specific question, I believe that discussions are at present taking place within the International Civil Aviation Organization, ICAO, to see whether certain clauses might be included in the convention concerned to enable sanctions to be imposed on member countries where airports do not, let us say, meet generally accepted security requirements. I can say no more than that at the moment.

86/094. Question No H-848/85 by Mr Balfé concerning Political Prisoners in Chile

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

In December 1983 the British Government issued a visa to Mr Pedro Fernandez, a political prisoner in goal in Chile. Will the Foreign Ministers make representations to the Government of Chile to commute Mr Fernandez' sentence to one of exile so that he may travel to Britain?

Answer:

As the Honourable Member will be well aware, the Twelve are actively concerned about the human rights situation in Chile as a whole and, on a number of occasions, have also raised individual cases with the Chilean authorities. The specific issue raised in the question has not been discussed in the framework of European political cooperation, as it is being pursued by one of the partners on a bilateral basis.

86/095. Question No H-834/85 by Mr Marshall concerning the Family of Mr Isaak Shkolnik

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Have the Foreign Ministers meeting in political cooperation discussed the plight of the family of Mr Isaak Shkolnik? Are they aware that his 87-year-old father and his sister are prevented from joining him in Israel? Would they agree that this sad case is another example of Russia's complete disregard of the rights of man and the spirit of Helsinki?

Mr Van den Broek, President-in-Office of the Foreign Ministers: The case of the family of Mr Isaak Shkolnik, to which the Honourable Member refers, has not in itself been discussed by the Foreign Ministers meeting in political cooperation. However, the Twelve have on many occasions expressed their concern to the Soviet Union about the situation of the Jews in the Soviet Union and also of people who belong to other ethnic minorities and want to emigrate from the USSR.

They continue to make strong representations to the Soviet authorities, both individually and jointly, and to remind them of the importance the Twelve attach to respect for the provisions of the Helsinki Final Act and the Final Act of the Madrid conference, which were fully approved and signed without reservation by the Soviet Union.

Mr Marshall (ED): May I thank the President-in-Office for that answer and assure him of the support of all decent people for anything he does to bring home to the Russians the revulsion most people feel at the way they treat minorities in that country, and the way they persecute those who wish to leave that country for the State of Israel.

Mr Van den Broek: I am glad to note that.

Mr Zahorka (PPE): The member States of Comecon and the European Community may soon be entering a new phase of the dialogue. It is concerned primarily with economic cooperation. The Council will have to deal with it. Is the Council prepared to include questions of human rights, elementary freedom of movement, observance of the Final act of Helsinki, in the topics of discussion, even if economic questions are on the agenda?

Mr Van den Broek: Economic cooperation, the security question and the human rights situation are all aspects of the Helsinki process. In other words, these matters were all discussed in the context of the Helsinki agreement. With more specific regard to human rights, the aspect which the Honourable Member mentioned, I would refer him to the meeting on human contacts that will be held in Berne very shortly. That is where this dialogue belongs, although there is, of course, the possibility of discussing the question of human rights when bilateral contacts are made with the Eastern Bloc countries.

Mr Cryer (S): I wonder if the Minister would be as generous in his condemnation of the United Kingdom Conservative Government for its use of exclusion orders in the United Kingdom to prevent families uniting, as they did, for example, in the case of the O'Hagan family. When Patrick O'Hagan went

from Northern Ireland to Yorkshire to join his mother and father there, he was served with an exclusion order which prevented the family from being united. As the Minister will no doubt be aware, exclusion orders are not subject to trial. There is no court of justice in which the basis of the exclusion order can be examined. I know he would want to be even-handed and he would wish to condemn the United Kingdom Tory Government for the use of such orders in such circumstances.

President: I would point out to the Minister that this question cannot be regarded as being directly connected with the main question.

Mr Pearce (ED): I want to press the Council a little further and to ask whether it will not only discuss the human rights of Jewish people in the Soviet Union, but will make a commitment by the Soviet Union to be more liberal a condition for holding disarmament talks. I am trying to press the Minister to be a little firmer than he was in the response which he kindly gave us.

Mr Van den Broek: The Honourable Member has referred to the disarmament talks, which as such do not, in the sense intended by the Honourable Member, form part of the EPC area of activity.

Mr Alavanos (COM): I would like to ask the Minister if in the answers he has just given he was speaking as President-in-Office of the Foreign Ministers within the scope of political cooperation, or as a Minister of his country, the Netherlands. I ask, because it seems to me from what I know that the attitudes expressed by the Greek Government are not reflected by the Minister's previous answers.

Mr Van den Broek: Unless I state explicitly that I am speaking on behalf of my own country, I am speaking as the President of the Twelve.

86/096. Question No H-991/85 by Mr Zahorka¹ and Question No H-995/85 by Mr McCartin concerning Human Rights in Iran and the War Between Iran and Iraq

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question.

Question No H-991/85:

What measures have been taken by the Foreign Ministers of the European Community, working within the EPC framework, to combat the continual violation of human rights and basic freedoms in Iran and to help to end the Iran-Iraqi war? Have the Foreign Ministers meeting in political cooperation also discussed common measures regarding the non-supplying of arms and spare weapon-parts to both warring parties and, if so, with what result?

Question No H-995/85:

Can the President-in-Office tell us whether the Ministers are concerned about the human rights situation in Iran and what policy do the Ministers follow towards this country in view of the denial there of fundamental human and religious rights?

Mr Van den Broek, President-in-Office of the Foreign Ministers: The Twelve have long been very concerned about the violations of human rights and fundamental freedoms in Iran. Meeting in political cooperation, they have repeatedly discussed this subject and the possibility of joint positions. In this they are in close contact with international organizations which keep a check on the observance of human rights. More specifically, the Twelve have repeatedly condemned the violations of human and humanitarian rights in the conflict between Iran and Iraq, including the repeated use of chemical weapons.

I would remind the House that in 1984 the Member States agreed on a list of chemical products which are subject to controls before they can be exported. These products can be regarded as the components from which chemical weapons are made.

Mr Zahorka (PPE): Would you agree with me that the Iran-Iraqi war offered a specially good opportunity for more active European political cooperation? May I mention two points in this connection. In recent weeks Kuwait has on several occasions drawn the world's attention to the fact that it feels directly threatened. Kuwait is a member of the Gulf Cooperation Council. Is there an EPC policy, a position adopted by the twelve Foreign Ministers, under which these Gulf Cooperation Council countries can be shown increased moral, political and economic solidarity in view of what they regard as a threat?

Secondly, in connection with the controversial debate on Pakistan today, I would like to ask whether the Community would be prepared via EPC to support the mediation between Iran and Iraq that is being undertaken by Pakistan in the framework of the OIC, the Organization of Islamic Countries, whose Secretary-General is Pakistani, and whether there is any practical policy by means of which we can help ensure the success of this mediation?

Mr Van den Broek: As regards the situation in the Gulf States, to which the Honourable Member has referred, I would say that the countries in the Gulf itself are in an extremely difficult position as a result of the conflict between Iran and Iraq. Commissioner Cheysson visited the region recently and discussed in particular the future prospects for a cooperation agreement between the Gulf Cooperation Council and the European Community, which also has the support of the Twelve and the Council.

As regards the Honourable Member's other question about Pakistan's efforts to mediate, I would point out that the Twelve fully endorse the efforts by the Secretary-General of the United Nations to resolve the conflict between Iran and Iraq.

Finally, I would remind the Honourable Member that a resolution on the Iran-Iraq war, which I believe particularly concerned the human rights situation, was tabled in the United Nations in mid-December 1985. This resolution was also approved by the Twelve as such.

Mr McCartin (PPE): Would the President-in-Office comment on the fact that the European Community has imposed sanctions and condemned the actions of countries whose attitudes, actions and standards of tolerance were very civilized by comparison with what we know exists in the State of Iran? Furthermore, could the Minister comment on the fact that in the war which is going on there, arms from the European Community are being used and according to newspaper reports are being supplied by at least one country in the Community to both sides in the conflict? Have the Foreign Ministers meeting in political cooperation discussed this problem, and have they raised the matter with the country concerned?

Mr Van den Broek: All the EPC declarations on the Iran-Iraq war stress that the Twelve wish to maintain an impartial position in this conflict. In this way too, they are trying to bring their influence to bear on both sides.

As regards the Honourable Member's second question, the question of arms supplies has not been discussed by the Twelve. The Honourable Member will perhaps be aware that a delegation from the Arab League visited various European capitals last year with a request that arms supplies to both sides be suspended.

In my capacity as a Dutch Minister, I can tell the Honourable Member that the Dutch Government believes all supplies of arms to either party in the conflict should be suspended.

¹ Former oral question without debate (O-199/85) converted into a question for Question Time.

86/097. Question No H-889/85 by Mr Boesmans concerning the Case of Hélène Passtoors

Date of Issue: 12 March 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

For more than seven months Hélène Passtoors, who has dual Belgian and Dutch nationality, has been held in prison without trial in South Africa. Her health is steadily deteriorating. Have the Ministers made

representations to the South African authorities with a view to securing the release of H el ene Passtoors? If not, why have they failed to do so? If so, what precise information do the Ministers now have concerning this matter, and when will H el ene Passtoors be released?

Answer:

The matter is being dealt with by one of the partners on a bilateral basis and has not therefore been discussed in the framework of European political cooperation.

86/098. Question No H-904/85 by Mr Selva concerning the Case of the Popa Family in Albania

Date of Issue: 12 March 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Five members of the Popa family, who are of Italian origin, have been given refuge for some time at the Italian Embassy in Tirana and have asked for political asylum. The Albanian police have surrounded the Embassy building preventing the family from moving and threatening to arrest them if they leave diplomatic territory. The 'offences' – of a political nature – of which the Popa family are accused could even be punishable by the death penalty.

What do the EEC Foreign Ministers intend to do to enable the members of the Popa family to exercise their right to political asylum and to enable the Italian Government and diplomatic authorities to grant it?

Answer:

The Twelve follow with great attention the respect for human rights and fundamental freedoms in all parts of the world. The question raised by the Honourable Member has not however been discussed in European political cooperation but is dealt with on a bilateral basis by Italy.

86/099. Question No H-983/85 by Mr Ephremidis concerning State Piracy in the Air by Israel

Date of Issue: 12 March 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Israeli war planes abducted a Libyan aeroplane that was carrying Syrian officials from Tripoli to Damascus, compelling it to land at an Israeli airport. This act constitutes a case of State terrorism. What measures do the Foreign Ministers – who in the past and recently have taken measures against terrorism, particularly at airports, intend to take in response to this act by Israel which is tantamount to State piracy in the air and State terrorism?

Answer:

As has already been indicated in answers to several questions by Members of Parliament, the twelve Foreign Ministers reiterated in Brussels on 27 January 1986 their determination and commitment in the struggle against international terrorism in any form. They confirmed their readiness to talk in the most

appropriate manner with the countries in the region on the problem of international terrorism and on the need to combat it at its roots. The specific incident to which the Honourable Member refers has not been discussed by the Twelve, but several partners have expressed a national view on the matter.

86/100. Question No H-984/85 by Mr Alavanos concerning the Proposal by the Secretary-General of the Communist Party of the Soviet Union on Cyprus

Date of Issue: 12 March 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency:
 Status of Document: Answer to oral Parliamentary Question

The recent proposal by the Secretary-General of the Communist Party of the Soviet Union on Cyprus together with the proposal of the UN Secretary-General provides hopeful signs for a just and durable solution to the Cyprus problem.

What is the position of the Foreign Ministers towards this proposal and what specific measures will they take to support it?

Answer:

Since the onset of the crisis in Cyprus the EEC Member States have viewed the problem with special attention and have made statements on the matter on numerous occasions. They have constantly expressed their unconditional support for the independence, sovereignty and territorial unity and integrity of the Republic of Cyprus. They continue to recognize the Government of the Republic of Cyprus as the sole legitimate representative of Cyprus. They hope that a fair and workable solution may be found to the problems of Cyprus on the basis of the UN resolutions. They have pledged their unconditional support for the Secretary-General of the United Nations in his mission of mediation. It is therefore in the first instance up to the UN Secretary-General to assess whether it is possible – and, if so, in what form – to take into consideration other proposals as part of the efforts which are being made to reach a solution.

86/101. Question No H-986/85 by Mr Cryer on Nuclear Depth Charges for the Use of the Dutch Armed Forces

Date of Issue: 12 March 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

Do the Ministers discuss matters of cooperation such as the store of nuclear weapons kept at St Mawgan in the United Kingdom and their availability to Dutch forces or is this type of discussion kept separate from EEC Council of Ministers' meetings?

Answer:

The issue referred to by the Honourable Member pertains to military aspects of security and is therefore outside the scope of European political cooperation.

86/102. Statement on the Announcement by President Botha on 4 March concerning the Lifting of the State of Emergency in South Africa

Date of Issue: 13 March 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Declaration

The Twelve have systematically stressed that the state of emergency in South Africa should be lifted, as this would be a step towards the indispensable national dialogue. The Twelve accordingly welcome the announcement by President Botha on the state of emergency. However, they wish to express their concern at South Africa's intention to strengthen the powers of the South African police, which could compromise the effectiveness of the announced measure.

Once again, the Twelve wish to impress upon the South African Government the need for other measures, such as the unconditional release of Nelson Mandela and of all political prisoners and detainees, and the lifting of the ban on political parties, which would facilitate the dialogue so urgently needed to lead to the total abolition of all discriminatory laws.

86/103. Statement on the Situation in Chile

Date of Issue: 18 March 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Declaration

The Chilean Government's refusal to countenance the opposition, which has recently been demonstrated by a number of prosecutions which infringe the principle of freedom of expression is not conducive to national reconciliation in Chile.

The Twelve are seriously concerned at these recent developments and call on the Chilean Government to accelerate the democratization process in order to comply with the clear wish of the democratic groups within the Chilean population.

86/104. Press Release concerning the Financial Crisis of the United Nations and the Position of the Twelve

Date of Issue: 20 March 1986
Place of Issue: New York
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Press Release

The Twelve Member States of the European Communities, as contributors together of 30% of the UN budget, and as consistent advocates of the efficient use of the UN's resources, are deeply concerned at the possible consequences of the UN's present financial difficulties. They are accordingly in contact on this important matter with the Secretary-General and with other Member States.

As part of this process of consultations, the Permanent Representative of the Netherlands, acting on behalf of the Twelve, called on the UN Secretary-General on the afternoon of 18 March to discuss the financial crisis confronting the United Nations.

The Twelve share the concern of many Member States for effective use of resources. This concern notwithstanding, they are also conscious of the obligations imposed on Member States by the UN Charter, and take the view that responsibility for the present financial crisis of the United Nations lies with all Member States that do not fulfil their financial obligations under the Charter. It is the considered

opinion of the Twelve that for the restoration of the financial stability of the United Nations action by those States is required. For their part the Twelve will continue to cooperate with the Secretary-General and other Member States in the search for solutions to the financial crisis of the United Nations.

86/105. Statement on the Use of Chemical Weapons in the Iran-Iraq War

Date of Issue: 8 April 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Declaration

1. The twelve Member States of the European Community recall the earlier report of the Secretary-General of the United Nations to the effect that in the war between Iraq and Iran chemical weapons had been used. The Twelve have condemned without qualification any use of chemical weapons and they expressed the earnest hope that they would not be used again in this or any other conflict. However, the recent report of the mission of specialists dispatched by the Secretary-General (S/17911) concludes that chemical weapons on many occasions have been used by Iraqi forces against Iranian forces, most recently in the course of the present Iranian offensive into Iraqi territory.

2. The Twelve have taken note of this report with great concern. Accordingly they emphasized the importance of the declaration of the Security Council of the United Nations of 21 March 1986, and they strongly condemn the use of chemical weapons mentioned therein. They reiterate that they attach the greatest importance to the strict compliance with the provisions of the Geneva Protocol of 1925.

3. The Twelve remain convinced that every effort should be made to work out a worldwide treaty that will completely ban chemical weapons, as this is the only effective long-term solution.

4. The Twelve are deeply concerned about the extended conflict between Iraq and Iran. They make reference to their declaration of 25 February¹, calling once more upon the two sides to respect the territorial integrity of all States and stressing the urgent need for both countries to strenuously work for an early peaceful settlement of the conflict on the basis of Security Council resolution 582.

¹ *EPC Bulletin*, Doc. 86/087; *Bull. EC* 2-1986, point 2.4.7.

86/106. Question No 2251/85 by Mr Glinne (S-b) concerning the UN Security Council Vote on Namibia

Date of Issue: 8 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to written Parliamentary Question of 11 December 1985

On 15 November 1985 the Security Council of the UN voted on a motion to introduce compulsory economic and trade sanctions against South Africa in response to the blocking by Pretoria since 1978 of the UN plan for genuine independence in Namibia and the means for achieving it. The resolution failed to be adopted as a result of the vetoes pronounced by the representatives of the United States of America and the United Kingdom, while France abstained.

Would the Foreign Ministers state:

1. whether political cooperation between the Ten and the Twelve came into play for this vote?
2. the official justification:
 - a) for the negative vote by the United Kingdom; and
 - b) for abstention by France?
3. the list of the twelve Members of the Security Council who voted in favour of the text?
4. the full text of the motion?

Answer:

The aim of European political cooperation is to enable there to be proper cooperation and consultation between partners. Although this effort is particularly marked in multilateral organizations such as the UN, Member States which take the floor in the Security Council do so on a purely national basis and do not speak on behalf of their European partners.

Given that the other information requested by the Honourable Member does not relate to common positions of the Twelve, political cooperation is not the appropriate framework to provide it.

86/107. Question No 2401/85 by Ms Ewing (RDE-UK) concerning Jewish Emigration from the USSR

Date of Issue: 8 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 16 January 1986

On several occasions the European Parliament has expressed concern at the plight of Jews in the Soviet Union who have received written invitations (*Vizov*) from Israel to live in that country but who have been refused permission to emigrate from the USSR.

1. Are the Ministers aware of the extent to which the situation has deteriorated in recent years, such that whereas, in 1979, 51 320 Jews were given permission to emigrate from the USSR, in 1985 the figure had changed to 246?

2. Are the Ministers further aware that those Jews who have been refused permission to emigrate are increasingly subject to harassment by the Soviet authorities, including anti-semitic campaigns led by an 'Anti-Zionist Committee of Soviet Citizens' linking Zionists with Nazis; loss of jobs for those who have applied to emigrate; restrictions on Jewish university enrolment and arrests of Jewish activists, three of whom have recently been sentenced to terms in labour camps?

3. Will the Ministers coordinate their policies to seek a more humane attitude to Jewish requests to emigrate from the USSR and for a cessation of the violation of basic human rights and of agreements signed by the USSR, such as the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights of the United Nations, and the Helsinki Final Act (Basket III), of 1975?

Answer:

It is not secret that the Ten/Twelve have repeatedly expressed their concern to the Soviet authorities regarding the situation of Soviet Jews and persons belonging to other ethnic minorities wishing to emigrate from the USSR.

The Twelve, individually or jointly, will continue to intervene with the Soviet authorities to remind them of the importance they attach to respect for the provisions of the Helsinki Final Act and the Concluding Document of Madrid, both of which were freely approved and signed by the Soviet Union. The seventh principle of the Final Act lays down that the participating States will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights. Article 13 (2) of that Declaration maintains that 'Everyone has the right to leave any country'. The Ten (since 1 January 1986, the Twelve) are coordinating their policy in this area, as is shown by the attitude they adopted to this question at the meeting of experts (CSCE) on Human Rights and Fundamental Freedoms in Ottawa. They intend to take advantage of the special opportunity afforded by the meeting of experts to be held in Berne from 15 April to 26 May 1986 devoted to personal contacts, to promote respect of the provisions on *inter alia*, reuniting families.

86/108. Question No 2480/85 by Mr Glinne (S-B) concerning International Measures on Population Control and Planned Parenthood

Date of Issue: 8 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 January 1986

Since the Conference on Population organized by the United Nations in Mexico in August 1984, the United States' Administration has been reducing and imposing increasingly strict conditions on its financial contribution to the International Planned Parenthood Federation (IPPF), a private organization based in London with associations in 119 countries, and the United Nations Fund for Population Activities, which is widely known as UNFPA. This fund depends on the United States for 25% of its budget which it uses in 130 countries on measures relating to family planning and information on birth control methods. Since the adoption by the US Congress in 1974 of the Helms Amendment banning all federal subsidies for projects 'promoting abortion', even in the United States where it is perfectly legal, the IPPF has taken the precaution of setting up separate accounts and finances projects relating to abortion from its own funds. As the IPPF has refused to change its programme, the United States' Agency for International Development (AID) has deprived it of 20% of its resources. As a result, the activities organized in eighteen African countries have been curtailed. The IPPF believes that this will lead to a further 800 000 unwanted pregnancies, a great many abortions carried out in totally inadequate conditions and the death of at least 60 000 babies from malnutrition and lack of care. Serious and unfounded allegations have been levelled at the UNEPA and the People's Republic of China to the effect that they have forced women to have abortions.

I should like to know what policy the Community and/or its Member States has/have adopted in respect of the IPPF and UNFPA both as regards providing finance for those organizations in Third World countries where population growth is excessive and the education policies they have developed to encourage birth control and planned parenthood. What is the Foreign Ministers' reaction to the Mexico Declaration and what is their response to the UNFPA's hope that the world population will stabilize in 2095?

Answer:

The question put forward by the Honourable Member of Parliament has not been discussed within the framework of European political cooperation.

86/109. Question No 2519/85 by Ms Lizin (S-B) concerning the Rough Treatment of Indian Journalists by Belgian Immigration Services Officials

Date of Issue: 8 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 January 1986

Have the Ministers meeting in political cooperation been informed of the unacceptable incident reported in the enclosed article from the *Asian Times* which claims that Indian journalists have been subjected to rough treatment and brutality by officials of the Belgian immigration service at Ostend?

What measures do the Ministers intend to take to ensure that such incidents do not recur in the Member States, which claim to be guarantors of democracy and human rights?

Does the Belgian Foreign Minister intend to launch an enquiry into the above incident?

Answer:

The question raised by the Honourable Member does not come within the scope of European political cooperation.

86/110. Question No 2320/85 by Ms Dury (S-B) concerning the Geneva Summit

Date of Issue: 9 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 12 December 1985

The meeting between President Reagan and Mr Gorbachev which took place in Geneva on 18 and 19 November 1985 will undoubtedly influence East-West relations in one way or another.

1. Did the Foreign Ministers of the European Community meeting in political cooperation notify the two Heads of State of their positions on East-West relations prior to the Geneva summit?
2. If so, what were the main points raised?
3. If not, why were the views of the European Community not submitted to the two sides participating in the summit?

Answer:

Ministers of Foreign Affairs meeting on 12 February 1985 had a discussion of East-West relations in particular in the light of the meeting of US Secretary of State Mr Shultz and the Soviet Minister of Foreign Affairs Gromyko on 7 and 8 January 1985. The following declaration was published by Ministers of the Ten on 12 February 1985:

The Ten reaffirm the importance which they continue to attach to the improvement of East-West relations.

The Ten have taken note with great satisfaction of the decision by the United States and the Soviet Union to begin negotiations on 12 March in order to work out effective agreements, aimed at preventing an arms race in space and terminating it on earth, at limiting and reducing nuclear arms and strengthening strategic stability.

The Ten share these objectives and support these negotiations.

They express the hope that both sides in the negotiations will exploit every opportunity to obtain substantial results. They note that other arms control and limitation talks are in progress to which they equally attach great importance.

They emphasize that these negotiations fall within the more general framework of East-West relations. They are pleased that, for their part, they have contributed by their actions, either as the Ten or otherwise, to the resumption of dialogue, of which the negotiations clearly constitute an essential element. They intend to pursue their action in seeking to broaden the base of this dialogue both in a bilateral context and in all the fora which are available for this purpose, in particular that of the CSCE, both in terms of the process itself – the 10th anniversary of which will be celebrated this year – and in terms of the conferences related to it. Indeed, they attach great importance to the Conference on Security and Confidence-Building Measures and Disarmament in Europe, to the CSCE Experts Meeting on Human Rights and Fundamental Freedoms in Ottawa and to the Cultural Forum in Budapest, which will serve to underline the cultural identity of Europe¹.

During the subsequent months these issues were raised by the Member States in their various contacts with the Governments of the US and of the USSR. The attention of the Honourable Member of Parliament is drawn to the declaration adopted by the Ministers of Foreign Affairs of the Ten, Spain and Portugal on 17 December 1985, evaluating the meeting in Geneva, which is attached to this answer².

¹ *EPC Bulletin*, Doc. 85/014.

² *EPC Bulletin*, Doc. 85/330.

**86/111. Question No 2481/85 by Ms Van den Heuvel (S-NL)
concerning the Proceedings Brought Against the United States Before
the International Court of Justice in The Hague**

Date of Issue: 9 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 January 1986

1. The Foreign Ministers' answer to Written Question No 210/85¹ is disturbing. The United States' reaction to the proceedings brought by Nicaragua before the International Court of Justice threatens the viability of the Court.
2. Are the Ministers prepared to look into this matter in the context of European political cooperation to consider ways of bringing this danger to the attention of the US Government?
3. Will the Ministers keep the European Parliament informed of the progress of their deliberations and of any steps taken?

Answer:

The Twelve have repeatedly stated that, in their view, the problems of Central America must be solved by peaceful means in compliance with the principles of international law and on the basis of an agreement between all the parties concerned, negotiated through the Contadora process. The Twelve have not discussed the specific issue raised in the question in the framework of political cooperation.

¹ *EPC Bulletin*, Doc. 85/275.

**86/112. Question No 2636/85 by Mr Dimitriadis (DR-GR)
concerning the Tragedy of the Greeks in Albania and the Trampling
Under Foot of Their Human Rights by the Regime of That Country**

Date of Issue: 9 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 31 January 1986

Some 400 000 Greeks have lived in northern Epirus or southern Albania since time immemorial. Although they dwell on their ancestral soil, the Albanian Government tramples all their human rights under foot in the well-known Stalinist manner, demonstrating the absolute contempt for man shown by the regime of darkness and tyranny which has oppressed that country for the last 42 years. The Greeks of Albania are cruelly persecuted for being Greek and for their Christian faith. Their churches are closed, their priests persecuted and all forms of worship strictly prohibited. They may not speak, write or cultivate their own language. They may not visit their relatives in Greece or be visited by them in Albania. They are condemned to live in the 'earthly paradise' of Albania and the only right they have is the right to breathe.

1. Have the Greeks in Albania the right to feel that they too are human beings?
2. What steps can and will the Foreign Ministers meeting in political cooperation take to bring some relief to the position of that tormented minority?
3. What steps and what action can and will they take to ensure the rudiments of respect for the fundamental human rights of the Greeks in Albania?

Answer:

The Twelve follow with great attention the respect for human rights and fundamental freedoms in all parts of the world. The question raised by the Honourable Member of Parliament has however not been discussed in European political cooperation but is dealt with on a bilateral basis by Greece.

86/113. Question No 2708/85 by Ms Lizin (S-B) concerning the Political Situation in Turkey

Date of Issue: 9 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 10 February 1986

Can the Ministers meeting in political cooperation say when they last discussed the political situation in Turkey and what pressure they intend to exert on that country?

Answer:

The political situation in Turkey, and especially the issue of human rights and fundamental freedoms in that country, is a matter of active interest to the Ministers of Foreign Affairs meeting in EPC. Noting certain favourable developments in Turkey and acknowledging the declared intentions of the Government in Ankara, the Twelve hope that the Turkish Government will continue its efforts aimed at fully restoring human rights and fundamental democratic freedoms. In their contacts with the Turkish authorities the Twelve do not fail to express their concern about these matters.

86/114. Question No 2295/85 by Mr Glinne (S-B) concerning the Need to Discourage Female Circumcision and Infibulation (or any Other Sexual Mutilation of Women) in the Associated Countries of the EEC and on the Territory of Community Member States

Date of Issue: 10 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 12 December 1985

This summer, the Decade for Women was brought to an end in Nairobi. The geographical location enabled large numbers of young African women to attend, which was not the case at the Mexico and Copenhagen Conferences. Like all Third World women, their main concern is the physical survival of themselves and their children. However, they also pointed out that they, like Middle Eastern women, suffer a deep, cruel and very violent denial of their physical integrity as women: female circumcision and infibulation, which are still practised today on millions of young girls in about forty countries.

It is useless to dwell on the disastrous effects of this mutilation, which cannot be compared with those of circumcision. It leads to frigidity, great pain and sensitivity and the risk of death in the short or long term due to various complications (obstruction, infection, laceration and so forth).

These practices are, however, still deeply rooted in people's minds, even where education has developed. The fear of being rejected by their racial group because of behaviour which does not fit in with that group's image of women is one of the reasons why these young women and girls submit to them. Another reason, which concerns us, is that attachment to traditions is seen as a way of resisting the alienation and acculturation caused by colonialism and neo-colonialism. Independence therefore means a return to 'authenticity' and in this context any Western protest against these practices is, according to some people, likely to develop them as a sign of respect for cultural identity.

However, violence, torture, pain and death can never be accepted under such pretexts. Did anyone think to respect the cultural identity of Chinese peasants who killed their girl babies in the name of tradition? Should we also have respected the Indian custom of allowing certain families to burn to death young girls whose dowry was considered inadequate?

It is, moreover, clear that amongst men, who mostly hold the power in the Third World and in Europe, such arguments are used only when it is important to retain practices which ensure their domination of women. The only effect of education is, therefore, the use of more modern and 'hygienic' methods of carrying out this mutilation. It is carried out even in certain EEC Member States where there are large communities from Middle East and Africa¹.

In view of the provisions of the European Convention on Human Rights, the Charter of the Organization of African Unity and the Lomé III Convention and of the efforts made by governments such as that of Kenya, can the Foreign Ministers take steps to ensure that:

1. the Community Member States, the Commission and the Council inform the governments of Third World partner States that they are willing to support international campaigns to educate people against traumatizing rituals and to teach them the right of all human beings, especially women, to life and physical integrity in countries in which female circumcision and/or infibulation are still practised;

2. education programmes by national governments which want to restrict and abolish – as Egypt has done by law – the practice of such mutilation amongst their people are given physical support;

3. the practice of mutilation is prohibited in the territory of the Community Member States, whether or not it is carried out on EEC nationals or on members of immigrant families²;

4. further steps are taken within the Executive Council of the World Health Organization, the United Nations' Commission on the Status of Women and the United Nations Organization Economic and Social Council (which noted with satisfaction on 25 July 1960 (but with what results since then?) that some of the governments concerned were attempting to abolish operations based on custom and performed on women and young girls)³;

5. as has been attempted in vain by five western countries since 1960, the World Health Organization in particular is requested actually to carry out an investigation into this matter which has so far produced no results (as Benoit Groult has already pointed out in *'Ainsi soit-elle'*)?

Answer:

When Foreign Ministers of the Twelve discuss the international situation in the framework of European political cooperation the need to promote respect for human rights everywhere is a matter of crucial concern. At the World Conference to Review and Appraise the Achievements of the UN Decade for Women, held in July 1985 at Nairobi⁴, the Twelve supported the adoption of the document *'Forward looking strategies for the year 2000'*, which sets as one of its goals 'to eliminate all practice detrimental to the health of women and children' (paragraph 153) and calls on all member States of the United Nations to introduce legal measures to prevent violence against and mutilation of women (paragraph 258). Furthermore, the Economic and Social Council of the United Nations, with the support of those of the Twelve who were members of ECOSOC, has adopted resolution 1984/34 which establishes an expert group to study the phenomenon of traditional practices affecting the health of women and children. At the 38th World Health Assembly of the WHO in 1985 the Twelve supported resolution WHA 38.27 on Women, Health and Development, thereby expressing their concern at the increasing incidence and impact of family violence on women and children and calling upon member States to show greater concern, within the context of national activities and international cooperation, for the protection of women's physical and mental health.

The subject of the prohibition of mutilation on the territory of the Twelve falls outside the scope of European political cooperation.

¹ Awa Thiam, *La parole aux négresses*, published by Denoel Gauthier, Paris second half of 1979.

² The United Kingdom Parliament has just legislated on this matter.

³ Answer to Written Parliamentary Question No 168 of 29 September 1975 to the Belgian Chamber of Representatives by Mr Glinne and Mr Baudson addressed to the Minister for Foreign Affairs and Development Cooperation.

⁴ *EPC Bulletin* 1986-1, Doc. 85/335.

86/115. Question No 2429/85 by Mr Glinne (S-B) concerning the Efficiency of UNDRO (United Nations Disaster Relief Office)

Date of Issue: 10 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 16 January 1986

Since the earthquakes and other natural disasters which have occurred recently, in Managua (1972), Guatemala (1976) and Mexico City (1985), in particular, international public opinion is becoming increasingly sceptical about the practical usefulness of UNDRO, which was set up in 1971 by the UN General Assembly in the aftermath of the 1968 earthquake in Peru and the hurricane that ravaged Pakistan in 1970. Situated in Geneva, UNDRO was initially conceived as a central liaison body capable of mobilizing the emergency services of countries supplying aid to meet the exact needs of a population affected by a natural disaster. In the recent natural disaster in Mexico City, for example, UNDRO was in theory responsible for determining the exact assistance required and for dividing the aid to be supplied between governments and private organizations.

In practice, however, UNDRO has shown signs of becoming bogged down by a largely inefficient bureaucracy and even guilty of causing deplorable delays in dispatching emergency aid. If a country which suffers a disaster chooses to approach UNDRO it is in fact compelled to submit its request to the local representative of the United Nations Disaster Program, a body closely related to but separate from UNDRO, after which UNDRO General Headquarters in Geneva is alerted and an official sent to the area to assess requirements. UNDRO then uses its computer systems to identify potential aid donors, both public and private, and to make formal appeals for emergency aid. The process is so slow and unproductive that many governments of countries afflicted by natural disaster prefer to approach potential aid donors directly.

In view of these circumstances, would the Ministers state:

1. What are the respective budgets of UNDRO and the United Nations Disaster Program for the 1985 financial year, their staff and the contributions made by the Twelve of the enlarged Community? How much has UNDRO cost the international community and the Twelve since its inception in 1971?
2. In the light of the Mexico City experience, in particular, do the Twelve consider (a) that UNDRO should be reorganized and modified and if so, how; and (b) whether the existence of UNDRO is actually warranted?
3. What positions and jobs in UNDRO are held by Community nationals?

Answer:

1. UNDRO's regular budget for the 1984/85 financial year amounted to 5 241 550 US dollars. In 1984/85 UNDRO employed 53 people, of whom 26 were at P-1 level or above and 27 GS. The contributions by the Twelve for the 1984/85 financial year totalled 1 572 450 US dollars, or approximately 30%.

UNDRO's regular budgets since its inception have been as follows:

Table 1

(US dollars)

1974/75	1 215 000
1976/77	1 476 000
1978/79	2 539 700
1980/81	4 472 200
1982/83	5 251 300
1984/85	5 241 500
Total	20 195 700

The Member States of the European Community have collectively contributed approximately 30% to UNDRO's regular biennial budget since it was set up. In addition the Member States of the European Community have contributed to the trust fund sub-account for strengthening UNDRO. Up to 30 September 1985 UNDRO's total resources amounted to 7 870 297 US dollars, of which the contribution by the Member States of the European Community was 3 018 652 dollars:

Table 2

	<i>(US dollars)</i>
Belgium	308 000
Denmark	122 297
France	25 000
Federal Republic of Germany	88 100
Greece	20 000
Italy	1 061 212
Netherlands	274 600
United Kingdom	608 843

2. At the time of the Mexico City earthquake in September 1985 the President of Mexico requested that, in accordance with Resolution 40/1, the Secretary-General of the UN be instructed to coordinate multilateral aid and to identify – in consultation with the Mexican Government – emergency aid needs and medium-, and long-term needs. Responsibility for implementation of emergency aid operations in Mexico City remained in the hands of the Mexican authorities. According to the information received by the Twelve, emergency aid to Mexico, coordinated by UNDRO, fulfilled the needs stated to a very large extent. The Twelve therefore consider that it is hardly necessary to encourage a reorganization of UNDRO. They believe that the organization plays a useful role with the limited means at its disposal and that its role is in keeping with the brief given to it by the United Nations General Assembly.

3. Eighteen of the 53 employees of UNDRO are nationals of one of the Member States of the European Community. Of the 26 employees at level P-1 or above five are nationals of one of the Member States of the European Community.

86/116. Question No 2479/85 by Mr Glinne (S-B) concerning the South Asia Regional Cooperation Committee

Date of Issue: 10 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 January 1986

What is the Foreign Ministers' attitude to the South Asia Regional Cooperation Committee, which was set up on 8 December 1985 by seven States which have decided to hold a 'summit meeting' in November 1986 and, in the meantime, several meetings of their Ministers of Foreign Affairs?

Answer:

The Twelve have noted with great interest the contacts between the seven countries of South Asia which resulted in a first summit meeting and the setting up on 8 December 1985 of the South Asia Regional Cooperation Committee.

At the time the following message from the Twelve was delivered by the Representative of the Presidency in Dhaka, the venue for the first SARCC summit:

On the occasion of the first Summit Conference of the South Asia Regional Cooperation Committee, the ten Member States of the European Community and Spain and Portugal present to the Heads of State and

Government meeting in Dhaka their best wishes for the success of the meeting and a favourable outcome to their efforts which, they hope, will contribute to sustained fruitful cooperation between the nations of the region. Believing that the Conference is of great importance for the future of the region, they are pleased to note the progress which has been achieved by the Committee as a result of dialogue and in a spirit of mutual respect¹.

The Twelve recently discussed the outcome of the Summit of 12 December and agreed to follow developments within this new Regional Cooperation Committee closely.

¹ *EPC Bulletin*, 1986-1, Doc. 85/342.

86/117. Statement on the Meeting of the Contadora Group Held in Panama on 5-7 April

Date of Issue: 11 April 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: The Twelve
Status of Document: Declaration

The twelve Member States of the European Community have noted with interest that, at the meeting in Panama City on 5-7 April 1986, attended as an observer by the Foreign Minister of the Netherlands as President of the Twelve, the Contadora and Support Groups established a timetable for the completion of the negotiations on the Contadora Act and invited the five Central American countries to sign it on 6 June 1986.

The Twelve wish to affirm their whole-hearted support for the renewed efforts of the Contadora and Support Group Countries to further the peace process in Central America in this way.

In the light of the urgent need for a propitious political climate for the peace process and for an agreement leading to peace and cooperation in the region, the Twelve strongly appeal to the Governments of the five Central American countries to respond positively to the call of the Contadora and Support Groups for a conclusion of the negotiations and the signing of the Act on the proposed date.

86/118. Statement at the 12th Session of the UN Commission on Transnational Corporations, concerning Transnational Corporations in South Africa and Namibia

Date of Issue: 11 April 1986
Place of Issue: New York
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Statement in international forum

Mr Gajentaan: Mr Chairman, speaking on behalf of the twelve Member States of the European Community I would like to start my intervention by thanking Mr Fraser and Mr Yaker for their interesting introductions they gave us this morning.

Before making a few remarks about the documentation presented to us under agenda item 6, I would like first of all to outline to you and to the members of this Commission the most recent developments in the general policy pursued by the twelve Member States of the European Community towards South Africa.

The deteriorating situation in South Africa was discussed at great length during a meeting of the Ministers of Foreign Affairs of the European Community on the 10th of September last year in Luxemburg. This discussion took place on the basis of a report presented to the Ministers by a European mission that visited South Africa from 30 August to 1 September 1985.

The Ministers noted with satisfaction that this mission had been able to carry out its task, which was to express to the South African Government the grave concern of the Twelve at the lack of any specific steps towards abolishing apartheid and at the resulting deterioration of the situation.

The mission called for the lifting of the state of emergency, the immediate and unconditional release of Mr Nelson Mandela and the other political prisoners, an end to detention without trial and forced relocation, a firm commitment by the South African Government to end apartheid and to dismantle discriminatory legislation, particularly the pass laws and the Group Areas act, and lastly real negotiations with the true representatives of the South African people, including those currently in prison.

The Twelve stated that their objective is the complete abolition of apartheid as a whole and not just of certain components of the system. There can be no such thing as a good and a bad apartheid. They considered that all the citizens of South Africa should enjoy equal rights and that the protection of the minorities must be ensured. To achieve these objectives a genuine dialogue with the representatives of the black population is necessary.

The Twelve agreed to maintain their pressure on South Africa, *inter alia* by harmonizing their attitudes on the following measures:

a) restrictive measures:

- a rigorously controlled embargo on exports of arms and paramilitary equipment from the Republic of South Africa;
- a rigorously controlled embargo on imports of arms and paramilitary equipment from the Republic of South Africa;
- a refusal to cooperate in the military sphere;
- recall of military *attachés* accredited to the Republic of South Africa, and refusal to grant accreditation to military *attachés* from the Republic of South Africa;
- discouraging cultural and scientific agreements except where these contribute towards the ending of apartheid or have no possible role in supporting it, and freezing of official contacts and international agreements in the sporting and security spheres;
- cessation of oil exports to the Republic of South Africa;
- cessation of exports of sensitive equipment destined for the police and armed forces of the Republic of South Africa;
- prohibition of all new collaboration in the nuclear sector.

b) positive measures:

- Code of Conduct for Companies of the EC with Subsidiaries, Branches or Representation in the Republic of South Africa: adaptation, reinforcement and publicity. I might mention here that the discussions in the European Community about the reinforcement of the Code of Conduct were completed in November 1985 and active implementation of the revised code is taking place at the moment.

Let me elaborate a little bit on this revision. The revised recommendations relate specifically to relations with black trade unions, training and promotion of black employees. The recommended minimum wage based on the data of the University of South Africa is the so-called 'supplemented living level'. Furthermore the coordination on the application and the reporting have been strengthened and the format of the report is made in such a way as to permit better comparability of the reports of the European companies. The application of the code of conduct is extended in a way that enterprises with European participation, regardless of its extent, are asked to make every effort to ensure that the principles in the code are implemented and that a report is produced. European enterprises operating in South Africa have established contacts and negotiated with black trade unions, recognized or not.

Let me turn now to the other positive measures the European Community has taken:

- programmes of assistance to non-violent anti-apartheid organizations, particularly to the churches;
- programmes to assist the education of the non-white community, including grants for study at the universities in the countries originating the programmes;
- intensification of contacts with the non-white community in the political, trade union, business, cultural, scientific and sporting sectors, etc.;
- programmes to assist the SADCC and the front-line states.

– programme to increase awareness among the citizens of Member States in the Republic of South Africa.

Mr Chairman, the restrictive and positive measures I just enumerated form the basis of the approach followed by the twelve Members of the European Community towards the problems of South Africa. It is in the light of these measures that the recommendations made by the panel of eminent persons in their report of the public hearings they conducted on the activities of transnational corporations in South Africa and Namibia (doc. E/C.10/1986/9) are being evaluated.

86/119. Statement on International Terrorism and the Crisis in the Mediterranean

Date of Issue: 14 April 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Declaration

1. The Twelve are gravely concerned by the increased tension in the Mediterranean created by the recent acts of terrorism. They met today to concert common action against this scourge.

2. They consider that States clearly implicated in supporting terrorism should be induced to renounce such support and to respect the rules of international law. They call upon Libya to act accordingly.

3. The Twelve are convinced that terrorist attacks do not serve whatever political cause the perpetrators claim to be furthering. Outrages like the ones recently perpetrated on the TWA aircraft and in a discothèque in Berlin can never be justified. The Twelve vigorously condemn these outrages, deeply deplore the loss of innocent life involved and express their sympathy with the victims and their families.

4. They also reject the unacceptable threats made by Libyan leaders against the Member States, which deliberately encourage recourse to acts of violence and directly threaten Europe. Any action of this sort will meet with a vigorous and appropriate response on the part of the Twelve.

5. The Twelve have decided to act according to the following lines regarding Libya and, where necessary, regarding other States clearly implicated in supporting terrorism:

- i) restrictions on the freedom of movement of diplomatic and consular personnel;
- ii) reduction of the staff of diplomatic and consular missions;
- iii) stricter visa requirements and procedures.

6. In conformity with their declaration of 27 January 1986¹ they reaffirm that no arms or other military equipment will be exported to Libya. They will continue to do everything within their power in order to ensure that their nationals and industry do not seek any commercial advantage from measures in reaction to terrorist attacks and other terrorist activities. They reserve the right to consider whether further measures may need to be taken.

No country which lends support to terrorism can expect to maintain normal relations with them.

7. They have instructed the experts concerned immediately to identify appropriate measures to be taken by the Twelve, in particular, security measures, the application of international conventions on diplomatic and consular privileges and immunities and the safety of civil aviation. The experts' report will be considered at the ministerial meeting to be held next week.

8. The Twelve are increasing their cooperation with other States in the field of intelligence, the improvement of security measures and, generally, to prevent acts of terrorism.

9. In order to contribute to eliminating international terrorism, the Twelve will use their joint influence in contacts with Libya and, where necessary, with other States concerned.

10. They have decided to inform the Arab States and the League of Arab States about their conclusions and to invite them to analyse jointly and urgently the issue of international terrorism.

11. Finally and in order to enable the achievement of a political solution, avoiding further escalation of military tension in the region with all the inherent dangers, the Twelve underline the need for restraint on all sides.

¹ *EPC Bulletin*, Doc. 86/061.

86/120. Question No 2298/85 by Mr Christiansen (S-DK) concerning Respect for Human Rights in French Polynesia

Date of Issue: 14 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 12 December 1985

1. Could the Foreign Ministers confirm or deny that:
 - a) Gaston Flosse, Member of the European Parliament, member of the French National Assembly and major in Tahiti has promised the population of French Polynesia a thorough medical examination with a view to detecting ailments caused by French atomic tests in the area?
 - b) such a medical examination has never taken place?
 - c) it constitutes censorship and therefore a violation of human rights to prevent press conferences from taking place on the grounds that an application to hold a press conference must be submitted to the police at least 24 hours prior to the planned time of commencement?
 - d) in October 1985 the police in Tahiti prevented a press conference being held between Major Temaru and the former Danish Foreign Minister Kjeld Olesen on the grounds that an application had not been submitted 24 hours in advance?
2. What conclusions will the Foreign Ministers draw from the lack of respect for human rights in French Polynesia with regard to the preferential treatment accorded the area by virtue of its OCT status?
3. What action do the Foreign Ministers intend to take against France for its lack of respect for human rights in French Polynesia?

Answer:

The question raised by the Honourable Member is not within the scope of European political cooperation.

86/121. Question No 2599/85 by Mr Deprez (PPE-B) concerning the Lack of Uniformity in European External Policy

Date of Issue: 14 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 24 January 1986

The European Council in Luxembourg on 2 and 3 December 1985 did produce some results, the agreement reached stating that, as regards political cooperation, the Member States would attempt jointly to implement a European foreign policy and undertook to consult each other on any foreign policy matter of general interest.

Hardly was the ink dry on the paper, however, before two events occurred to make a mockery of it: – on 4 December for instance, the French President, François Mitterand received the Polish Head of State, General Jaruzelski. By so doing, without consulting his European partners, he accorded international respectability to the man who imposed the repressive measures against *Solidarnosc* on 13 December 1981.

– and, on 5 December, the British Cabinet confirmed the United Kingdom decision to withdraw from UNESCO. Leaving aside the grounds for the decision, it too reduced the credibility of any European foreign policy.

What are the views of the Foreign Ministers? What do they intend to do to ensure that everyday events match the words of the European Council?

Answer:

The Ministers of Foreign Affairs of the Twelve meeting in political cooperation make joint efforts to formulate and implement a European foreign policy. When adopting positions on a national basis or taking national action every partner takes full account of the positions of its partners and gives due consideration to the desirability of adopting and implementing common European positions. Each partner avoids action or positions that could impair the effectiveness of the Twelve as a coherent force in international relations. The Twelve do not consider that the events referred to by the Honourable Member of Parliament are at variance with the modalities and objectives of European political cooperation in its present state of development as reaffirmed by the European Council meeting in Luxembourg on 2 and 3 December 1985¹.

¹ *EPC Bulletin*, 1986-1, Doc. 85/341.

86/122. Question No 2679/85 by Mr Hänsch (S-D) concerning the Politically Motivated Coercion of Turks Resident in the Federal Republic of Germany by Turkish Consulates in That Country

Date of Issue: 14 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 6 February 1986

For some time, increasing pressure has been applied by Turkish Consulates in the Federal Republic of Germany to Turkish residents of that country who espouse fundamental democratic liberties in Turkey. Individuals are invited to a Consulate to discuss 'a subject of personal interest' to them, in the course of which they are forced to make a choice: either to act as an informant or to have their passports withdrawn and return to Turkey.

1. Apparently, there have been many such cases; and I have learnt the names of four individuals involved. Are the Foreign Ministers aware of this practice?
2. Will the Foreign Ministers raise this matter with the Turkish authorities and most resolutely urge that an end be put to this illegal and inhuman practice?

Answer:

The matter raised by the Honourable Member of Parliament is outside the scope of European political cooperation.

86/123. Speech to the Plenary Session of the CDE in Stockholm

Date of Issue: 15 April 1986

Place of Issue: Stockholm, Sweden

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Statement in international forum

Mr Van den Broek: Mr Chairman, Your Excellencies, it is a great pleasure for me to be here today with you and to address this conference once again. Last time at the opening session I spoke to you in my national capacity. This time I speak on behalf of the Twelve Member States of the European Community of which the Netherlands currently holds the Presidency; and I have come to express the support of the Twelve for your serious and hard work here in Stockholm. The Twelve support your efforts to achieve a meaningful result, as they are aware of the impact which this conference can have on the future of Europe.

For the last forty years our continent has been spared the scourge of war. However that does not mean that these years have been without tensions or risks. Indeed, over these years our security and stability have remained frail and fragile.

That is why our peoples are looking at this conference with the hope and expectation that here in Stockholm you can achieve results that could give a new impetus to the process started in Helsinki that can make our countries more safe and more secure.

The CDE is of course an integral part of the CSCE process and it is the dialogue created by the CSCE which enables us to work for better relations and better understanding and which has made this conference possible.

Although the dialogue here in Stockholm focuses in particular on the military aspects of security in Europe, we are making an important contribution towards achieving the general objectives of the CSCE as a whole, for in the CDE we are trying to remove distrust and misunderstanding by achieving a greater degree of confidence.

The confidence- and security-building measures on which you are working would, if accepted and seriously implemented, make a considerable contribution to removing possible sources of tension and thereby creating more confidence and security. As I said when I addressed you in January 1984, this form of cooperation can add a new dimension to arms control, for it can lay the foundation for more substantive arms control and disarmament agreements in the future.

We made a first effort to create a degree of confidence at Helsinki, when we agreed to a limited number of confidence-building measures. However, the confidence-building measures agreed upon at the time constituted only a first step; the possibility that they would need to be expanded and further developed was already foreseen in the Final Act. Indeed, when put into practice the limitations inherent in these measures clearly demonstrated that a set of more far-reaching measures was required to reduce the risk of military confrontation. The measures we must agree upon here in Stockholm will have to be a significant step forward from the confidence-building measures of Helsinki.

Mr Chairman, we are of course gratified that serious negotiations on arms control and arm reductions are once again being pursued. A successful conclusion of your work here in Stockholm could give an impulse to the other negotiations and could serve as a barometer for further progress. A satisfactory result here in Stockholm could also pave the way for further progress in security and disarmament in Europe.

We should of course keep in mind that the concept of confidence and security transcends the military field on which the CDE is largely focused. As is reflected in the Final Act, the free flow of ideas and information, contacts between peoples, respect for human rights and fundamental freedoms and cooperation in the fields of culture and economy, science and technology are all integral parts of a lasting foundation for peace and security in Europe. As we are well aware, the meetings in Ottawa and Budapest, however useful in themselves, did not produce any agreed conclusions. It is therefore all the more important that the meeting on human contacts which starts today in Berne does achieve results. Genuine security in Europe can only be achieved if justice is done to all aspects of the Final Act.

The many strands of the CSCE process all come together at the next follow-up meeting in Vienna, which will have to assess the progress made in the various fields, including the work of this conference. Vienna must also maintain, and where necessary redress, the balance between the different elements of the CSCE process. We are determined to approach the follow-up meeting in a positive way and shall strive for progress especially in those areas where little has been accomplished as yet.

Mr Chairman, coming back to the work of this conference, I would like to underline that the Twelve remain convinced that the mandate for the CDE provides an appropriate [impulse] for the negotiations

of the confidence- and security-building measures which we need in Europe today. Such measures must be of military significance and politically binding, they must be verifiable and cover the *whole* of Europe.

The countries of the Twelve also share the conviction that the results we are trying to achieve must be concrete and substantial. If they are to enhance confidence and reduce the risk of military confrontation, they must include those measures which are most essential for this purpose. In other words they must be adequate in scope. We do not want this conference to lead to a so-called 'mini-package'.

Our people realize that a climate of confidence and security in Europe can only be achieved if we have adequate knowledge of the development of each other's military forces. In order to avoid concern and apprehension, military activities should be predictable. To this end they should be notified adequately in advance. The confidence and security of our peoples would be much greater if they knew what to expect. Their confidence would increase even more if observers could actually come to each other's countries to watch military activities. And still more important would be the possibility to check on the spot whether military activities have taken place which should have been notified or if they have been notified, whether they correspond to the information provided in the notification.

Mr Chairman, proposals to achieve such a climate of confidence and security in Europe have been discussed in this chamber for more than two years now and although progress has been slow, we begin to see some convergence of views; the very first sentences of a possible agreement have actually been inscribed in the coordinators notebooks. However, agreement will still have to be reached on a number of elements which we consider essential for a satisfactory conclusion of this conference.

The preamble of the part of the Final Act concerning confidence-building measures rightly says that it is lack of information which causes apprehension. Therefore it is clearly not sufficient to provide an insight only into notifiable military activities. Much more information is needed.

Notification of military activities remains one of the most important confidence- and security-building measures. We welcome Mr Gorbachov's agreement not to discuss independent naval activities in this phase of the conference. In this connection the Twelve recall that the CDE mandate includes activities in adjoining sea and air space whenever these activities affect security in Europe as well as constitute a part of activities taking place within the whole of Europe. It is not for the Stockholm conference to decide on a change in that mandate or on subjects to be included in subsequent negotiations. None of us here in Stockholm is entitled to prejudge decisions of the CSCE follow-up meeting in Vienna.

During the last round agreement was reached on the principle of exchanging annual calendars of notifiable military activities; a modest but important step on the long road still before us, because for the first time in history States belonging to the same region have indicated that they are prepared to provide to each other information with regard to their military exercise programmes a year in advance. This information must be sufficiently detailed to make a valid contribution to confidence building.

I also note with satisfaction that the necessity for observation has now been accepted by all the countries participating in the conference. We are pleased that all participants are now prepared to invite observers from all other participating States. It is no less essential that all military activities which are to be notified can be adequately observed. Only then can their routine character and their non-threatening nature be ascertained.

I now come to the question of verification. All the confidence- and security-building measures which are under discussion here have in the final analysis as their purpose to gain a better insight into each other's activities and to avoid miscalculations and misinterpretations. Confidence and security in Europe will only come if we can agree to achieve a large measure of openness in order to give each other the assurance that no covert or surprise operations are being prepared. This will require adequate provisions for on-site inspection.

Mr Gorbachov mentioned this subject in statements of January the 15th and we consider this to be an encouraging sign. His address to the congress of the Communist Party of the Soviet Union in February further strengthened our hope that results in this field can be achieved here in Stockholm.

The Twelve are convinced that the implementation of the concrete confidence- and security-building measures which we are trying to achieve here in Stockholm can do much more to enhance the confidence of our peoples in our efforts to reduce the risk of military confrontation than a mere declaration. Indeed such measures would be an important contribution in our endeavour to give effect and expression to our

obligation not to use or threaten with force. It is the adoption of these measures by this conference that would justify a reaffirmation of this obligation. The principle not to use force is of course enshrined in the Charter of the United Nations and has already been reaffirmed in the Helsinki Final Act. Nevertheless the Twelve are prepared to assume a renewed commitment to this principle in the context of an agreement on a substantial package of concrete measures.

I would like to take this opportunity to express our appreciation for the share the neutral and non-aligned countries have already contributed to the work of this conference. Their proposals of November last year have been studied with great interest and have been found to contain a number of elements that are most useful in our common endeavours to reach agreement. Some of these countries have furthermore supplied this conference with competent persons to coordinate the informal discussions and negotiations on the various proposals which are now on the table. Their efforts deserve our appreciation and encouragement.

Mr Chairman, today marks the beginning of the tenth round of this conference. Including this one there are only three more rounds to go, which means seventeen weeks of actual negotiations. If results are to be achieved before the conference adjourns on the 19th of September, it will be necessary to put this conference in a higher gear. Decisions on crucial substantive issues can be delayed no longer. The time to tackle these issues is now.

The countries of the Twelve for their part are prepared to make every possible effort and to discuss these crucial issues with a sense of realism and in a spirit of compromise. If all delegations are guided by this spirit a satisfactory result, difficult as it may now seem, is still possible.

86/124. Statement on the Meeting of Experts on Human Contacts Held in Berne as Part of the Follow-up to the Conference on Security and Cooperation in Europe

Date of Issue: 15 April 1986
Place of Issue: The Hague
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Declaration

The twelve Member States of the European Community attach great importance to the expert meeting on human contacts, which is taking place in Berne within the framework of CSCE.

The aim of the Helsinki process is to enhance security and cooperation in Europe by building confidence between the participating States and between their peoples on the basis of mutual understanding thus leading to the development of better relations.

Human contacts, solution of humanitarian problems, facilitating the freer movement of people and promoting contacts between peoples and individuals are an integral part of this process and an essential element for the building of confidence between the 35 participating States.

The Twelve therefore emphasize that full advantage must be taken of the opportunity offered by the Berne meeting for concrete improvements on the basis of the provisions of the Final Act and the Madrid Concluding Document. Effective results at the Berne meeting and real progress in the field of human contacts would meet the concerns of so many people involved and thus would make a vital contribution to balanced progress in the CSCE process.

86/125. Question No H-980/85 by Mr Adamou concerning the Death Sentences and Torture of Democratic Citizens in Turkey

Date of Issue: 16 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

In the Turkish Parliament, 91 cases have been submitted for approval relating to court-martial decisions imposing death sentences on Turkish citizens opposed to General Evren's regime.

In the Turkish city of Prusa, special prisons are being built for the total isolation of political prisoners condemned by courts martial to penal servitude for life or to long-term imprisonment. These prisons will consist of cells for one person only and will be built nine meters below ground level. Communication with the prisoners, buried alive, will be by means of mirrors.

The members of the Turkish Peace Committee have been held for a long time now in dreadful conditions in the Bairabasa prison without having any specific charges brought against them. All of these prisoners are professional people and leading personalities in Turkish society.

What action do the Foreign Ministers intend to take to prevent the 91 people condemned to death from being executed, to prevent hundreds of political prisoners from being buried alive in the new prison in Prusa and to bring about the release of the members of the Peace Committee of Turkey, who are being detained illegally without trial or sentence?

Answer:

The death penalty as such in Turkey has not been a subject of discussion in European political cooperation. The Member States of the European Community, however, do not fail to express their concern about this matter. On 11 March the Turkish Parliament passed a law providing for commutation of the death penalty into a prison sentence of thirty years. Furthermore, it should be noted that, as far as is known, no death sentences have been carried out in Turkey since October 1984. With regard to the concern, felt by the Twelve on the subject of respect for human rights in Turkey, the situation regarding Turkish prisons is being closely monitored.

It may be noted in this connection that the Turkish parliament is also taking an active interest in the situation in Turkish prisons and detention centers, and that a special parliamentary commission issued a report at the end of 1985 containing a large number of recommendations aimed at preventing abuses. This parliamentary commission has been granted a mandate to pursue its activities.

The last six members of the Turkish Peace Committee who were still in prison, were set free on 10 March 1986, pending a final verdict.

86/126. Question No H-1014/85 by Mr Wurtz concerning the Application of the Code of Conduct by European Companies Operating in South Africa

Date of Issue: 16 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

The French company CGEE-ALSTHOM, which is working on the site for the South African nuclear power station at Koesberg, last December withdrew authorization for Mr Cecil Theys, regional chairman of the electricians' union (EUTUSA), to enter the site. The reason given by CGEE-ALSTHOM was that the trade-unionist had been arrested by the South African police for taking part in a demonstration against apartheid. Cecil Theys has not been paid for one and a half months, although in theory he has not been dismissed.

How do the Foreign Ministers intend to enforce compliance with the Code of Conduct by European companies operating in South Africa and what measures do they plan to take in the event of failure to comply with the Code by companies like CGEE-ALSTHOM?

Answer:

The Foreign Ministers of the Twelve attach the greatest importance to strict compliance with the Community's Code of Conduct. The revised Code of Conduct, which was adopted by the Ministers of the Twelve on 12 November 1985, pays particular attention to the role of trade unions in firms which are subject to this Code.

The particular case involving CGEE-ALSTHOM concerns a construction site access to which is regulated by the South Africa firm of ESCOM, responsible for supervising the site. Mr Cecil Theys is still employed by the French firm and is now working elsewhere. He is receiving his normal pay, and the complaint by his trade union has been officially withdrawn.

86/127. Question No H-1018/85 by Mr Pearce concerning the Speech Made by the State President of South Africa

Date of Issue: 16 April 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Have the Foreign Ministers meeting in political cooperation fully considered the speech made by the State President of South Africa on 31 January 1986, have they communicated this view to the South Africa Government and what views do they hold about this?

Answer:

The Twelve have made a careful study of the speech made by President Botha at the opening of the South African Parliament in Cape Town on 31 January 1986.

Although this speech contains some elements which may be positive, in particular as regards improvements in education, the Twelve take the view that they are not sufficient to bring about the fundamental change which should follow the South African President's acknowledgement in the same speech that South Africa had outgrown the antiquated concept of apartheid.

On 3 and 4 February the Twelve discussed the situation in Southern Africa in general and South Africa in particular with the Foreign Ministers of the front-line States. President Botha's speech was an important topic in their deliberations.

On 14 February 1986 the Netherlands Minister for Foreign Affairs held a meeting with his South African opposite number, Mr R.F. Botha, and again stressed the Twelve's great concern at developments in South Africa. He urged with the South African Government to open a national dialogue without delay with the real representatives of those South Africans who are at present excluded from government structures. In order to facilitate the opening of this dialogue, Mr Van den Broek stressed that the state of emergency in South Africa should be lifted, all political prisoners and detainees in South Africa, including Nelson Mandela, should be released and the ban on political parties such as the African National Congress and the Pan-African Congress of Azania should be lifted. Bearing this in mind, the Twelve welcomed the lifting of the state of emergency in South Africa on 4 March but they are concerned at the South African Government's plans to extend the powers of the South African police, which may be detrimental to the effectiveness of the measures announced by President Botha.

The Twelve are still monitoring developments in South Africa closely. In their statement of 13 March they once again urged the South African Government to take further steps to facilitate the urgently needed dialogue which must lead to the total abolition of all discriminatory laws.

They have made it known that it might be necessary to consider new measures, in addition to those agreed on in Luxembourg in September 1985, if there is no significant progress in the near future.

86/128. Question No H-1052/85 by Mr Pranchère concerning the Resumption of the Association Agreement Between the EEC and Turkey

Date of Issue: 16 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

At their last meeting, the Foreign Ministers of the Twelve agreed to open the procedure leading to the normal resumption of the association agreement between the EEC and Turkey, on the pretext that progress had been made by the latter in respect for human rights. However, during the vote on the 1986 budget the European Parliament reaffirmed its determination that appropriations under the EEC/Turkey association agreement should be frozen, precisely because of the persistence of serious violations of human rights.

In the light of this, how do the Ministers of the Twelve justify resumption of the association agreement and what view do they take of the latest Amnesty International report which documents the widespread use of torture in Turkish police stations and prisons?

Answer:

The Honourable Member's question concerns two aspects which must be clearly distinguished: the Community aspect and that of European political cooperation. As regards the former, the relations between the Community and Turkey, it should be pointed out that the Council has agreed to move towards the gradual normalization of these relations and has agreed at the same time to follow closely the development of the situation in Turkey as regards the respect of human rights and progress towards democracy.

At the same time, in the context of European political cooperation, the Twelve never miss an opportunity in their dealings with the Turkish authorities of expressing their concern at the reports which have reached them on the non-respect of human rights and basic freedoms in Turkey.

86/129. Question No H-20/86 by Mr Ephremidis concerning Nuclear Weapons and the United Kingdom's Position

Date of Issue: 16 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

In view of the fact that the nuclear armament issue is an international problem and cannot constitute an internal affair of one country, what view do the Foreign Ministers take of the United Kingdom's position as a Member State of the Community in rejecting the Soviet Union's conciliatory proposals (15 January 1986) and maintaining its position in favour of a substantial increase in an 'independent nuclear capacity', which undermines the Geneva talks on nuclear and space weapons?

Answer:

The subject raised by the Honourable Member of Parliament pertains to military aspects of security and is therefore outside the scope of European political cooperation.

86/130. Question No H-22/86 by Mr Alavanos concerning US Interference in Nicaragua

Date of Issue: 16 April 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

In an interview with the *Baltimore Sun*, President Reagan stated that American troops would intervene in Nicaragua if the Sandinista Government threatened American interests. At the same time he has called for a hundred million dollars in military aid for the 'Contras' to deal with what he called the subversion and violence of the Sandinistas.

Since all these statements constitute blatant interference in the internal affairs of a sovereign State and undermine peace in this sensitive region of Central America, what steps do the Foreign Ministers intend taking to persuade the USA to cease interfering in the internal affairs of Nicaragua, since this jeopardizes peace in the region and, moreover, is contrary to the spirit of the San José Conference, at which the contracting parties confirmed their support for the pacificatory measures taken within the framework of the Contadora peace process?

Answer:

The Twelve have repeatedly made clear their conviction that the problems of Central America can only be resolved through a negotiated settlement based on the Contadora objectives and involving all the parties concerned, (for example in the answer given recently to two similar questions H-856/85 and H-841/85)¹.

As was stated in the political communiqué² of the ministerial meeting in Luxembourg in November 1985, they consider it essential for all countries with links and interests in the region to make an effective contribution towards creating favourable conditions for the conclusion of negotiations with a view to the endorsement of the Document on Peace and Cooperation in Central America.

At the same time, the Twelve made clear that they are ready – if called upon – to consider providing appropriate assistance in support of the peace process in Central America.

The Twelve have ensured that the US Administration is aware of their views, including the importance which they attach to Nicaragua and the US resolving their bilateral differences through the appropriate diplomatic channels.

¹ *EPC Bulletin*, Doc. 86/080.

² *EPC Bulletin*, Doc. 85/253.

86/131. Question No H-33/86 by Mr Iversen concerning Compliance With the WHO Code of Conduct for Breast Milk Substitutes

Date of Issue: 16 April 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

Are the Foreign Ministers meeting in political cooperation agreed that in their policy on breast milk substitutes the Member States should comply with the WHO codes of conduct governing, among other things, marketing, which the Member States meeting in political cooperation have previously approved in another context?

Answer:

The question tabled by the Honourable Member, is not within the competence of European political cooperation.

86/132. Question No H-41/86 by Mr O'Donnell concerning a Representation to the Aquino Government in the Philippines

Date of Issue: 16 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Have the Foreign Ministers made any representations to the Aquino Government in the Philippines regarding the whereabouts of Father Rudi Romano, and if so, what response has been received?

Answer:

The Presidency's representative in Manila has continued his efforts to discover the whereabouts of Father Rudi Romano from the new government of the Philippines, the Aquino Government. The Twelve have already given this information to the Honourable Member in their answers to the earlier oral questions H-628/85 and H-776/85¹.

The contacts which the Presidency's representative has had with, among others, the authorities of the new government have not provided any new and encouraging indications as to Father Romano's whereabouts.

¹ *EPC Bulletin*, Doc. 85/262 and Doc. 86/075.

86/133. Question No H-44/86 by Mr Mattina concerning the Crisis in the Gulf of Sidra¹

Date of Issue: 16 April 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Having opted for an armed trial of strength in the Gulf of Sidra, the American Administration is giving Colonel Ghaddafi's Libya concrete pretexts for fomenting destabilization within the Arab countries that are most disposed to dialogue and, above all, for reporting to Europe terrorist outrages, which now represent one of the gravest psychoses blighting political life and the normal life of society.

In the light of the recent hostilities between the United States and Libya, what steps have the Ministers taken or do they intend to take with a view to establishing a policy of consultation and peace in the Mediterranean so as to prevent an escalation in the current armed conflict?

Mr Van den Broek, President-in-Office of the Foreign Ministers: After answering the question by Mr Mattina I intend to make a supplementary statement to the Assembly concerning the situation that has arisen in relation to recent developments in the Mediterranean. I appreciate that this has become necessary, and I shall of course also be prepared to answer any related questions – insofar as they are relevant to the Assembly's agenda.

But first to Mr Mattina's question. As regards the events in the Gulf of Sirte, the Twelve reaffirm that they attach the very highest importance to peace, which can only be preserved if all members of the international community abide by the rules of international common and statute law. The Twelve have,

within a framework of jointly agreed measures, repeatedly made representations, most recently in September 1985, to the Libyan authorities, specifically reiterating the standpoint that is shared by the international community, namely that Libya's claims to the Gulf of Sirte, which lies in international waters, can be justified neither on grounds of history nor on grounds of the 1958 or 1983 Law of the Sea Treaties. The Twelve reaffirm that international disputes, including disputes relating to the limits of territorial waters, should be resolved not by resort to force but by having recourse to the relevant provisions of international law.

As regards the more recent events in the Mediterranean, I should like to make the following points. The threatening situation in the Mediterranean and the recent terrorist actions, most recently in West Berlin, resulted in the Presidency deciding just before the weekend – in response to a call from Spain and Italy – to convene an emergency meeting of Foreign Ministers for last Monday in The Hague. The meeting resulted, on the basis of a far-reaching analysis of the situation, and after exhaustive discussion, in a joint declaration being issued early on Monday evening. The declaration by the Twelve expressed the concern of the Twelve at the heightened tension in the Mediterranean brought about by the recent terrorist attacks. Libya, whose complicity in the attack in West Berlin was not in doubt, was given clearly to understand that, like other States that support international terrorism, it was expected to cease such support forth-with. Similarly, the intolerable threats from Libyan leaders against European Member States were rebuffed. Any acts of violence from that quarter will be reciprocated with a strong and fitting response on the part of the Twelve.

The Twelve agreed, in fulfillment of the Declaration of 27 January 1986, to take certain concrete measures against Libya and, if necessary, any other State implicated in giving support to terrorism, namely: restrictions on the freedom of movement of diplomatic and consular staff; reductions in the numbers of staff on diplomatic and consular postings from Libya, and a stricter visa policy. Instructions have also been issued to the permanent EPC working party on terrorism to specify additional measures, in particular security measures, to be considered at the ministerial meeting of 21 April.

The Twelve will step up their cooperation with other countries in the areas of security and efforts to combat terrorism. The Arab States and the Arab League have been invited to consult jointly and urgently on the question of international terrorism with a view to acting in common to contain it. On the European side further consideration could, for example, be given to the Troika formula.

Not least, the declaration issued last Monday evening by the Twelve emphasized the need for moderation on both sides, so as to prevent any further escalation of the military tension in the region, with all its attendant dangers. The United States nevertheless felt obliged despite the European appeal, to take direct military action against Libya on Monday. It must be acknowledged that tension in the region has been heightened by that action. The Presidency then decided at short notice to hold a further meeting of Foreign Ministers, a meeting that has now been fixed to take place tomorrow alongside the OECD meeting in Paris, to consider the new situation that has been created.

Mr Mattina (S): I have to say frankly that the answer given by the Minister seems to me, in all truth, somewhat bureaucratic. In the first place the principle of equality between partners in an alliance has been disregarded. And as for relations between Europe and the USA, the decision of the Foreign Ministers of the Community was totally ignored, so much so that the attack took place next day. I think that this fact deserves more accurate appraisal by the President of the Council of the Community.

On the question of relations between individual Member States of the Community and the United States, I should like finally to say that a messenger arrived from the United States, who spoke with the various European governments and – just imagine – whilst this consultation was taking place, an irrevocable decision had already been taken and, what is more, was already being implemented.

At The Hague all the Ministers signed that document – a weak one, moreover, in my view, *vis-à-vis* both Libya and the United States – whilst one European government was perfectly aware of what was happening – the United Kingdom Minister to be precise – from whose country the aircraft that bombarded Tripoli set out. Let the President of the Council tell us about this: the rest, what the newspapers say, we already know!

Mr Van den Broek: As the Honourable Member rightly points out, the military operation by the United States took place after the meeting of the Twelve had opened. I have just indicated that

consultation to review the situation in the light of the more recent development that came to light early on Tuesday morning still has to take place and that the Ministers will be meeting for that purpose tomorrow.

As to the Honourable Member's more specific question concerning European Ministers' knowledge of the American action, I can in any event inform him that the American action as such was not specifically discussed during consultations on Monday in The Hague. It was of course the case that the meeting had been called at such short notice by the Presidency because tension in the area was obviously mounting and the possibility of military intervention could not be ruled out.

It goes without saying that, if there were Ministers present at that consultation, which – I repeat – took place prior to the military intervention, who were in possession of any relevant information, no such sensitive information formed any part of advance talks among the Twelve.

Mr Morris (S): I have been informed by very reliable people that preceding the brutal aggression by the United States, supported by the British Government, against Libyan civilians, Cruise nuclear missiles were deployed from Greenham Common on Friday morning and returned to their base at Greenham Common last night after the Libyan crisis was presumed to have passed.

Can the Foreign Ministers tell this House whether or not NATO member States or their Foreign Ministers had been informed or consulted about the deployment of Cruise nuclear missiles and, if not, what, in his opinion, are the implications of this for the NATO member States? Lastly, would the Foreign Ministers press the United States of America not to use the Libyan crisis as a smokescreen or cover for direct intervention in Nicaragua?

Mr Van den Broek: The Honourable Member's first question concerning cooperation among the partners to the NATO alliance does not fall within the terms of reference of European political cooperation. The Honourable Member is, I assume, perfectly aware of that. As to the question concerning Nicaragua, neither can it in any sense be said to form any part of the agenda of political cooperation.

Mr Blumenfeld (PPE): I want to put two precise questions. According to newspaper reports, President Reagan was in possession of hard and fast evidence which justified his giving the order to attack. Does the President-in-Office know whether this evidence had also been put before the Council Presidency or before the Foreign Ministers as a body? Secondly, Foreign Minister Genscher has been in Washington in the last few days. Has he told the President-in-Office anything about his talks with the President and Foreign Minister Shultz?

Mr Van den Broek: I have as yet received no information from Mr Genscher concerning his talks with Mr Shultz. As to the information to which the Honourable Member refers – it was translated as 'Does proof exist?', so that I have not quite understood the question – if the question is: 'Was there advance information?', in other words the same question as that put by Mr Mattina – I can answer that, as the Honourable Member is aware, the American President, in advance of the military intervention, sent a special ambassador round a number of European capital cities. No communication has been forwarded to us by the governments concerned regarding the talks that were held with the American special representative.

Mr Prag (ED): The death of hundred civilians is the most regrettable feature of what has happened. However, is the President-in-Office aware that 25 Americans were murdered overseas in terrorist attacks last year and that in the last 12 years 154 lethal attacks have been made on Americans overseas resulting in 412 deaths? Does he really believe that any nation can endure all this and not do something very determined about the man who publicly boasted of the effectiveness of terrorism, of his financing of terrorism, the man who had links with with terrorists, including the IRA, the world over and who helped to train terrorists? Does he not think that the Member States of the Community meeting in political cooperation made a gross miscalculation of the attitude of the American people, of their justified resentment at Europe's inactivity and ineffectual response to terrorism and of the United States Government's determination to act decisively?

Mr Van den Broek: In my present capacity I cannot become involved in any assessment of the justification for the American military intervention.

What I can do is to refer the Honourable Member to the declaration issued by the Twelve last Monday announcing a number of very specific measures against Libya, thereby emphasizing how seriously the Twelve take the question of terrorism generally, and more particularly that they recognize the special role played in it by Libya. Secondly, the declaration concludes by urging to forestall further military escalation in the region.

Mr Ephremidis (COM): The Minister has told us that the raid took place after consultation with the twelve Ministers. I would like to ask a three-part question.

When the Twelve met, were they aware that a warlike act was to be committed against Libya? And if only two or three of them – Britain and West Germany, for example – were aware of this, did they inform the others, within the framework of political cooperation, that a warlike act against Libya was imminent? And if they were not informed, or if there was no general awareness of what was about to happen, then what is the purpose of this political cooperation? Is the Minister aware, from his reading of the newspapers, of any terrorist attack more likely to put peace at risk? Now for the second part of my question: do the twelve Ministers believe that terrorism can be tackled with barbaric acts of this kind against any country – which particular country is involved is not of importance, as we too condemn all acts of terrorism – or, on the contrary, do they not believe that they encourage terrorist reprisals and create wider dangers? And the third point: the attack was launched against Libya because Reagan considers that country to be guilty of practising terrorism. Were the Ministers presented with proof, with any evidence to support this? I am not attempting to defend Ghaddafi, but we need facts, evidence. And if the twelve Ministers were in possession of such evidence, why does the Minister not reveal it to us, so that we can see for ourselves, so, Mr President, that public opinion can judge? Otherwise, where are we heading? Towards a situation in which Reagan can judge, convict and execute not only Libyans but also foreign and American citizens with murderous attacks; and tomorrow may decide to launch nuclear missiles from bases on Community territory, provoking nuclear war? He believes he has the evidence, without us seeing it, without the national governments being informed. All this because these countries are lending their support to this cataclysm. Where are we going? It seems to me, from what the Minister is saying, that we are beginning to play with words. I fear that while here we sit near each other, there is a huge distance between us on this question. I call on the Minister to be so kind as to give us some convincing answers.

Mr Van den Broek: The Foreign Affairs Ministers also understand that very well, and they too share the view that we are dealing here with an unusually important and extremely serious situation. On the other hand – and here I reflect the discussions that have taken place hitherto among the Twelve on this matter – it is essential for us to analyze the situation carefully, and to do so with cool heads; and where public opinion is concerned, we must be careful not to give rise to what might be said to amount to a kind of psycho-hysteria in a war situation. I do not believe that would be the right approach. That in no sense detracts from the gravity of the situation or from the seriousness with which the Twelve will examine it.

The Honourable Member asked for a frank and clear answer, and every Member of this House can count on that insofar as it is open to me to pursue the substance of their questions. He has in effect repeated the question put by previous speakers: precisely what was known in advance, and did certain Ministers who had access to advance information communicate it to their counterparts? I have already stated that the fact that an emergency meeting was called at all was already an indication in itself that developments were taking place that at the very least made it necessary to be ready to countenance the possibility of military intervention. As I understood yesterday, on the basis among other things of contacts with my British counterparts, the final decision – I don't mean on preparations, but the decision on military intervention itself – was not taken until the very day when the Twelve were meeting. It would be wrong to see a connection between the two things; it was simply a question of timing. The Ministers, while they could not have been in possession of concrete information concerning the final decisions on military intervention, nevertheless recognized the gravity of the situation, and it was against precisely that background that they drafted their declaration, in particular its concluding paragraph – to which I have already referred – urging moderation and self-restraint in order to forestall escalation.

The Honourable Member also asked what evidence was available of Libyan complicity in terrorist actions. Let me say from the outset that the fact that the twelve Ministers saw good reason for the first time last Monday to name Libya specifically in their declaration and to adopt a clear position against Libyan involvement in terrorist activities must be understood in itself at the very least to indicate that each of the twelve Governments was convinced of that country's involvement.

Secondly, the American President, in statements to the press and in television appearances after the decision to intervene militarily had been taken and that decision had been implemented, named one specific instance of Libyan involvement, namely that relating to the attack on the West German discothèque. Considerable evidence of this was released.

Of course we are each entitled to our own opinion, and each of us may well have our doubts. In any event it remains the case that for the twelve Governments that issued last Monday's declaration, the communiqué by the Twelve, that involvement is a fact.

Finally, and this is a similar point to the one I have already made, we cannot in matters of this kind reasonably expect precise chapter and verse to be made public, thereby revealing the sources of the information and data on the basis of which action is ultimately taken or evidence of Libyan involvement is obtained. I think it really would be going too far to assume that that should be so.

Mr Chinaud (LDR): There are three elements to the question I wish to raise.

Does not the President-in-Office of the Council feel that the exceptional passivity of the Council of Ministers of the Community, combined with its exceptional inability to deal seriously over a period of several months, as Parliament has asked it do, with the problem of the fight against terrorism — that passivity and that inability, which, dare I say it, have been aggravated by the Council's habitual silence in the face of the American Government's proposals for discussing with the Council of Ministers the problem of retaliatory measures against Libya — does he not feel that the Council bears a grave responsibility by virtue of this passivity and inability, in view of the fact that the United States of America has decided to react to the events of the moment?

Second element: at a time when one might ask, in the light of the information which we have collected, whether there is some kind of objective complicity between the Soviet Union and the United States — I refer to the almost miraculous disappearance of a Soviet warship from the American attack zone — does the President-in-Office not feel that the Council of Ministers really has taken a position which lacks credibility as regards the two super-powers, and therefore has helped to weaken Europe's position in this matter?

Finally, in his declaration at The Hague the Minister mentioned the need for discussion with the Arab countries — and he is right — but does it seem to him necessary to continue to maintain diplomatic relations with Libya, who, by its own international methods, has set itself beyond the pale of the international community?

Mr Van den Broek: I think that if the declarations by the Twelve, both that made on 27 January and that made last Monday are kept in mind, it cannot be said that Europe has kept silent. On my own responsibility I should certainly like to add that it would be wrong to look to any European action for an explanation of the American action. In matters of this kind the United States can act on its own responsibility, just as Europe and each national Member State can act on their own responsibility.

I repeat that in the communiqué put out in The Hague last Monday it was clearly stated that a number of concrete measures were being taken. I have already named them: restrictions on the numbers of Libyan diplomats in Europe and on their freedom of movement, together with a number of specific instructions to the EPC permanent working party that will also advise Ministers — this will be on the agenda of the EPC, the meeting of Ministers in political cooperation, next Monday — and you can also find a number of other provisions and measures in the declaration.

As regards contacts with the Arab countries to which the Honourable Member referred, and, in that connection, his question as to whether it would be preferable to break off all diplomatic relations with Libya in this instance, the communiqué sets out a number of restrictive measures applicable to relations with Libya. That is what the Twelve have decided, and that is also what will be implemented at the shortest possible notice. The main considerations that swung the different Ministers in favour of

maintaining diplomatic relations were, firstly, that for Europe to keep up diplomatic contacts could have certain advantages, even in the present circumstances. And secondly, that we obviously have a responsibility to the large numbers of Europeans who continue to live and work in Libya.

Mr Pegado Liz (RDE): It is well known that violence begets violence and reprisals are soon followed by reprisals in an uncontrollable escalation and once it has reached a certain height, it is no longer possible to discover whether or not there was a reason, as was quite rightly pointed out moreover in the final statement of the last meeting of Foreign Ministers which the Minister referred to.

There is obviously no question about the firm condemnation of all forms of terrorism – and especially those that have a known and proven origin in internationally recognized Governments of States – that has been expressed in this Parliament on many occasions – and notwithstanding the emotion that we all feel in the wake of the recent attacks on Tripoli and on Benghazi, with their two hundred civilian victims including women and children, I must remind you that violations of international law must attract appropriate responses within the ambit of the same international law and that recourse to violence, even as a response should obey the norms and rules of international law to be legitimate.

Therefore, I would like to ask the Minister, in the light of what principles or in accordance with what norms of the aforesaid international law, it being understood that the Council of Ministers, at its next meeting, should rule on the definition of a common European position relative to the events referred to and their foreseeable consequences, what international instances he thinks should be used and what legal measures will he advise taking, not only for the rapid re-establishment of peace in Libya, but also to guarantee the security of people in the countries where the events took place? I believe that without a clear reply to this question, our whole debate lacks foundation and purpose.

Mr Van den Broek: I naturally cannot say what the precise content of the meeting of the Twelve tomorrow will be, except that it has been agreed – and it was in this connection that the Presidency originally asked for the meeting to be convened – to subject the situation that has arisen since the military intervention to renewed assessment. I may go so far as to say that, on the basis of what is stated in The Hague declaration, namely the appeal to moderation and self-restraint, I can fairly assume that my counterparts will tomorrow share my view that one of the first duties that the Twelve will have to take on will be to consider how they can best contribute to the de-escalation of this conflict. In other words, the appeal to moderation and self-restraint is intended to prevent military action from being escalated further. By the nature of the things, that now has a high priority. I also assume that we shall consider further how the concrete measures announced by the Twelve in The Hague declaration can actually be implemented in practice.

Ms Hammerich (ARC): It was sensible of the EPC meeting to propose political and not military solutions to the problem. But the debate in this Chamber yesterday revealed a deep split over this peaceful line. Most political groups regrettably supported the US bombing operations in gross violation of international law – others condemned them – but many wanted a strengthening of EPC. But what kind of foreign policy will a strengthened EPC pursue? Can we be sure that EPC will always back a peaceful policy which rejects military solutions and goes to the root of the problem which, after all, in the Middle East is the problem of the Palestinian people? Or do we risk seeing an EPC foreign policy which another occasion may propose military solutions and may resort to aggressive means to defend European interests? Can the President-in-Office guarantee that EPC will continue to propose peaceful solutions in the future? Does a general principle of this kind exist for EPC work?

Mr Van den Broek: I think that in my capacity as EPC President-in-Office I need have no reservations in stating here that the policy of the Twelve in situations of this kind is continually directed to considering how political solutions can be secured. The Honourable Member also referred in this connection to the Palestinian question. She is very well aware of the efforts of the Twelve, and this applies also to the recent past, in seeking to put forward proposals aimed at securing peaceful solutions to the Middle East conflict, and in that connection any attempt to impose a solution by military force can never be considered as a first option. Preference will naturally always be given to political solutions.(...)

Mr Pannella (NI): For how long does the President-in-Office of the Council intend to try the patience of this Parliament, which is forced to record that he can refuse even the European Parliament and that, at a moment when Europe is faced with grave problems, the only policy is one of cowardice, or ambiguity

and equivocation? The President-in-Office of the Council, more precisely, the Council, has rejected the decision of the European Parliament in terms of the budget, which had deleted the appropriation for Syria for example. The fact that the Council rejected the decision of our Parliament should, it seems to me make it possible for it to go back on its positions.

Finally, Mr President, another question: you have arrogantly and persistently sabotaged Parliament's European policy, setting yourself to monopolize all our Europe's powers of representation. Under these circumstances, will not the time have come to recognize, tomorrow, in Paris, that Parliament was right in adopting its resolution, and that you were wrong at Luxembourg, as in previous years. I think that there is a lesson — an appropriate lesson — to be learnt from this poor image which you have given Europe on this occasion!

Mr Van den Broek: I am still waiting for the Honourable Member to ask his question and indicate which resolution he is referring to.

Mr Dankert (S): The President-in-Office of the Council did not say that Sir Geoffrey Howe would have done well to have refused to agree to the declaration so as to prevent such a declaration from being issued. What happened was communicated by the President-in-Office as follows: 'If there were ministers who knew this' — and I am quoting the Minister — 'then it goes without saying that no such sensitive information was given out'. Does this mean that the Minister finds it acceptable for twelve Foreign Affairs Ministers to be made the laughing stock of international public opinion before the entire world because sensitive information is withheld from them in a situation of this kind?

Mr Van den Broek: I think the question is less logical than it at first sounds. I have already stated in an earlier contribution that it has been established that the timing of the final decision to take military action by the United States was such that none of the Ministers present at the consultations in Ten Hague could have been aware of it. What may well have been possible is that ministers could have been in possession of information concerning preparations for military action.(...)

No, that is not what I meant by sensitive information when I last spoke, Mr President. What is meant by this, and what is being suggested here, is that ministers were in possession of the knowledge that the decision to go ahead with military intervention had already been taken, and that that information was withheld. My answer to that was: (a) Such information could not have been in the possession of ministers, and (b) if it [had] been they would not have been in a position to reveal it at that time, but then the consultation would have had a quite different outcome and would not have resulted in the declaration of The Hague. The possibility is there, that is something we don't know because, as stated, it is a hypothetical case.

Mr Tzounis (PPE): Will the Minister acknowledge that his statement, at least as through the interpreters, that the waters of the Gulf of Sirte, up to a certain point, are territorial waters, but that on the other hand, Libyan claims are excessive, is of monumental hypocrisy and equivocation? There is no doubt that they are territorial waters up to a certain point, and we all know this perfectly well. The question is, up to what point? In order to assist the Minister in providing us with some clarification, I should like to ask a number of specific questions.

Firstly, does the Gulf of Sirte, in International Law constitute a gulf? Because it is accepted internationally by all commentators that it does not.

Secondly, is it correct or not that the base lines may not pass 24 nautical miles, and not 360 as Colonel Ghaddafi has done? Thirdly, is it provocative to exercise international rights? Fourthly, is it right that to exercise international rights should provoke an armed attack on the party exercising such rights? I shall be interested to see if the Minister is able to give us any answer to these four questions.

Mr Van den Broek: I must point out, as I have already made clear in my original answer that this claim by Libya is not recognized by the Twelve and has been rejected previously. The Twelve are moreover in the company of the overwhelming majority of the international community of nations in relation to this claim by Libya, which was first made public only in 1973. Secondly, inasmuch as Libya considers itself to have a justified claim to this zone, we may well wonder that it should consider it appropriate to establish what it regards as its rights by resorting to force in the shape of an attack against the American fleet. The fact is that Libya has used force against the American fleet, which has replied in kind.

Mr Segre (COM): What has occurred in these last 48 hours is so disturbing, from the standpoint of European and American actions as well as from of relations between the twelve countries meeting in political cooperation, that I do not think that, in an hour's debate, we can get to the bottom of the many questions that this raises.

Since the situation remains dramatic and full of danger, I should like to ask the President of the Council a few questions that more concern the future. I am in fact worried about the way in which he outlined the aims of the meeting of Foreign Ministers tomorrow. He first of all said that tomorrow's task would be to make an analysis; then he said that it will be a question of seeing what could be done to help de-escalation.

I should now like to ask the President of the Council whether, for tomorrow's meeting, any precise initiative of the twelve Ministers meeting together in political cooperation is envisaged, either to help de-escalation, or to launch an appeal to reason to both the parties involved; and whether the Ministers, on the basis of the analyses that have been made in the last few days, consider it is necessary and the time has come to launch a more general message for the peaceful solution of the Middle East problem, which is at the root of so many tensions and so many dramatic events. And, finally, what has been done in these 24 hours to try to repair the splits amongst the Twelve? (...)

Mr Van den Broek: This is another question about the possible outcome of tomorrow's debate. Let me repeat that where the Presidency is concerned, a first objective will be to consider how the Twelve can best contribute to de-escalation and a reduction of tension. That will certainly be the first item. The second item will be to consider how the measures already adopted, which are in fact aimed directly against terrorism and against States that consort directly with terrorism, can be implemented as quickly as possible.

Mr Di Bartolomei (LDR): Mr President-in-Office of the Council, I should like to attempt to go beyond the apprehension we feel at this moment, to make a reflection and ask a question: if the European States are so dramatically exposed to the arrogance of every petty tyrant and have at the same time to fear the short shrift — and, perhaps, contempt — of their greatest ally, something must obviously be responsible, and I think it goes back in the first place to the lack of union between the Twelve, the inability that we have shown to find a common policy, even in the field of defence.

Well then, do you not think that the time has come to relaunch, vigorously — with your own fair hands, Mr President-in-Office — political cooperation and its institutions, a new treaty for political union, so that Europe can stop being made a political toy by anyone who wants to try to do so?

Mr Van den Broek: I take the Honourable Member's point. Discussions of the kind he envisages did in fact take place at considerable length and depth on the initiative of the Inter-Governmental Conference in relation to the establishment of the *Acte Unique* and, in particular, the establishment of the EPC Treaty. That in the present circumstances there are still certain obstacles to the further strengthening of political cooperation is a point on which I readily agree with him. I would not however accept his view that Europe with its present structure of political cooperation is in fact doomed to be left standing. I should rather again like to emphasize — while confining myself to the item that has rightly been placed on today's agenda — that the communiqué issued in The Hague after the meeting of the Twelve contains a number of novel features, that it projects a piece of unanimity to the outside world in terms not previously achieved by the Twelve. In spite of what has happened since that meeting of the Twelve, I certainly do not think that the declaration by the Twelve has lost any of its significance in this connection. In my view the declaration provides perfectly clear and constructive reference points for continuing our consultations on this disturbing situation in constructive and, I hope, effective terms.

Mr McCartin (PPE): Would the President-in-Office agree that the European Economic Community does to some extent have responsibility for the tragedy which has developed here? Would he agree that the prestige of this Community and its image in the eyes of the world have been diminished by our failure to recognize this unfolding tragedy in time and to do something about it? Would he further agree that we should make a protest to the United States of America, which has embarked on what is an act of war in the Mediterranean, on our doorstep, without full and frank consultation and exchange of information with us who are its friends in the world and its trading partners? Furthermore, does the President-in-Office agree with me that the action taken by the Foreign Ministers meeting in political cooperation on

Monday last was far too weak and far too late? At this stage, will the Ministers sit down and formulate a package of measures — economic and diplomatic — designed to show the people of Libya and their leader, as well as all others in the world who behave as they have done, that they cannot live in peace and cooperation with the international community if they continue to behave in this way?

Mr Van den Broek: I think it is going much too far to assert that the responsibility for the developments that have occurred, whatever else one may think of them, can be said to lie with Europe. What has in fact given rise to these developments, or at all events must be pinpointed as their root cause, is the problem of international terrorism. I think we must take care to resist the temptation to invert cause and effect. That does not detract from the fact that I am of course prepared in my national capacity to concede and to acknowledge that it is necessary for the European Twelve as such to join forces and step up their efforts so as to make a decisive contribution to an adequate and effective response to international terrorism. That, in my view, clearly goes without saying. Whether present developments — including obviously the resort to military intervention — will in the final analysis amount to an adequate response only time will tell. What we can say, even at this stage, is that there is grave concern at the prospect of further military escalation and all the risks that go with it, certainly on the part of the Twelve.

Mr Barros Moura (COM): After what has just happened in Libya we all feel and know that the world is less safe. The questions that I wish to put to the President do not refer to the past, do not refer to what could have been done and was not done in time, to avoid this aggression and this intolerable act of State terrorism, but to what we can do today and to what we can do from now on to check the escalation of violence.

Because I am certain that the position of the Council of Ministers of the Community of the Twelve united in the context of political cooperation facilitated this aggression because it lacked clarity and firmness, I now ask the Minister whether or not he thinks that, as this was not done before, there ought at least now to be a firm and clear condemnation of this shameless attitude of the United States as well as other appropriate measures for the immediate re-establishment of peace and of international law. And, on the other hand, whether or not there is a concrete possibility of the Council taking an initiative with this objective in view. And finally, what these measures are.

Mr Van den Broek: This is now the third or fourth time — I am sorry to say — that I have been asked to state what the main priority for the Presidency at tomorrow's meeting will be, namely considering with the Twelve how they can best contribute to a de-escalation, to a reduction of tension. The means available to us for doing this are precisely what will be discussed at the forthcoming consultations. As President-in-Office I am not now in a position to make any public statement in anticipation of those consultations.

Mr Staes (ARC): I want to take up the role played by Britain in this whole affair. It is obvious that Britain has delivered a slap in the face to all the rest of the Community Member States, in particular by withholding information during the meeting of Foreign Affairs Ministers in The Hague. There has, moreover, been a misuse of NATO bases, even although this whole affair had nothing to do with NATO.

My question is this: What message will you, as President-in-Office of the Council, have for the British Prime Minister and Foreign Secretary at your next meeting? Secondly, do you not agree that this is yet another strong argument for immediately sending the American missiles back to where they came from, because if the United States were ever to have recourse to their nuclear forces they would give their European allies just as little advance warning as they have done on this occasion?

Mr Van den Broek: These too are questions that fall outside the terms of reference of normal EPC consultations and of the usual subject matter of EPC. I shall make one point, and I do so in a personal capacity: it has also been suggested in previous discussions, and in the media, that this train of events must be seen as a serious warning to Europe and in particular to those countries that have nuclear missiles stationed on their territory. The conclusion that the United States would be prepared, without advance consultation, to commit American weapons systems based in Europe, does not appear to be warranted, because whatever we may think of the American action — and in my national capacity I have deplored that action — it would be wrong to say that the Americans have made use of European facilities or of American weapons systems stationed in Europe without advance consultation with the European

ally most directly concerned. The inference is not therefore warranted that the Americans would, in other circumstances, be prepared to commit weapons systems based in Europe without involving the European ally concerned.

A second point, also in a personal capacity: the question has not arisen — whatever else we may think of the American action, which I myself deplore — of this being in any sense an action with [in] the NATO framework, nor does Libya fall within the area covered by the NATO Treaty.

Mr Hänsch (S): Mr President-in-Office of the Council, you have repeatedly stated — most recently, in your reply to Mr Dankert's question — that the US did not decide to intervene in Libya until after the end of the Foreign Ministers' political cooperation meeting.

I believe you. May I point out, however, that Mr Dankert's question did not concern the United States' decision to launch the attack, but the British Government's decision to allow the Americans to launch a military strike from British territory? Since that was the question, may I ask you once again: What, Mr President-in-Office, do you think of the fact that at the same time as — or, I should say, three hours after — twelve governments including the British agreed to call upon both sides, i.e. Libya and the United States, to exercise restraint and seek a political solution, the British Government made its territory available for the launching of military action in defiance of the decision to which it had just been party? You have said that every government acts on its own responsibility, but I ask you: do you agree that the British Government has, by its conduct, forfeited all credibility when it comes to discussing vital issues in political cooperation in future? Do you agree that the British Government's conduct in this case is likely to weaken the joint European position and make a laughing stock of European political cooperation? Are you at least prepared to admit, Mr President-in-Office of the Council, that the American action conflicted with the interests and wishes of eleven European States as set out in the joint declaration?

Mr Van den Broek: The questions that the Honourable Member raises could not, given the actual course of events, have come to the attention of the Twelve, and were not discussed. It therefore seems to me that I must refrain from making any comment on them, it being understood that, on the basis of the events of last Monday and of what happened subsequently, I can see no reason whatsoever to doubt the integrity of the British Minister with whom I consulted on Monday.(...)

Mr Selva (PPE): One precise question on a precise fact: a country in the European Community has been made the subject of a reprisal by dictator Ghadaffi, and that country is Italy. Libyan missiles were launched against the island of Lampedusa, but fortunately they did not hit their target. Will this attack — and this is my question — prompt any joint action against the Ghaddafi régime — in accordance with the undertakings entered into by the Twelve at The Hague? Are you ready to recognize that the Libyan attack on Lampedusa calls for a presence, firmness, and greater courage?

Mr Van den Broek: Certainly as regards the military security aspect, this incident should in the first instance be considered, as Italy clearly assumes — hence the question — as falling properly within the framework of NATO. On the other hand it also has a very important political aspect, and in accordance with what is stated in the communiqué on the question of threats or actions against European territory, I assume that our Italian counterpart will tomorrow acquaint us with his proposals for taking political action, or for recognizing the need for such action, over and above the general framework that we are discussing, that is the general framework of de-escalation measures and implementation of the measures against Libya adopted by the Twelve.

Mr Plaskovitis (S): I hope the Minister will allow me to satisfy my curiosity, expressed in the following question: How does the Minister consider that matters would have developed in the event that following the unilateral military intervention by the US, there had been a vigorous reaction from the Soviet Union? Has the Council of Ministers any plans or provisions to avoid such a highly dangerous situation in the future, which could indeed arise in the event that similar unilateral initiatives are repeated by the so-called ally of the European countries, in other words, the United States?

Mr Van den Broek: All possibilities of this kind, the more probable and the less probable alike, are an incentive to us to consider how we can best contribute to reducing tension, and that also includes diplomatic contacts, diplomatic activity on a large scale.

¹ Cf. *OJ* No 2-338 of 16 April 1986, pp. 156-166.

86/134. Statement by the European Trevi Ministers on Terrorism

Date of Issue: 24 April 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: Trevi Ministers

Status of Document: Declaration

The European Trevi Ministers, meeting in The Hague on 24 April 1986, recognized their strong interest in combining forces in Europe in the fight against terrorism and serious crime with international aspects, and displayed a firm will to do so. The stepping up of Trevi activities which began in Rome last year under the presidency of Minister Scalfaro has been continued. Greater continuity of policy at ministerial level will be promoted by increasing the frequency of Trevi Ministers' conference and by making use of the Troika (i.e. the retiring President, the current president and his successor). The Trevi Ministers also agreed on the possibility to hold an extra-ordinary ministerial meeting at short notice when events so require.

1. The Trevi Ministers considered that, in view, *inter alia*, of recent events and developments both inside and outside Europe, combating terrorism calls for increased vigilance and determination within the framework of European cooperation. Whereas until recently continuity was guaranteed by the meetings of the Trevi working parties and the senior civil servants several times per year, it was decided in Rome that each Presidency should consider whether a conference of Trevi Ministers should be held during the period of the presidency. A further step has now been taken along the same path by agreeing that, in principle every six months, a conference of ministers will be held. Extra-ordinary ministerial meetings will be held at short notice when events so require. The new President will evaluate Trevi activities together with the predecessor and his successor (the Troika). If it is felt to be desirable, the Troika will also contact on behalf of the Twelve those third countries with which it is deemed useful and necessary to establish contact in order to realize Trevi's aims.

2. The Trevi Ministers further agreed that it is desirable to place in an international context the combating of other forms of serious crime in accordance with the decisions of the Trevi conference in Rome in 1985 in order to increase their shared knowledge and resources and to be able to act more effectively.

3. The Trevi Ministers decided that the available operational expertise in the field of the collection and analysis of information and in the field of police techniques and tactics for the purpose of combating terrorism should not only be directed towards mutual cooperation within Trevi. The Ministers agreed that this expertise should also be available to assist political decision-making within the framework of EPC on the common efforts of the Twelve to combat terrorism.

4. The Trevi Ministers further planned a common strategy for the combating in general of forms of serious crime with international aspects within the framework of the Twelve (*e.g.* armed robbery, organized dealing in drugs and fire-arms, fraud, trade in human beings, kidnapping and extortion). Cooperation in this area of the fight against crime will be directed towards exchanging knowledge and expertise and the joint development of methods and techniques of investigation by the police and the criminal justice authorities.

5. The Trevi Ministers also considered the problems posed by the existence of ransom kidnap insurance. It is anticipated that this subject will be studied further with all due dispatch under the British Presidency in the second half of 1986.

6. Furthermore, at the initiative of the current President of the Trevi Ministers' conference, a meeting of chief police officers from European airports will be held in The Hague on 29 and 30 May 1986. The aim of this meeting will be to exchange information on and coordinate methods of dealing with high risk flights.

7. Lastly, it was decided, on the invitation of the UK-delegation, that the next ministerial Trevi-conference will be held in London during the UK-Presidency.

86/135. Statement at the Plenary of the Resumed 40th Session of the UN General Assembly, on the Financial Crisis of the United Nations

Date of Issue: 28 April 1986

Place of Issue: New York

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Statement in international forum

Mr Van der Stoel: Mr President, I have the honour to speak on behalf of the twelve Member States of the European Community.

The United Nations plays a unique and crucial role in world affairs. The twelve member States of the European Community are staunch supporters of the Organization, in both political and financial terms. Ever since its founding the United Nations has been a cornerstone of the foreign policy of our respective governments. The Twelve are accordingly deeply concerned about the crisis in which the Organization now finds itself, a crisis caused by the blatant disregard by certain member States for their financial obligations under the Charter.

That the Organization has nonetheless been able to carry on until now is to a large extent due to the fact that other member States have had to bear the consequences of the actions of those who have not complied fully with the financial obligations of their membership. This is the case for both the regular programme budget and peace-keeping operations financed through assessed contributions. The Twelve deplore the practice of 'financing *à la carte*' which renders these budgets vulnerable. The Twelve are of the view that the current financial crisis caused by such behaviour on the part of a minority of member States cannot and should not be solved by compensatory payments from those member States which do fulfil their obligations.

While the crisis has arisen in the realm of the programme budget, the problems of financing peace-keeping are no less serious. In fact, in terms of magnitude they are greater. With peace-keeping, the financial obligations of the Organization are its liabilities to troop-contributing States. To a large extent those States carry the burden of withholdings in this field. In this respect the Twelve welcome the improvement in the position of certain member States, an example which we hope will be followed by others. In the meantime troop-contributors have not received the full reimbursement to which they are entitled. This should be kept in mind when discussing the current crisis. A shortfall with respect to the programme budget, by contrast, creates immediate cash-flow problems for the Organization since it must meet the expenses incurred in the implementation of mandated programmes and, more generally, in the day to day running of its operations.

The Secretary-General has pointed out in his report that the crisis could have profound implications for the viability of the Organization and its work. It will be crucial for the membership to reach agreement if we are to proceed constructively. The Secretary-General has requested that the current debate focus only on his own evaluation of the immediate financial shortfall. However, the scope of the current crisis is greater than its immediate financial manifestations. We are concerned that in the near future the Organization will be faced once again with serious cash-flow problems. The Twelve believe that it is important that any decisions taken during this resumed session should complement, and not conflict, with long-term solutions which should be consistent with the need to ensure that the United Nations continue to play its role under the Charter. In this respect the report of the High Level Group to UNGA 41 will be of considerable interest, although it does not relieve Member States or the Secretary-General of their own responsibility to explore possible long term solutions.

In the view of the Twelve the responsibility for the crisis lies with all those member States that do not fulfil their financial obligations under the Charter. It is they – first and foremost – who should now act by promptly paying arrears and meeting current assessments. We have stressed this point in consultations with other member States directly and indirectly, and with the Secretary-General. We note that several member States are making an effort in this respect. If all member States concerned complied with their obligations there would be no financial crisis. It goes without saying that we endorse the appeals of the Secretary-General in this regard.

The Secretary-General has stated in his report that the present shortfall is in the range of US \$ 63.8 to US \$ 75.8 million. These projections are based mainly on the assumption that virtually all assessments for 1986 will be paid in full. Unfortunately, experience suggests that this assumption is unlikely to be borne out by facts. The Twelve welcome the Secretary-General's initiative in having already introduced a number of economy measures which partly address the immediate shortfall (paragraphs 16 and 17 of the Secretary-General's report). The Twelve, however, are of the view that there is further scope for the Secretary-General to make savings in this area to the extent that this proves necessary.

With little prospect of a dramatic improvement in the income situation of the Organization the Secretary-General initiated a thorough review of the 1986 portion of the biennium budget to identify activities which could be deferred in order to generate additional immediate savings. In recognizing the difficult and sensitive nature of the review the Twelve have to say that in their view the reductions must be sufficient to meet the *entire* shortfall. However, given the current situation the Twelve in a spirit of cooperation hope that the Assembly will be able to concur in the results of that exercise as detailed in paragraphs 21-25 of the Secretary-General's report. Difficult times require assertive and dynamic leadership. The Secretary-General is in the best position to determine the necessary measures to alleviate the immediate crisis and we expect that he will continue to use his authority to carry them out. In the view of the Twelve the outcome of this resumed session should determine to what extent the Secretary-General need pursue the exercise of identifying further cost savings in the months ahead. To this end the Twelve believe that this resumed General Assembly should request the Secretary-General to make proposals through the ACABQ for further economies to meet the shortfall should it prove higher than envisaged in doc. A/40/1106. It must be pointed out that the responsibility for any possible *detrimental* effects of such measures must lie with those member States whose actions have created the crisis. They should ultimately be held accountable.

The Secretary-General in his report also anticipates costs for the Organization caused by the depreciation of the US dollar. The effects of such currency fluctuations are dealt with at the end of the budget year in the context of the performance report. The projections in the Secretary-General's report made so early in the budget year cannot provide an accurate picture of the losses likely to be incurred by the end of the budget period. The Twelve consider it premature to take action on this issue at the present time.

In conclusion, Mr Chairman, the twelve Member States of the European Community wish to reiterate their commitment to sound financial management and fiscal restraint. They will continue to cooperate constructively with the Secretary-General and with the member States in order to safeguard the future of the United Nations.

86/136. Statement in the UN Economic and Social Council on the Second Decade to Combat Racism and Racial Discrimination

Date of Issue: 29 April 1986

Place of Issue: New York

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Statement in international forum

On behalf of the twelve Member States of the European Community I should like to address the Council on the item 'Second Decade to Combat Racism and Racial Discrimination'.

The Twelve have consistently and unequivocally stated their absolute rejection of all forms of racial discrimination. They firmly believe that any form of discrimination based on race, colour or ethnic origin constitutes an offence to human dignity, is an intolerable violation of human rights and fundamental freedoms and runs counter to the United Nations Charter.

Racism and racial discrimination are incompatible with the ideals of our free and democratic societies, which are based on the principles of the equality of all men and women, of justice and of liberty.

It is within the framework of these ideals and principles that the Twelve contribute to the efforts of the international community and the United Nations to bring to an end those phenomena.

The struggle against racism and racial discrimination has been one of the foremost preoccupations of the United Nations since its foundation. The UN has been instrumental in raising public awareness of the evil of racism and in creating international standards and mechanisms to combat it. Yet, the mental attitudes and ignorance that underlie the phenomenon of racial intolerance remain to this day.

The Second Decade to Combat Racism and Racial Discrimination, proclaimed by the General Assembly by its resolution 38/14, testifies to the determination of our Organization to follow a coordinated and integrated approach to the international struggle to eliminate occurrences of racism and racial discrimination in all parts of the world. The plan of activities for the first half of the decade, as approved by the General Assembly provides guidance for both the UN organs and the individual States. The Twelve are gratified that the consensus with which the Second Decade was proclaimed has since been consolidated.

The Twelve have taken an active interest in the activities in the framework of the Second Decade. Six Member States of the European Communities have made financial contributions to the Media Round Table on international legal issues relating to apartheid, racism and racial discrimination in The Hague, 4-6 September 1985. Several Member States, wishing to share their national experience, have participated actively in the International Seminar on Community Relations Commissions and their Functions, which took place in Geneva, 11-12 September 1985. Currently, an international seminar is under way in Yaoundé on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid, at which several Member States are represented.

The Twelve have noted with interest the report of the Secretary-General containing the replies of a number of countries to his questionnaire concerning the action taken under the Programme of Action for the Second Decade, as well as his report containing the summary of activities of UN bodies, specialized agencies and non-governmental organizations to achieve the objectives of the Decade.

Perhaps the most important instrument in the continuing struggle against racial discrimination is the International Convention on the Elimination of All Forms of Racial Discrimination. With 124 States parties, this Convention has achieved almost universal recognition. At their most recent meeting, the States parties to this Convention were informed that the functioning of the Committee on Racial Discrimination is seriously imperilled by the failure of more than sixty percent of the States parties to honour their financial obligations for 1984 and prior years. Because of the financial emergency facing the United Nations itself, the Organization will no longer be able to make advances for the travel expenses of the Committee members. As a result, the Summer Session of the Committee may have to be cancelled. Article 8 paragraph 6 provides that the States parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties. The total amount of arrears is about 200 000 US Dollars. We call upon those States parties which are in arrears to act urgently to enable this important Committee to continue its efforts to eliminate racial discrimination.

No society can claim to be totally immune to all forms of racial discrimination. It is an unfortunate fact that the manifestations of this evil continue to occur in varying degrees and forms in all societies. No country need shy away from the honest admission that its national society is less than perfect, provided it can also give proof of serious efforts to improve itself. It is quite another thing to institutionalize inequality, discrimination and injustice, and to build the structure of the States on that foundation. Such is the tragic case of South Africa. The Twelve have repeatedly and in the strongest terms condemned the evil of apartheid, a system of racial segregation and discrimination, totally contrary to the principle of equal rights for all human beings as enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights.

The Twelve have noted the measures announced by President Botha in his speeches to the South African Parliament during its current session. Of these, the decision to abolish the pass laws seems of particular significance. While these developments in themselves are welcome, they do not constitute anything near the abolition of the system of apartheid.

The apartheid system must be dismantled quickly and words alone will not do the job. The Twelve Member States of the European Community have committed themselves to a number of measures

vis-à-vis South Africa. The Twelve want South Africa to be a fully democratic, peaceful and prosperous country. In their view, the abolition of apartheid does not exclude provisions for the protection of minorities: in a truly democratic State, all citizens regardless of race should be able to feel at home.

Let me reiterate what has been said before on behalf of the Twelve Members of the European Community. Most recently the position of the Twelve has been confirmed in a meeting with the Foreign Ministers of the front-line States, held at Lusaka on 3 and 4 February 1986. At that occasion, they stated in a joint communiqué that in order to ameliorate the situation inside South Africa, the Government of the Republic of South Africa should declare categorically that apartheid will be dismantled completely, end the state of emergency and initiate a dialogue with the genuine representatives of those South Africans now excluded from the present government structure on the future of that country. As a necessary step, they appealed to the South African Government to release unconditionally all political prisoners and detainees, including Nelson Mandela, to facilitate the process of negotiations. In this regard, they also urged the Government of South Africa to lift the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political parties so as to create an atmosphere conducive to the desired political dialogue. Furthermore, the Ministers welcomed the creation of a Group of Eminent Persons by the recent summit of the Commonwealth aimed at promoting a dialogue in South Africa, and urged the Government of South Africa to co-operate with the group.

At this point, may I recall that the Twelve decided on 10 September 1985 to harmonize their attitude on the following restrictive measures:

- a rigorously controlled embargo on exports of arms and paramilitary equipment from the Republic of South Africa;
- a rigorously controlled embargo on imports of arms and paramilitary equipment from the Republic of South Africa;
- a refusal to cooperate in the military sphere;
- recall of military *attachés* accredited to the Republic of South Africa, and refusal to grant accreditation to military *attachés* from the Republic of South Africa;
- discouraging cultural and scientific agreements except where these contribute towards the ending of apartheid or have no possible role in supporting it, and freezing of official contacts and international agreements in the sporting and security spheres;
- cessation of oil exports to the Republic of South Africa;
- cessation of exports of sensitive equipment destined for the police and armed forces of the Republic of South Africa;
- prohibition of all new collaboration in the nuclear sector.

On the same occasion the Twelve also announced a number of 'positive measures' in active support of anti-apartheid organizations such as:

- programmes of assistance to non-violent anti-apartheid organisations, particularly to the churches;
- programmes to assist the education of the non-white community, including grants for study at the universities in the countries originating the programmes;
- intensification of contacts with the non-white community in the political, trade union, business, cultural, scientific and sporting sectors, etc.;
- programmes to assist the SADCC and the front-line States;
- programmes to increase awareness among the citizens of Member States resident in the Republic of South Africa.

Finally, it was decided that the Code of Conduct for European Community companies in South Africa should be adapted and reinforced. This has since been done.

The Twelve also decided that the question of other measures, including sanctions, remained and that they might have to re-examine their attitude in the absence of significant progress towards abolishing apartheid in South Africa within a reasonable period, and they will assess the situation regularly.

The Twelve have welcomed the ending of the state of emergency on March 7, 1986. They wish however to express their serious concern at the gravity of the situation, the continuing violence and the rising death-toll in South Africa. The Twelve will continue to monitor developments in South Africa

closely. Contacts with those organisations inside as well as outside South Africa that are actively involved in promoting peaceful changes in that country will continue to be useful. All citizens of South Africa should enjoy equal rights.

86/137. Letter to the President of the European Parliament: Memorandum on EPC and Human Rights

Date of Issue: 7 May 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Report to European Parliament

Mr President, On behalf of the Twelve partners in European political cooperation I have the honour to bring the following points to your attention.

On 22 October 1985 the European Parliament, acting on a proposal from its Political Affairs Committee, adopted its annual resolution on the state of human rights in the world in 1984 and Community policy on this issue¹. I should like to refer to two particular paragraphs of this resolution. In paragraph 20 the European Parliament reiterates its request to the Commission, the Council and the Foreign Ministers meeting in the framework of European political cooperation

to make written reports to Parliament — by 28 February 1986 — on what is being done, and what could be done in the future, to develop a consistent and comprehensive Community human rights policy with respect to third countries

. In paragraph 32 Parliament reiterates its request to the acting President

to make arrangements for Parliament to be informed in an appropriate way (possibly by regular written submissions to the Political Affairs Committee in the context of the quarterly colloquies) as to what initiatives on human rights have been taken by the Ten, at what level and with what effect, and how Parliament's resolutions on human rights have been followed up.

In response to the requests made by the European Parliament in the paragraphs of its resolution referred to above, I enclose as an appendix a memorandum for the information of Parliament on the steps which have been taken since 1 January 1981 in the framework of European political cooperation in the field of the protection and promotion of human rights.

If necessary, I shall be glad to comment on this report in the next meeting with the Political Affairs Committee.

(signed H. van den Broek)

Memorandum on action taken in the framework of European political cooperation in the field of human rights

1. Concern for human rights forms an important focus of attention within European political cooperation. The different branches of EPC are regularly involved in particular with the issue of human rights violations. This report is intended to provide the European Parliament with a clearer idea of these matters and concentrates on the period since 1 January 1981 when the previous Netherlands Presidency began.

2. European political cooperation occurs at different levels and in different spheres, in European capitals and between or via the embassies in third countries. Consultation also occurs in the margin of international conferences or meetings of international organizations. Contacts are also maintained via the '*correspondence européenne*', the telecommunications network which links the capitals of the Twelve and the Commission in Brussels.

3. This report sets out to provide a review of developments at these different levels and sectors with regard to the positions adopted and action taken in the area of human rights.

4. First and foremost it should be noted that in its effort in this field the EPC knows that it is supported by considerable efforts on the part of Parliament itself. In the period under review no less than 667 questions were tabled (304 of them written questions) on human rights issues. The answers to these questions are prepared in the EPC. In addition the number of resolutions is steadily increasing. The views of the European Parliament embodied in these resolutions are increasingly referred to when preparing the positions which the Twelve try to adopt jointly. It is perhaps significant that the chairmen of EPC working groups have adopted the practice of drawing the attention of the meeting to parliamentary resolutions which are relevant to the topic under discussion, partly with a view to examining the extent to which it is possible to accommodate requests made in the resolution.

Capitals of the Twelve

5. The highest administrative body of the EPC is the Political Committee (the *Comité politique* or COPO), which consists of the Directors-General of Political Affairs of the twelve ministries of Foreign Affairs and a representative of the Commission. It meets for routine consultation once a month.

6. Answerable to the COPO are a number of working groups which meet on average two or three times every six months in the capital of the current Presidency. Human rights issues are mostly discussed in the United Nations working group and the CSCE working group (full title 'CSCE/CDE and other aspects of the Final Act of Helsinki'), and also in the regional working groups on Asia, Africa, the Middle East, Latin America and Eastern Europe.

7. Human rights issues regularly feature on the agenda of the regional working groups, for example as part of a general discussion of the political situation in a country or because a serious deterioration in the human rights situation warrants discussion of this issue in its own right. On occasion working groups will consider particularly striking cases of individual human rights violations, such as that of Andrei Sacharov. It is hard to say how many times human rights issues have been discussed since the beginning of 1981. Recurrent topics were, for example, trade union rights and other human rights issues in Poland (Eastern Europe working group), the human rights situation in Chile and Central America (Latin America working group), the position of the Bahais in Iran (Middle East working group), the policies of apartheid in South Africa (Africa working group) and human rights in the Afghanistan and Vietnam (Asia working group). Discussion of these issues may serve a number of purposes: exchange of information (not all partners have diplomatic representation in the countries in question), harmonization of policies, preparation of common declarations by ministerial meetings of the European Council, eliciting a joint report or prompting a common *démarche*. As a rule the working group submits a recommendation for a *démarche* to the COPO which then reaches a decision or refers the matter to the Ministers for Foreign Affairs meeting in European political cooperation.

8. In the UN and CSCE working groups the question of *démarches* seldom arises. The UN working group is primarily concerned with harmonizing positions in UN bodies such as the Human Rights Commission and the General Assembly, exchanging views on problems that arise. In the CSCE working group, joint preparation of policy documents occurs before and during every CSCE meeting. In the context of the CSCE human rights are so closely bound up with the whole problem that they can be regarded as integral to the ongoing discussions in this area. Discussion of human rights issues is also a significant and constant part of the work of the United Nations working group.

9. The chairman of each working group submits a report to the COPO. In the period since 1981 there were discussions on human rights in the COPO on more than 75 occasions and this figure does not take account of the fact that on numerous occasions participants take advantage of the opportunities outside the formal agenda of the meeting for discussions on matters such as this. In the Political Committee the lunch has traditionally been an occasion for informal consultations.

10. Human rights issues have been discussed on some 40 occasions in the course of meetings of the European Council, ministerial meetings and the 'Gymnich' talks among the Ministers for Foreign Affairs. On about 20 occasions declarations were delivered by the Ten and later the Twelve such as the ones on South and Southern Africa, the most recent of which was issued on 25 February 1986. Another example that might be mentioned are the declaration of 27 December 1983 on violations of human

rights in Afghanistan, and the declaration of 23 July 1984 on Poland. In a declaration on East-West relations on 27 March 1984 the Ten called on the Soviet Union to respect all aspects of human rights and to comply with the Final Act of Helsinki.

Non-EPC capitals

11. Joint action by the Twelve in third countries in the field of human rights has, over the years, become standard practice. The role of the diplomatic missions of the Member States in this respect is essentially twofold: it involves on the one hand a reporting function and on the other maintaining contacts with the authorities of the country in question and/or the implementation of *démarches*.

12. In a number of capitals joint reporting by the partners has been a regular occurrence for many years. Some of the Presidency's embassies present annual confidential reports on the human rights situation in the country concerned, which are drawn up jointly by the EC embassies. In other cases missions of the Twelve in a particular capital are instructed to produce an *ad hoc* report on human rights.

13. It is more difficult to describe *démarches*, given that many of them rely precisely on confidentiality in order to be effective. In some instances confidentiality applies not only to the content of the *démarche* but also to the very fact that the *démarche* took place. In some instances publicity has indeed been given to the *démarche* as such or even its contents.

14. It is clear from the figures that the EPC partners have not hesitated to use this instrument to a considerable extent: in the reporting period between 90 and 100 *démarches* were made in the name of the Ten. Twenty-six of these related to Latin America, 15 to Europe, 35 to countries in Africa and the Middle East plus 13 to South Africa and 7 to Asian States. Some of these *démarches* related to purely humanitarian cases, for example requests for clemency for people sentenced to death. Approximately 40 *démarches* fell into this category. In other cases *démarches* relate to general aspects of the human rights situation. On some occasions the text of a European Parliament resolution on the subject concerned is handed over.

Multilateral forums

15. As has already been observed, EPC consultations in the margin of international conferences and meetings of international organizations have been customary for many years. Three forums are of relevance here: the Conference on Security and Cooperation in Europe, the United Nations and the Council of Europe.

16. Since 1981 three important meetings took place within the framework of the CSCE, namely: – the CSCE follow-up meeting in Madrid (November 1980 – September 1983, with a break of eight months), – the CSCE expert meeting on human rights in Ottawa (May – June 1985, preparatory meeting April – May 1985), – the CSCE cultural forum in Budapest (October – November 1985).

17. There was also a meeting at ministerial level in Helsinki from 30 July to 1 August 1985 to commemorate the signature of the Final Act there ten years before. Human rights played an essential part at all the above meetings and will do so for the meetings scheduled for 1986, i.e. the present expert meeting on human rights contacts in Berne and the third CSCE follow-up meeting in Vienna (starting 4 November, preparatory meeting September – October).

18. During CSCE meetings, the EPC delegation generally meet once each day for joint consultation, and more frequently if necessary. Joint statements are often made.

19. At the United Nations, the three most important forums from the point of view of European political cooperation are the General Assembly, the Economic and Social Council and the Human Rights Commission.

20. Interventions on behalf of the EC countries during the general debate at the General Assembly are thoroughly discussed in EPC. These statements invariably include a passage on human rights.

21. As well as in the Third Committee (social, humanitarian and cultural affairs), human rights issues are also raised at plenary sessions of the General Assembly and at meetings of its Special Political Committee and in the Fourth Committee. Human rights were explicitly mentioned six or seven times per

year in statements on behalf of the Ten in the latter forums. In particular, they were mentioned during the general debate and under such agenda items as 'the action programme for the second decade to eliminate racism and apartheid', 'the situation in Central America', 'apartheid', 'prevention of new flows of refugees', 'information' and 'Israeli practices with regard to human rights in the occupied territories'. In his address on behalf of the Ten plus Spain and Portugal on 23 October 1985 to mark the 40th anniversary of the establishment of the United Nations, Luxembourg's Minister for Foreign Affairs devoted attention to the subject of human rights.

22. At the Third Committee, where human rights issues are primarily discussed, an average of three declarations are issued on behalf of the EPC partners during each General Assembly, as are a similar number of explanations of vote.

23. EPC consultations take place very frequently during sessions of the General Assembly and are held per Committee. Consultations in the margin of the Third Committee are sometimes even held daily. In addition to human rights situations in individual countries, thematic issues are also an important focus of coordination by the Twelve. These issues include torture, disappearances, summary and arbitrary executions, religious intolerance, questions about economic and social rights and in general the promotion of respect for human rights through the establishment of mechanisms and the implementation of existing international instruments.

24. The work-load of the Economic and Social Council is somewhat lesser than that of the General Assembly, which is reflected in a lesser frequency of EPC meetings. EPC consultations in the margin of the Council's Social Committee, which meets in New York in the spring, take place a few times. One or two joint statements are made.

25. EPC coordination in the margin of the Human Rights Commission is limited because not all of the Twelve are members of that body and there is an established pattern of WEOG consultations there. As a rule, statements on behalf of the Twelve are not made in that forum.

26. Although EPC consultation takes place regularly in the context of the Council of Europe, human rights issues are only occasionally raised there, since in the vast majority of cases they relate to individual complaints by nationals of Member States on the basis of the European Convention for the Protection of Human Rights and Fundamental Freedoms. These, by their nature, are not suitable for discussion in EPC. The complaint lodged against Turkey by five States has never been discussed in EPC.

27. Declarations to be issued by the Committee of Ministers in which human rights play a part are occasionally discussed in EPC, as for example was the declaration of September 1985 on South Africa.

28. In UNESCO and ILO consultations in the framework of EPC in relation to human rights issues take place from time to time.

¹ OJ No C 343 of 31 December 1985. pp. 29-42.

86/138. Statement on the Philippines

Date of Issue: 12 May 1986

Place of Issue: Brussels

Country of Presidency: The Netherlands

Source of Document: Foreign Ministers

Status of Document: Press Release

Following their joint communication to the press of 25 February 1986 on the situation in the Philippines¹, the twelve Foreign Ministers of the Member States discussed current developments in the situation in the Philippines. The Twelve welcomed the efforts of the Philippine Government to promote the social and economic development of the country and agreed to consider the possibilities for aid and economic cooperation at bilateral or Community level.

¹ EPC Bulletin, Doc. 86/089.

86/139. Statement on Cambodia

Date of Issue: 13 May 1986
 Place of Issue: The Hague
 Country of Presidency: The Netherlands
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve have noted the statement made by the Member States of ASEAN during their conference in Bali on 28 April last in favour of the proposals formulated by Prince Sihanouk on 17 March last. The Twelve appreciate these developments, which represent a positive contribution to the search for a political solution to the Cambodian problem.

The Twelve express the hope that Vietnam will reconsider its refusal to regard Prince Sihanouk's proposals of 17 March as a viable basis for negotiation.

The Twelve will continue to advocate a solution in accordance with the resolutions adopted by the United Nations and, in this spirit, they reaffirm their support for ASEAN's efforts with regard to Cambodia.

86/140. Question No O-213/85 by Mr Poettering and Others concerning the Political and Economic Aspects of European Security in the Context of European Political Cooperation and Question No O-176/85) by Mr Toussaint and Others on a European Strategic Defence Programme¹

Date of Issue: 14 May 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Questions

Question No O-213/85:

On 10 July 1985, on the basis of an oral question with debate to the Foreign Ministers meeting in political cooperation (EPC), security policy was debated for the first time with the Luxembourg President-in-Office of the Council. The debate was concluded by the adoption of a resolution (Doc. B 2-632/85) on 11 July 1985, in which the Foreign Ministers meeting in political cooperation were called upon to take appropriate measures to draw up a European security concept.

Further to this and to the outcome of the hearing held on 18-19 December 1985 by the Political Affairs Committee and its Subcommittee on Security on Disarmament, which underlined the need for a European security policy, will the Foreign Ministers meeting in political cooperation please answer the following questions:

1. What conclusions have the Foreign Ministers drawn from the European Parliament's Resolution of 11 July 1985?
2. On which security policy problem areas have they taken a position since that resolution was adopted?
3. What do they consider should be the main thrust of security policy measures in the context of EPC?
4. Do they intend to take any joint initiatives on disarmament questions?
5. How do they assess the prospects for the creation of a Community security policy concept and for its implementation, following the establishment of an EPC Secretariat?
6. In their view, what are the opportunities for improving cooperation between the Foreign Ministers and the European Parliament, including its committees, after the establishment of an EPC Secretariat?

Question No O-176/85:

Do the Foreign Ministers meeting in Political cooperation consider a European strategic defence policy to be possible and achievable?

Do the Foreign Ministers not consider that such a system would represent a major step towards the achievement of a European identity and of cooperation in the field of new technology?

Mr Van Eekelen, President-in-Office of the Foreign Ministers: Madam President, (...) in the resolutions relating to the political and economic aspects of European security within the framework of European political cooperation adopted by the European Parliament on 11 June 1985², attention was drawn to the need for further development of a European position on security matters. Within the framework of European political cooperation the Ministers are endeavouring jointly to formulate and implement a European foreign policy. With a view to involving the European Parliament fully in European political cooperation, the Presidency keeps Parliament regularly informed as to the foreign policy matters that are under consideration, and ensures that the opinions of the European Parliament are duly taken into account.

The Twelve take the view that closer cooperation on European security matters would contribute significantly to the development of a European identity in matters of foreign policy. They are prepared to coordinate their positions on the political and economic aspects of security more closely. They are firmly resolved to maintain the technological and industrial conditions that are necessary for their own security, and are making efforts at national level to this end and, where appropriate, also within the framework of the authorized institutions and departments. The Twelve have, since the adoption of the resolutions referred to by the Honourable Members, determined a position on the following areas relating to international stability and security: on South Africa and Southern Africa, Afghanistan, terrorism and hijackings, the Middle East, Central America and Chile, on the bombing of the PLO headquarters in Tunis (I refer here to the ministerial declaration of 1 October 1985)³, on East-West relations (ministerial declaration of 16 December 1985)⁴, on combating (international terrorism, the ministerial declaration of 27 January 1986⁵), on international terrorism and the crisis in the Mediterranean region (ministerial declaration of 14 April 1986)⁶, on Sri Lanka, on Iran/Iraq and on Southern Africa (in the ministerial declaration of 25 February 1986⁷).

Honourable Members will be aware that political cooperation relates to the political and economic aspects of security. As regards European strategic defence, in view of the military aspects of this, no common position has been developed within the framework of European political cooperation. As acknowledged in the provisions of the recently signed treaty on European political cooperation in the area of foreign policy, the so-called European Act, those Member States that are Members of the Atlantic Alliance and the Western European Union will have closer and further-reaching cooperation on security matters in these institutions, including, for example, the determination of positions in relation to SDI. The Twelve as such will coordinate their positions within the Conference on Security and Cooperation in Europe, which has been one of the main topics of discussion since the beginnings of European political cooperation, and surely will remain so. In addition, they will coordinate their policy on relations between East and West in general, and also on regional questions relating to international peace and security. The Twelve will also continue to support the role of the United Nations Organization and its efforts to maintain international peace and stability. The Twelve will continue to coordinate their efforts in the area of disarmament and arms control in the Stockholm Conference on confidence-building and security-promoting measures and disarmament in Europe, in the General Assembly of the United Nations in relation to questions in this area covered by the disarmament conference in Geneva, on measures to control exports of chemical weapons, and in the area of non-proliferation of nuclear weapons and other nuclear-explosive materials.

The establishment of a European political cooperation Secretariat, as provided for under Article 30(10)(g) of the European Act, will in itself bring about no change in the situation described above. The Secretariat to be established will be responsible for assisting the Presidency with the duties it carries out within the framework of European political cooperation. And in relation to the last point in the question tabled by the Honourable Members, the Twelve are prepared to consider jointly all possibilities for a further development of the close association of the European Parliament with European political cooperation. The establishment of an EPC Secretariat would provide the Presidency-in-Office with the possibility of instructing the Secretariat to assist the Presidency in ensuring the close involvement of the European Parliament in particular aspects of European political cooperation.

[Upon the ensuing debate, Mr Van Eekelen stated the following:] Mr President, I have listened with great interest to this debate, one in which a good number of points have been raised, and I hope you will not take it amiss if I am unable to take up every one of them.

Let me begin by saying that I can entirely share the analysis offered by many Members of Parliament to the effect that the present situation can be characterized as one in which there is no common striving towards a European defence system, that we cannot therefore talk in terms of a European defence community, nor do I consider such a community likely in the foreseeable future. The fact now is that the objectives of European political cooperation are confined to the political and economic aspects of security.

Some Member States would like to go further, but that has already proved impossible on repeated occasions. So Mr Bernard-Reymond is of course right when he says that the concept of security is for the moment the maximum that we can put forward under EPC, that — to take up Mr Penders's point — some progress is gradually being made in some areas, but any significant further progress in the direction of defence will have to be sought in other institutions, within NATO, within the Western European Union, within the independent European programme group. That is — and here I am in agreement with many speakers — in itself conceptually not the most ideal set-up, nor is it the most efficient set-up, but it is on the one hand the only sustainable one in the present situation and on the other it makes it clear that for many countries, including the Netherlands, two objectives have priority.

Firstly, the military aspects of our security must be considered within NATO — i.e. jointly with the United States. Why? Principally because the world balance of power will for the foreseeable future continue to depend on the United States and the Soviet Union. The decisive consideration for Europe is that the Soviet Union has, as one of its main foreign policy objectives, the aim of driving a wedge between Europe and the United States, and we are determined not to allow that to happen.

Secondly, in the context of dealing with the military aspects within NATO, more efficient use must be made of the European contribution to common defence, in particular in the area of industrial cooperation, in order to secure greater effectiveness at European level and avoidance of duplication by encouraging parallel developments that compete against each other and thereby make more efficient use of the resources available for defence. I believe in fact that many of the European Member States are making a major contribution to common defence and that it would be wrong for us to play down its significance.

I come now to the point raised by Mr Toussaint. Of course Europe's technical capabilities will have to be pooled more effectively, both in the area of defence industries and in terms of industrial renewal more generally. A number of important structures have been established to this end. Ms Charzat referred to the European Space Agency, which has certainly achieved some interesting results, but I am thinking more of the Eureka programme and in that connection — and this is a principal concern for the Community — of the Community research programmes in the pre-competitive sphere. I believe that a programme like Esprit, for example, has given European industry a new self-confidence to a considerable degree and allows us to take a rather more optimistic view of Europe's position in the world.

I turn now to the question of arms control. Personally I should like on this issue to put myself behind all the paragraphs of the Poettering motion for a resolution. But when I come to speak on behalf of the twelve countries of European political cooperation, then of course all I can do is to repeat that for the Twelve the Conference on Security and Cooperation in Europe, the Helsinki process now in Stockholm, in Berne, and now shortly also in Vienna, will remain the principal area of interest in this connection, one in which the Twelve will in fact continue to try to play the role of motor and catalyst that we have, I believe, played with success in the past.

In addition there are of course, for a number of Member States, the consultations in Vienna on mutual and balanced force reductions, and also again the Geneva process that is, of course, being conducted between the United States and the Soviet Union. I believe — but here I am again speaking as a Netherlander — that European interests are in fact being appropriately defended, in particular against the specific threat to Western Europe in the shape of the SS-20 missiles, and not only the SS-20's but also a whole series of other nuclear and conventional weapons by which Western Europe is threatened. At all events we in the Netherlands are to a high degree satisfied with the process of consultation that takes place within NATO and is held regularly and intensively.

As regards regional conflicts, I believe that here I can depict European political cooperation in a significantly more favourable light. I believe that we, at all events during the Netherlands Presidency – but all the previous indications were already favourable – have to a significant degree been able to bring the Twelve to a shifting of the emphasis away from a verbal policy to a policy of action. 'Not words but deeds' is the motto of a top Netherlands football club, and I for my part, as a practical Netherlander, have always tried to act accordingly. I believe that where South Africa in particular is concerned it has been a case of joint deeds by all twelve Member States. And with regard to the Middle East, we are now trying to achieve what I would like to call a conflict-containing role. A role that is, of course, based on consultations with all interested parties, and in that connection I can also inform you that Mr Van den Broek is to hold talks in Tunis with the Secretary-General of the Arab League.

Finally I turn to the question of SDI, the Strategic Defense Initiative. Naturally I cannot speak here on behalf of the Twelve, but as a Netherlander I should like to make a number of points. Firstly, may I say, in answer to Mr Hänsch, that at all events the Netherlands government does not see SDI as a civilian project but rather as a research programme that will still have to demonstrate whether it will in fact be usable in practice at a future time. In that connection – and here I can answer Mr Toussaint – I have as yet no final opinion as to the political-strategic and arms-control aspects of SDI. We still have a lot of questions – indeed a lot of critical questions – but we take the view that these should be evaluated step by step within NATO. There we have in fact been able to secure some results within the Western European Union, and a number of considerations have been formulated which I shall now try to summarize briefly.

Firstly, the introduction of defensive systems must contribute to deterrence and must be compatible with a policy aimed at preventing war.

Secondly, the introduction of defensive systems must be compatible with Western policy aimed at stable relations with the Soviet Union.

Thirdly, the political and strategic unity of the alliance must be maintained.

Fourthly, introduction of defensive systems must not be at the expense of existing commitments in the conventional area, and must not result in greater political and military significance being attributed to the existing conventional superiority of the Warsaw Pact.

Fifthly, the provisions of the Anti-Ballistic Missile Treaty must be lived up to, and finally the introduction of defensive weapons must not be allowed to result in the appearance of more offensive weapons. In the same connection we also consider that thought must be given within NATO to the extent to which new technologies might be used for the air defence of Europe generally.

Where the Netherlands are concerned, we as a government will not be participating in SDI, but we shall of course provide the usual support to firms and institutions with the drafting of relevant research projects.

Finally, Mr President, I can gladly give Parliament an assurance that any resolutions you may adopt in this connection will be tabled by the Presidency for discussion within the framework of European political cooperation.

¹ Cf. *OJ* 2-339 of 14 May 1986, p. 99-121.

² Resolution on the political and economic aspects of European security in the context of EPC, *OJ* No C 229 of 9 September 1985, p. 109-110.

³ *EPC Bulletin*, Doc. 85/191.

⁴ *EPC Bulletin*, Doc. 85/330.

⁵ *EPC Bulletin*, Doc. 86/061.

⁶ *EPC Bulletin*, Doc. 86/119.

⁷ *EPC Bulletin*, Docs. 86/088, 86/087, and 86/086.

86/141. Question No H-936/85 by Mr Van der Lek concerning the Situation of the Tamils

Date of Issue: 14 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

The Minister will be aware that on 13 June 1985 the European Parliament adopted a resolution on the political situation in Sri Lanka (Doc. B2-466/85)¹. This resolution calls on the Governments of the EEC Member States to comply with the recommendations of the High Commissioner for Refugees and not to send any Tamils back to Sri Lanka before the political conflicts there have been settled in a satisfactory way. Will the Minister state whether the Governments have now complied with those recommendations, whether, and if so how many, Tamils have been sent back to Sri Lanka, what steps have been taken concerning the reception and resident status of Tamil refugees in Community countries and what steps the Minister himself has taken to induce the Government of Sri Lanka to find a rapid and peaceful solution to the conflict which is acceptable to all the parties concerned?

Mr Van Eekelen, President-in-Office of the Foreign Ministers: The reception, status and situation of the Tamil refugees in the Member States have not been discussed by the Twelve in the framework of political cooperation. On account of their concern at the absence of visible progress in the search for a peaceful solution to the Tamil question in Sri Lanka, the twelve Ministers of Foreign Affairs on 25 February 1986 adopted a joint declaration in The Hague in which they expressed the hope that the efforts to secure national reconciliation would lead to the desired result. They stressed in particular the constructive role of India in the search for a peaceful solution. On that occasion the Ministers also issued an appeal to the interested parties to continue their dialogue, on the proviso that only reconciliation on the basis of a united Sri Lanka could point the way to a peaceful solution.

Although the situation of asylum-seeking Tamils was not a subject of discussion, it is appropriate to point out that the United Nations High Commissioner for Refugees, within the framework of the international consultations in Geneva in May 1985, has been moved to repeat his previous categorical appeal to the effect that asylum-seeking Tamils should not be returned to Sri Lanka against their will. The effect of this is that in general the Member States will consider any requests for asylum made by Tamils from Sri Lanka individually on a case-by-case basis.

Mr Van der Lek (ARC): Can the President-in-Office give an assurance that the escalation of a conflict must never be allowed to mean that its victims can no longer be considered as refugees? Can I also be certain in that connection that in consultations between Ministers of the Twelve, a considerate approach to the treatment of all refugees from such a tragic region as Sri Lanka will be carefully adhered to?

Mr Van Eekelen: The answer to the first part of the question is yes. The answer to the second part related to national positions, but I assume that this will also apply in the case of the Member States.

Mr Habsburg (PPE): Mr President of the Council, do the Ministers not agree that the increasing terrorism of the Tamils is creating a dangerous situation and also risks bringing the Community into difficulties — not least because of the large number of Tamil refugees already in the Community? Do you not think the time has come for the Community to use its influence on the Indian Government more strongly than before, since according to reliable press reports, for instance in Newsweek, the Tamil terrorists have training camps in India, and to persuade India to help check Tamil terrorism?

Mr Van Eekelen: We have the impression, where the situation in Sri Lanka is concerned, that we can now welcome the fact that the central Government shows signs of being in a better position to exercise control over its forces of law and order, and that this will enable it to take more effective action, including action against acts of extremism such as those that have taken place in the past.

Mr Prag (ED): I know the President-in-Office has to answer the question put, but does he not believe that the other side of the coin is the really important one? I refer to the evil of Tamil terrorism and the fearful carnage caused by two bombs on 3 May which killed 28 people and injured 153. Is it not more important for the Ministers meeting in political cooperation to take steps to safeguard one of the few genuine parliamentary democracies which exist in Asia — I refer to Sri Lanka — and to do everything possible to put all diplomatic pressure on India to cease to harbour Tamil terrorists and allow them to plan their attacks from Madras?

Mr Van Eekelen: The declaration by the Twelve² is intended as an impetus to all parties to commit themselves to a political solution, and at the same time to give expression to the active concern that exists in Europe.

Mr Ulburghs (NI): You said that steps had been taken to enable the Indian government to mediate in this distressing conflict. The Indian government is in fact highly qualified to mediate because both in

India and in Sri Lanka there is a Tamil population. Most of them are Indian in origin, and some of them are even returning to India as refugees. Can you say what approaches have been made to the Indian Government with a view to its acting as mediator?

Mr Van Eekelen: We have had regular diplomatic contacts through our embassy in New Delhi on behalf of the Twelve. But very recently, just before the economic summit in Tokyo, the so-called Troika consultations took place in New Delhi, whereby extensive talks were held by the Netherlands Foreign Affairs Minister with representatives of Luxembourg and the United Kingdom on this matter.

Mr Stevenson (S): The situation has deteriorated over recent weeks. We have seen the collapse of the Bhutan initiative. We have seen the apparent failure of the recent delegation by the Indian Government to Sri Lanka. Now the Sri Lankan authorities are apparently requesting Western governments to produce, if not military aid, then something tangible to try to help them in what they see to be their conflict. Apart from diplomatic contacts, what measures are being taken by the Foreign Ministers meeting in political cooperation to try to bring some real influence to bear on this deteriorating situation?

Mr Van Eekelen: I share the Honourable Member's concern at recent reports, which do indeed point to a deterioration in the situation. It is a situation that we shall continue to monitor carefully, in particular in the meeting of the Political Committee to be held today and tomorrow.

¹ OJ No C 175 of 15 July 1985, p. 219.

² EPC Bulletin, Doc. 86/088.

86/142. Question No H-932/85 by Mr Maher concerning Intra-Community Police Cooperation

Date of Issue: 14 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

In view of the increasing frequency of cross-border movements of criminals involved in such areas as narcotics, counterfeiting, arms sales, terrorism and black-market trafficking of stolen motor vehicles, to what extent have or do the Foreign Ministers encourage cooperation between national police forces to control these movements and will the Ministers be making an effort to step up intra-Community cooperation in this area?

Answer:

Cooperation between the national police authorities to monitor cross-border movements of criminals involved in narcotics, counterfeiting, arms sales, international terrorism and black-market trafficking of stolen motor vehicles takes place in the context of cooperation between the Ministers of the Interior and Justice (Trevi), a very specific form of cooperation between the Twelve, under which a new working relationship is maintained with European Political Cooperation. At their fifth meeting on 8 December 1981 in London the Ministers of the Interior and Justice already laid stress on their undiminished resolve to bring about improvements in cooperation between the Member States in the fight against organized international crime and to continue with the implementation of practical measures to provide protection against the threat of terrorism. The Ministers have noted with satisfaction that cooperation between Member States is becoming increasingly more intensive, thanks to the activity of the working parties of officials and experts who implement the agreed programme. The Ministers have discussed trends and developments in terrorist activities in Western Europe and reaffirmed the determination of the Member States to pursue further their cooperation in the fight against terrorism and politically motivated violence, taking due account of existing cooperation between the competent authorities and the activity of other international bodies. They have emphasized the need to maintain the extremely close cooperation between the competent authorities in each country in respect of the exchange of information

concerning the activities of terrorist groups and agreed that the representatives of the Member States would continue regularly to discuss matters of common interest in the fight against terrorism and to evaluate the experiences of the Member States in their action to deal with terrorist situations.

At their meeting in Rome on 21 June 1985 the Ministers of the Interior and Justice reiterated that constant political support must be given to the prevention and repression of terrorism, organized international crime and violence in general which has international repercussions and decided to meet regularly in order to provide this political support. On that occasion they set up a third working party within Trevi which concerns itself with technical cooperation in the fight against organized international crime.

At their most recent meeting in The Hague on 24 April 1986 the Trevi Ministers decided to strengthen and intensify their cooperation. With regard to the fight against international terrorism they endorsed the need for close cooperation with the working party set up in the context of European political cooperation.

86/143. Question No H-978/85 by Mr Tzounis concerning the Ban on the Bible in Turkey¹

Date of Issue: 14 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Are the Foreign Ministers aware that, by virtue of a recent decision by the Public Prosecutor, the Bible has been banned in Turkey and existing stocks have been placed under seal? Do the Foreign Ministers share the view that this action betrays a particularly serious indifference towards the fundamental principles upheld by civilized countries, constituting a gross violation of the religious consciousness of a considerable part of Turkey's population and, with regard to the orthodox minority, a blatant infringement of the provisions of the 1923 Lausanne Treaty? In view of the keen interest recently expressed by Turkey in improving its relations with the Community, do not the Foreign Ministers think that they should intimate quite clearly to the Turkish Government their shock and their disapproval of this measure and their desire to see it repealed at once?

Mr Van Eekelen, President-in-Office of Foreign Ministers: The question tabled by the Honourable Member has not been discussed within the framework of European political cooperation, but as President-in-Office I would draw attention to the decree by the Turkish government of 20 March 1986 replacing the decree of 17 May 1982. It can be assumed that as a consequence of the new decree the prohibition on the import and distribution of Bibles has now been lifted.

Mr Tzounis (PPE): I find the President-in-Office's reply quite unsatisfactory. For a start he has told us that the Foreign Ministers did not discuss the matter. Does he not think — the matter is quite serious enough — that they ought to have discussed it? Second, he has spoken about a new situation having been created by a more recent decision of the Turkish Government rescinding the 1982 decision. I can show him six decisions and decrees of the Turkish Government, two of them signed by General Evren and two by the Prime Minister of Turkey, Mr Ozal, which ban circulation of the Bible in Turkey. So, I ask, which of these six decisions has the new decision of the Turkish Government amended or rescinded?

Lastly, I should like to ask the Minister to what extent he is aware that the Oecumenical Patriarchate, which is the supreme spiritual authority of the 200-million strong Orthodox Church, has had its seat in Constantinople since the fourth century A.D. Are the Foreign Ministers of the opinion that this age-old institution can function when circulation of the Bible is banned?

Mr Van Eekelen: I have the impression that the Honourable Member cannot have heard my first answer for he has now asked a supplementary question in terms that take no account whatsoever of the answer I have just given. Let me try to explain the situation again in the terms in which I, as President-in-Office, understand it.

The Turkish Government on 20 March 1986 revoked four decrees dating from the period 1982-1984. One of the revoked decrees prohibited the distribution of Bibles and similar publications. This means that Bibles can now be obtained in Turkey irrespective of whether they have been printed in Turkey itself or overseas.

Mr Wedekind (PPE): Is the President-in-Office aware that the sealed Bibles in question contain maps of Turkey that are not up to date and that show parts of Turkey as belonging to Syria, Iraq, Iran, etc.? These Bibles also contained maps that had nothing whatsoever to do with the Bible but constituted an attack on Turkey's territorial integrity, with the result that the Public Prosecutor was obliged to confiscate them.

Is the President-in-Office of the Council of Ministers further aware that Public Prosecutors in Turkey are independent because of the division of powers in that country and that in this sense therefore they cannot be acting under orders from the State? Is he further aware that in Turkey propaganda for any religion whatsoever may be made with impunity, whereas in Greece proselytism, as it is called, i.e. efforts to win adherents for a religion, even a Christian religion, is forbidden under one of the Metaxas laws and is punishable by imprisonment?

Mr Van Eekelen: I think the most important thing in this situation is that a prohibition on the distribution of the Bible has now been revoked. That was also the subject of the written question that we received from Mr Van der Waal and which we answered in the same terms as I have just done orally.

Mr Alavanos (COM): First of all I should like to make it clear that the Dutch Presidency's stance on the question of relations between the EEC and Turkey and on developments relating to democratic rights in that country has truly created a very negative impression among the great majority of the Members of the European Parliament which has sought to keep appropriations to Turkey frozen for as long as democratic rights there are not fully restored. With my supplementary [question] I should like to ask – widening the issue raised by Mr Tzounis – to what extent the Council, and specifically the Dutch Presidency, have taken into account a series of reports by international organizations, including Amnesty International, concerning the continuing trampling under foot of the most basic human, democratic and trades union rights in Turkey, and to what extent this has influenced the stance of the Presidency on the practical problems existing between the EEC and Turkey?

Mr Tzounis (PPE): If possible I should like you to point out to the President-in-Office of the Council of Foreign Ministers meeting in political cooperation that when replying to a question he should go straight into the facts and not say vaguely that a decision has been published which changes the situation. Because that is how I got it from the Greek interpretation.

Mr Van Eekelen: I can only repeat that a decree existed in Turkey whereby distribution of the Bible and similar publications was prohibited. That decree was revoked on 20 March.

Mr Van der Waal (NI): I should like to put a supplementary question to the first answer by the President-in-Office, to the effect that distribution of the Bible and imports of Bibles are now allowed following the revocation of the decree of 20 March. My information was this: that distribution of the Bible in Turkey has never actually been prohibited. In practice however it always proved very difficult because those involved in its distribution found that all kinds of obstacles were put in their way.

That was one part of the question: the second is that in Turkey a law does in fact exist that prohibits imports of Bibles. The law in question is Article 31 of the Turkish press law. So I was a little surprised to hear the President-in-Office just now mention the distribution of Bibles and imports of Bibles in the same breath, because their distribution has never actually been the subject of any prohibition.

My question to him now is: can he confirm that Article 31 of the press law prohibiting the import of Bibles has now been revoked?

Mr Van Eekelen: Our information is that that article has also been revoked. (...)

¹ OJ No 2-339 of 14 May 1986, pp. 151-153.

86/144. Question No H-987/85 by Mr Elliott concerning Political Assassinations

Date of Issue: 14 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

The recent murder and attempted murder of two respected Sikh community leaders in West London have caused great concern in Britain, especially amongst ethnic minority communities. The killings were clearly the work of violent extremist elements pursuing political objectives. These objectives, as in certain similar attacks, are related to matters which are the internal affairs of other countries and not the direct concern of the citizens of the EEC Member States. Moreover, these assassinations are not only tragic in themselves, but may disturb good Community relations between different ethnic groups in our countries.

Would the Foreign Ministers therefore consider possible joint action, in collaboration with the governments of all the appropriate countries concerned, to prevent any further assassinations or attacks on leaders of minority ethnic groups resident in EEC States?

Mr Van Eekelen, President-in-Office of the Foreign Ministers: The Twelve are prepared to cooperate with all States with a view to ensuring that no support, no refuge and no safe haven is offered to terrorists. The permanent working party that was set up on 27 January 1986 by the Foreign Affairs Ministers of the Twelve considered the question as to how cooperation with third countries in the fight against international terrorism could best be organized. There now exists firm cooperation. This takes place at bilateral level between each member of the Twelve and third countries via the international police organizations.

Mr Elliott (S): I am grateful for that reply but can I ask the President-in-Office of the Council in specific terms whether there have been discussions with the Indian Government on terrorist activities arising from the problems of the Sikh community in the Punjab?

I represent in my constituency of West London between 60 000 and 70 000 Sikhs, probably more than are represented by the great majority of Indian members of Parliament. Of these people one was murdered and another had an attempt made on his life early this year as a result of problems originating in and relating to the political situation in the Punjab.

Now, I do not wish to intervene in the internal affairs of another country and I am sure that would not be the wish of the foreign Ministers, but when the internal political affairs of other countries impinge upon large communities within our own Member States and cause problems within the ethnic minority communities in our States, it is, I think, vital that we take action.

I would ask if consultations have been held with the Indian Government on this specific issue and whether we will make every effort, where we have large ethnic minority groups in our countries and where problems arise in connection with internal political issues in States outside Europe, to take the necessary action to ensure that the political problems of third countries do not spill over into our own Community States.

Mr Van Eekelen: There are in fact two questions here. Firstly, in relation to India, during the Troika consultations in New Delhi extensive discussions were held on combating terrorism, both as regards the situation of India in itself and as regards the situation of India as President of the non-aligned nations. We have also since then had contacts with a good number of other countries; in particular efforts are being made to reach agreement with the Arab countries on joint efforts to combat terrorism.

Sir James Scott-Hopkins (ED): Would not the Minister agree that this question and indeed the answer he has given highlight the need for further and much closer cooperation amongst police forces in the European Community? Is he satisfied that there is enough collaboration at the moment? Does he not agree, as I suggested perhaps two months ago, that special units should be set up for collaboration and for permanent working between all the twelve Member States' police forces to deal with the question of terrorism and attacks not only on leaders of ethnic minorities but on other leaders as well?

Mr Van Eekelen: The answer is in the affirmative. We now in fact have two working parties that are coordinating their efforts closely. The latest addition is the permanent working party that was set up by the Foreign Affairs Ministers. There also already exists operational cooperation between the security and police forces of the Twelve. That operational cooperation takes place through the so-called 'Trevi Group' of Ministers of Justice and Home Affairs, who are in fact doing extremely important work in terms of exchanges of information, including work on terrorist activities.

86/145. Question No H-46/86 by Ms Crawley concerning Help for the Continuing Difficulties of Cyprus

Date of Issue: 14 May 1987

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

What initiative do the Foreign Ministers meeting in political cooperation intend to take in 1986 in order to help facilitate a peaceful and successful end to the continuing political and economic difficulties encountered by Cyprus: given that a negotiated settlement for Cyprus will demand the support of the international community?

Mr Van Eekelen, President-in-Office of the Foreign Ministers: The Twelve continue to support the efforts of the Secretary-General of the United Nations to secure a just and viable resolution to the Cyprus question in the context of safeguarding the sovereignty, independence and territorial integrity of the Republic of Cyprus. In that connection they have appealed to the parties to the conflict to refrain from any action that might jeopardize the dialogue between the two communities.

I can now state that negotiations are now being held on a customs-union between the European Community and the Government of the Republic of Cyprus, a basic objective of which is that it must be to the advantage of the whole population of the island.

Ms Crawley (S): I am not altogether satisfied that the Minister's answer deals with the wider implications of this institution's relations with one of the parties in conflict on the island of Cyprus, namely Turkey. As a supplementary question, may I ask if the Foreign Ministers do not agree that the warming up of relations between Turkey and this institution, the unfreezing of aid, the renewal of diplomatic ties, etc., exacerbate the political problems Cyprus faces, i.e. the illegal military occupation by Turkey of that island? Would the Foreign Ministers not agree that, in order to follow the mandate proposed in their answer to my original question, an over-bias towards Turkey in diplomatic and in economic relations at the moment will only inhibit any progress towards a peaceful settlement on that island?

Mr Van Eekelen: We hope not. I in fact see two parallel activities. The Secretary-General of the United Nations is active on the basis of the mandate given to him to attempt to bring the two parties together. To that end he submitted new proposals in April. At the same time – albeit this is a separate question – there has been progressive normalization of relations between the Community and Turkey.

Sir James Scott-Hopkins (ED): Would the Minister not agree that the kind of exaggerated and excited question that has just been asked by the honourable lady does much more damage than the answer he has given implies, and that by far the best thing to do would be to leave the Secretary-General of the United Nations to get on with the negotiations between the two sides in Cyprus and hope that they will come to a sensible agreement. If we are going to have peaceful solution, which everybody in this House and outside wants, the less outside interference – certainly of the type just heard – there is the better.

Mr Van Eekelen: It is not part of my functions to express any opinion concerning the quality of questions from Honourable Members. If it were, the Presidency would require a much longer speaking time than it now has, and it is certainly not part of my functions. And particularly not in connection with this point, which relates to a highly sensitive problem. I can only repeat that we are behind the Secretary-General of the United Nations, and that we hope very sincerely that he will be successful in his approach to this long running conflict.

Mr Alavanos (COM): The President-in-Office's replies up till now, especially his reference to two parties in conflict, when the point is that 40% of the territory of Cyprus is under Turkish military occupation, invite real astonishment. And I would like to ask him – expanding on the question put by Ms Crawley and going a bit deeper – to what extent the question of Turkey's position, of the occupation of a whole section of Cyprus by the Turkish army that is, has been broached, albeit as just a point of some concern, in the negotiations and discussions with Turkey on the reconvening of the Council of Association. Or does the Presidency of the Council believe that the EEC can reconvene the Council of Association without any fuss, indifferent to the fact that Turkey is at this moment in military occupation of 40% of a country which also is associated with the Community?

Mr Van Eekelen: I can only refer the Honourable Member to my original answer.

**86/146. Question No H-48/86 by Mr Pearce concerning Amsterdam
Drugs Market-Place of Europe**

Date of Issue: 14 May 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Do the Ministers agree that they should take action to draw to the attention of the Netherlands Government that Amsterdam has been viewed by many for some years as the drugs market-place of Europe and that steps should be taken to correct this situation?

Answer:

The issue referred to by the Honourable Member of Parliament falls outside the scope of European Cooperation, since the problem of drug trafficking is dealt with through cooperation among the countries concerned in other specialized bodies. The Honourable Member may rest assured that his concern has been shared for many years by those responsible for the fight against the traffic in drugs and that they are actively engaged in correcting the situation referred to.

**86/147. Question No H-67/86 by Sir Peter Vanneck concerning the
Freedom of Navigation in International Waters Through the Gulf**

Date of Issue: 14 May 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Are the Foreign Ministers committed to safeguarding freedom of navigation in international waters and the free flow of oil through the Arabian Gulf?

Answer:

The Honourable Member will certainly be aware that on several occasions and in various contexts the Twelve have publicly called for respect for freedom of navigation in international waters, which they hold to be one of the fundamental principles of international law.

The specific issue raised by the Honourable Member has not been discussed by the Foreign Ministers meeting in political cooperation.

86/148. Question No H-93/86 by Mr Ephremidis concerning the Abolition of Nuclear Weapons

Date of Issue: 14 May 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

The result of the US nuclear tests on 13 and 14 March 1986 was that the Soviet Union interrupted its unilateral moratorium on nuclear tests, stating at the same time that it was prepared at any time to return to the moratorium issue if the US Administration decided to take part.

What specific measures do the Foreign Ministers intend taking to exert their influence on the US Administration so that it shows realism and responsibility on this particular issue, which would represent a substantial step towards the abolition of nuclear weapons?

Answer:

The Foreign Ministers meeting in political cooperation have not considered taking any measures as those referred to in the Honourable Member's question.

86/149. Question No H-96/85 by Mr Alavanos concerning the Operation and Aims of Political Cooperation in Connection with the American Attack on Libya

Date of Issue: 14 May 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

According to a statement by the American Secretary of State, certain Member States – the UK and the Federal Republic of Germany – had been informed of the USA's imminent attack on Libya on 15 April 1986.

Would the Foreign Ministers state why the governments of those countries did not inform the rest of the EEC Governments on the very day previous to this, i.e. 14 April 1986, when the joint declaration by the Twelve was being drafted? Could it be that 'political cooperation' begins and ends depending on the special relations which certain Member States have with the USA?

Answer:

In the days preceding the American military action against targets in Libya on 15 April, it was clear to many people that there was an ever-present possibility of such an attack. During the political cooperation meeting in The Hague, on 14 April, none of the Ministers was aware of a specific decision by the American President actually to carry out the military action.

86/150. Question No H-100/86 by Mr Boesmans concerning the Peace Agreement for the Region of Central America

Date of Issue: 14 May 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

On 7 April 1986, initial agreement was reached on a peace agreement for the region of Central America at a meeting in Panama, attended by ministers from thirteen Latin-American States, at which the European Community was also represented. The stumbling block has been US aggression against Nicaragua, both in direct form and through the so-called 'contras', though there would appear to be a chance of successfully concluding these negotiations by the end of May 1986.

What steps have the Foreign Ministers taken in the meantime to bring about a constructive resolution of the conflict, and with what results?

Answer:

On countless occasions the Twelve have expressed their desire to see a peaceful solution to the conflicts in Central America through negotiations, and their willingness to consider how they can best help to bring this about. Their concern has once again been demonstrated by the fact that the current President attended the recent meeting in Panama as an observer.

On 11 April 1986, immediately after this meeting, the Twelve issued a statement urging the Governments of the five Central American countries to respond positively to the appeal made in Panama for the peace negotiations to be brought to a speedy conclusion and for the Contadora documents to be signed on 6 June 1986.

86/151. Warning to Travellers Following the Chernobyl Nuclear Accident¹

Date of Issue: 15 May 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Declaration

The Twelve have exchanged information on recent radiation levels following the Chernobyl nuclear accident and draw the attention of travellers to the following.

As far as the Soviet Union is concerned, the evidence available indicates that large areas of the Ukraine and Byelorussia are still affected by increased radiation levels and would be better avoided.

The evidence available shows that levels of radioactivity in Poland, Romania, Hungary, Czechoslovakia and Bulgaria, though less than in large parts of the Ukraine and Byelorussia, are higher than the normal background radiation level.

Travellers to and citizens resident in the above mentioned regions should continue to avoid fresh milk and free-range eggs. Surface-grown vegetables should preferably be avoided and in any case should be washed and peeled. Fresh fruit should be peeled. Tapwater is safe; food tinned, frozen or preserved before 26 April is safe.

¹ Measures adopted by the Community in response to the Chernobyl accident are reported at *Bull. EC*, point 1.1.1. *et seq.*

86/152. Statement to the Second (Social) Committee of the UN Economic and Social Council on Human Rights

Date of Issue: 16 May 1986

Place of Issue: New York

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Statement in international forum

My delegation asked for the floor to make a statement on behalf of the Member States of the European Community on human rights, with particular reference to the Report of the Commission on Human Rights.

The Member States of the European Community share a common concern for the promotion and protection of human rights and fundamental freedoms. This concern is an important principle underlying the Twelve's approach to international issues. The Twelve believe in the fundamental importance of human rights and in the need for States to accord scrupulous respect to internationally agreed human rights standards. This explains the active role which the Twelve have sought to play in UN human rights activities. It should never be forgotten that the ultimate *raison d'être* of all activities of the United Nations is the individual human being, for whom the Universal Declaration of Human Rights proclaims the right to a social and international order in which human rights and fundamental freedoms can be fully realized.

To this end, the United Nations has created an impressive body of international human rights standards. Building on the Universal Declaration of Human Rights, it drafted and adopted, twenty years ago, the International Covenants. This International Bill of Human Rights constitutes an integral system for the protection of the individual through respect for all his human rights – civil and political as well as social, economic and cultural. It is complemented by a whole series of other important international instruments dealing with specific aspects of this integral system: such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All forms of Discrimination against Women and the International Convention against Torture. We may mention, also, the various instruments dealing with the protection of persons subjected to detention or imprisonment and the Declaration of the Elimination on All Forms of Intolerance and of Discrimination based on Religion or Belief.

In his keynote address on Internationalism and Human Rights on 8 March, 1985, the Secretary-General reminded us that the legitimacy of international concern for human rights and for the protection of the individual has entered the very structure of the international community. But we can go one step further. Not only is the United Nations' consideration of violations of the human rights of the individual legitimate. Our Organization indeed has a moral duty to investigate all cases and situations of violations of human rights which are brought to its attention. The United Nations is increasingly active in this field. But it could doubtless do more to avoid the suggestion of selectivity. This applies both to the study of specific country-situations and to the way we allow the United Nations to respond to the 50 000 or so complaints filed by or on behalf of individuals annually.

While governments may be embarrassed when their shortcomings are exposed, the victims of human rights abuse have a right to expect that the United Nations pay careful attention to reports of torture, disappearances, arbitrary executions and other violations of the right of everyone to life, liberty and security of person. Too often, though, these victims are disappointed. The 42nd Session of the Human Rights Commission was told in no uncertain terms by the Ugandan Minister of Foreign Affairs how the Commission, although aware of the violations and atrocities which had taken place in Uganda, had sadly disappointed the expectations of the people of that country by failing to act in time. Similarly, at the 40th and 41st Sessions of the Commission, representatives of the new governments of Argentina and Uruguay, respectively, emphasized the importance and legitimacy of UN involvement in the human rights situation in their countries during the years of repression. But from both statements it was clear that in various ways the peoples of Argentina and Uruguay, too, were disappointed that our organization had not done more. We would do well to remember this the next time we hear a government invoke the principle of non-interference when confronted with alleged violations of human rights within its territory.

One area of particular concern to the Twelve is the protection of those individuals and groups who – often at considerable risk to their own liberty or even to their lives – devote themselves to the promotion and protection of the human rights of their fellow man. The Twelve accordingly welcome the establishment of a pre-sessional Working Group of the Commission to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. We would hope that as many delegations as possible will participate in the future sessions of this Working Group. The subject matter deserves the closest attention of representatives from all regional groups.

The Commission's own two-tier approach for dealing with the question of human rights violations has by now become firmly established: an issue-oriented approach where possible and desirable, a country-oriented approach when necessary.

Issue-oriented mechanisms now address the questions of torture, summary or arbitrary executions, enforced or involuntary disappearances as well as the question of intolerance and discrimination based on religion or belief: the latter a new addition, created at the 42nd Session of the Commission.

This year, the Commission had before it the initial report of the Special Rapporteur on Torture. The Rapporteur's conclusion that torture is still widespread and that it occurs systematically in a number of countries in itself justifies the extension of his mandate. That this extension was approved by consensus points to the common resolve of the Members of the Commission to eradicate torture with all the means at its disposal. It is to be hoped that this common resolve will translate into the fullest cooperation of governments with the Special Rapporteur in the exercise of his mandate.

The Twelve strongly support the decision to extend the mandate of the Working Group on Enforced or Involuntary Disappearances for a period of two years. We hope that this extended mandate will facilitate improved Secretariat support for the Working Group. The members of the Working Group deserve the highest praise for the responsible and sensitive manner in which they pursue their efforts to clarify the whereabouts or the fate of thousands of disappeared persons. Tragically, the number of unresolved cases remains high. Therefore, we urge all Governments and others concerned to cooperate with and assist the Working Group. The Twelve congratulate the Government of Peru for allowing the Working Group to visit that country and for its admirable cooperation with it. We are delighted to learn that President Alan Garcia Perez has given his consent to a further visit by representatives of the Working Group, and we call on other Governments to show a similar spirit of cooperation.

The Twelve concur with the conclusion of Special Rapporteur Wako that the question of arbitrary or summary executions remains one of the most urgent problems on the international human rights agenda, requiring priority attention. They commend Mr Wako's use of so-called 'urgent action' — procedures. It is in the very nature of this form of human rights abuse that urgent action is often the only effective action. It is a sad reflection on the respect of States for the right to life that only five governments replied to the Special Rapporteur's urgent messages.

The Commission's issue-oriented approach was further expanded this year with the decision to appoint a Special Rapporteur to examine incidents and governmental action in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of all forms of Intolerance and of Discrimination based on Religion and Belief. The Twelve attach particular significance to the element of the Special Rapporteur's mandate concerning recommendations for remedial measures including the promotion of dialogue between communities of religious belief and their Governments. The Twelve are convinced that the non-confrontational approach to these sensitive issues which the Special Rapporteur will wish to take, will contribute to building a consensus around this important new mechanism.

At its 42nd Session, the Commission again reviewed the human rights situations in a large number of countries and territories. It adopted resolutions on South Africa, Namibia, the occupied Arab territories, Afghanistan, Kampuchea, Western Sahara, Chile, El Salvador, Guatemala and Iran, and again decided to postpone the debate on the question of human rights in Cyprus until its 43rd Session. The Chairman announced the names of the seven countries examined under ECOSOC-resolution 1503 (XLVIII).

The Twelve support the institution of Special Rapporteurs or Special Representatives as an important means of the Commission to investigate the situation of human rights in certain countries. We welcome the cooperation extended by the Governments of El Salvador, Guatemala and, more recently, Chile. In particular, the Twelve are hopeful that under the newly democratic Governments of El Salvador and Guatemala the respect for human rights in those countries will continue to improve sufficiently for the Commission to be able to conclude its consideration of those situations. The Twelve continue to look for signs of return to full democracy in Chile with a concomitant improvement of respect for and protection of human rights in that country.

The Twelve deeply regret the continued refusal of the Afghan authorities to cooperate. This cannot be justified. At the 42nd Session, we welcomed with great interest the Iranian delegation's stated willingness

to cooperate with the Special Representative. To that end, extensive negotiations were conducted with that delegation. Regrettably, agreement on the terms of such cooperation was impossible as a result of unacceptable conditions set by the Islamic Republic of Iran. In this connection, the Twelve consider that consistency and fairness require that uniform criteria be applied in appointing each Special Rapporteur or Representative and in defining his terms of reference.

The Twelve continue to attach great importance to the Sub-Commission on Prevention of Discrimination and Protection of Minorities. It produces studies on a variety of subjects most of which can be said to have direct relevance for the improved promotion and protection of human rights. Its working groups on slavery, detention and on indigenous populations have, each in their own way, produced ground-breaking work. Of particular significance is the Sub-Commission's role as a vital link in the procedure that leads to the consideration of communications concerning human rights from or on behalf of individuals in accordance with ECOSOC-resolution 1503 (XLVIII). The deferment, as an exceptional measure, of this year's Session of the Sub-Commission – the one organ of the United Nations, in fact, whose only scheduled meeting for this year will not take place – constitutes a grave blow to our Organization's activities in the field of human rights. We therefore expect that human rights programmes unaffected by last week's decision of the General Assembly will be implemented in full.

Finally, the Twelve played an active role in the adoption of resolution 1986/49 on hostage-taking. Alarmed by the growing number of cases of hostage-taking throughout the world, and by the odious form they take, they wished to reaffirm their strong condemnation of taking any person hostage, whoever may be responsible or whatever the circumstances may be.

In conclusion, a few general comments on the impact of the current financial crisis of the United Nations on its human rights programmes. The budget of the Centre for Human Rights is small. Consequently, any cut in this budget risks having a disproportionate effect on the human rights programme as a whole. Many of the most efficient elements of this programme are already operating on a relatively insignificant budget. Care must be taken not to undo a system which, despite its faults, can on the whole be termed one of the success-stories of the United Nations.

Decisions on where savings can be achieved will be taken elsewhere. The Twelve would however like to outline a few general criteria which should guide future United Nations action in the field of human rights in an era of financial restraint. These comments are, in part, in reply to a request made on 8 November 1985 before the Third Committee by Under Secretary-General Buffum for guidance on a re-ordering of priorities.

First of all, the emphasis should be shifted from costly research and studies, for which outside consultants are often hired, to action-oriented projects likely to produce more practical results. Instead of large scale meetings, requiring vast sums of money, attention should be focused on practical forms of assistance intended to assist States in improving the observance of international standards for the promotion and protection of human rights. Training courses and human rights fellowships, for example, require a fraction of the resources needed for seminars. Above all, priority should be accorded to maintaining and safeguarding the system of fact-finding and reporting under the various implementation mechanisms established by the Human Rights Commission. Currently, this programme relies heavily on temporary outside assistance. The Twelve are of the opinion that regular staff resources must be reallocated to guarantee the servicing of this system.

Considerable savings would be achieved if the time and facilities available for meeting were used more efficiently. The time currently wasted by allowing meetings to start late is a luxury which our Organization just cannot afford. Greater respect for procedure, too, would lead to a much needed rationalization of our work.

Finally, serious attention should be given to curtailing all those activities which constitute overlaps and repetition of activities under consideration in other United Nations fora, and to avoiding the inclusion in the human rights agenda of items and problems which are not or only distantly related to it.

86/153. Statement on the South African Military Action of 19 May

Date of Issue: 22 May 1986
 Place of Issue: The Hague
 Country of Presidency: The Netherlands
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve strongly condemn the South African military actions on 19 May against Botswana, Zambia and Zimbabwe and threats, officially expressed, to strike again. The attacks of 19 May are a serious violation of the sovereignty of the three countries. The Twelve deplore the loss of human lives resulting from these actions.

The Twelve express their deepest concern about the negative effects of these actions on the possibilities for a peaceful solution of the grave problems of South Africa.

The Twelve once more reiterate their views on the situation in Southern Africa as set out in the joint communiqué with the front-line States, issued in Lusaka on 4 February 1986. They urge the South African Government to initiate the necessary political dialogue with the genuine representatives of those South Africans now excluded from the present government structures with the aim of abolishing the apartheid system.

To this end, the Twelve consider it essential that the ban on the ANC, the PAC and other political parties should be lifted and that all political prisoners in South Africa should be freed immediately.

86/154. Statement on the Summit Meeting held at Esquipulas in Guatemala

Date of Issue: 23 May 1986
 Place of Issue: The Hague
 Country of Presidency: The Netherlands
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve welcome the Esquipulas Summit which confirms the wish of the Central American countries to continue their dialogue and to further their regional cooperation. They regard the Summit as an opportunity for the five countries of Central America to consider together a range of innovative ways of tackling the critical problems facing the region today.

They note the proposals under consideration to enhance economic and political cooperation among the Five and reiterate their conviction that peace and stability throughout the region will be decisive in developing such cooperation.

On various occasions the Twelve have stressed the importance of the Contadora initiatives in furthering these objectives. They confirm their view that an *acta* for peace and cooperation in Central America, representing a balanced and comprehensive settlement of the conflicts of Central America and subject to verification, would provide the framework for the consolidation of democracy and the growth of prosperity throughout the region.

The Twelve are convinced that the achievement of these objectives would play an essential part in creating the climate of cooperation necessary for a harmonious development of the countries of Central America. They recall that these objectives were central to the political dialogue begun in San José¹ and continued in Luxembourg². Their achievement is of great importance to the progress of the cooperation between the Twelve and Central America.

The Twelve believe that the moment has now arrived to conclude the sustained efforts of all involved by reaching final agreement on the *acta* for peace and cooperation in Central America. They therefore urgently appeal to the Five to conclude their negotiations, to sign an *acta* as proposed by the Contadora Group and ensure its full implementation.

¹ Bull. EC 9-1984, point 1.3.1. *et seq.*

² Bull. EC 11-1985, point 1.2.1. *et seq.*, EPC Bulletin, Doc. 85/253.

86/155. Statement at the 13th Special Session of the UN General Assembly

Date of Issue: 27 May 1986

Place of Issue: New York

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Status in international forum

Ms Schoo: Speaking on behalf of the Community and its Member States, I would like to welcome His Excellency the President of Senegal to this Special Session. We all recognize the highly important role which President Diouf played in the preparations by the African countries.

I should like to express the serious concern we feel at the critical economic situation in many African countries, particularly south of the Sahara. The crisis in these countries is seriously undermining their development prospects and is in some cases threatening the very existence of entire populations. It requires an investment of effort equal to the gravity of the problems involved, both on the part of the African countries themselves and on the part of the international community.

Mr President, this Special Session carries forward a process started in the summer of 1984. At the ECOSOC summer session the international community paid special attention to the short-term problems of Africa, the subsequent General Assembly adopted the Declaration on Africa. After a while, in January 1985, the Office for Emergency Operations in Africa was created. Hunger was tackled, and — in my opinion — in an efficient way; the international community reacted in a most exceptional fashion.

Now at this moment we need to commit ourselves to deal with the medium and long term problems and I hope that we come to similar effective solutions. These will be more difficult to find and more difficult to implement. This Special Session should therefore pave the way for a concerted approach by the international community and Africa and result in a consensus on the need to redefine development priorities and on the means to be applied to that end.

The negotiations on a programme of action should be finalized this week, there is no room for failure here. I would like to highlight three major parts, the internal development of Africa, the external environment and the follow-up and coordination.

Mr President, the African Programme for Economic Recovery (APPER in short) which finds its roots in the Lagos Plan of Action 1980 contains a thorough analysis of the development problems in Africa whereby the agricultural sector gets major attention. It focuses on the transition from emergency and short-term actions to the relaunching of long-term programmes for self-sustaining socio-economic development. It suggests a number of priorities for the African countries and the international community. It is our task to translate their points of consensus into potential specific measures to promote the rehabilitation and development of the African continent.

We support fully the attention which APPER pays to the food and agriculture sector and indeed hope that African countries will never again have to go through the disastrous consequences of famine. The implementation of APPER should form a basis for a structural transformation leading in the long term to self-reliance in food for Africa as a continent. We recognize that the African countries are making exceptional sacrifices in mobilizing domestic resources and are willing to back them up with appropriate policy reforms. In this context we for our part realize that an adequate transfer of resources will contribute to the implementation of APPER's goals in this sector. Many of the policies in the agricultural area are already supported by aid programmes; much remains to be done, but the consensus on this approach exists. I would like to point out that the European Community and its Member States make a great financial effort, bilaterally and *inter alia* in the framework of the Lomé III Convention.

In this context I would like to make some general remarks about our views on development. As regards the agricultural policy which we agree is a central issue, small holders should be seen as an essential element for the foundation of agricultural policy. Steps should be taken to enable them to effectively produce both food and cash crops. Appropriate price, fiscal and land tenure policies should encourage their production which could also lead to master the growing problems of urbanization in Africa. More attention should be paid to the role of women in this sector. Appropriate food strategies should be the framework for such an approach.

We fully agree that the development and efficient utilization of Africa's human resources is a basic concern. In our view, basic education, promotion of the role of women in development and the development and strengthening of a country's capacity in planning and administration at all levels deserve attention.

The demographic imbalance and the degradation of the natural environment in particular caused by drought and desertification, are threatening the long term development. The Community and its Member States consider it imperative that policies to address these problems are strengthened. We are ready to support policies aiming at conservation of the natural environment and are prepared to assist governments at their request in the implementation of appropriate demographic policies.

Mr President, the efforts to be made internally by the African countries need to be supplemented by measures taken by the international community to improve the general economic environment. There have been some encouraging developments recently in the world economy.

As regards trade, we stress the need to encourage liberal access, both in the context of existing commitments and in the framework of the future GATT multilateral trade negotiations, in which the African countries should be encouraged to take an active part in view of their specific interests, especially with regard to tropical and agricultural products.

The situation on the raw materials markets on which Africa largely depends for its export earnings is very worrying. These problems can only be tackled as part of an overall approach embracing commodity agreements, compensatory financing and above all diversification and productivity measures which should be reflected case by case in the sectoral restructuring programmes.

While definitions and estimates may differ, one thing is clear, the African debt problem is serious, it is an obstacle for recovery. Major efforts from the side of developed countries are desired.

The African countries recognize the need to adjust and the obligation to honour foreign debt commitments. The Community considers that there will be no solution to the financial problems of many indebted African countries unless production growth and economic development are re-established. The measures to be taken should be based on the principle of a case by case approach, because of the great variety of debt situations in Africa. This approach should be implemented in a flexible manner, in support of adjustment programmes in the medium term.

In this connection we welcome the discussion by the Development Committee of the World Bank's report on Sub-Saharan Africa, the growing commitment by African governments to undertake policy reforms and, in this context, the appeal to the world community to make its best efforts to meet, through additional ODA flows, the supplementary financing needs for Sub-Saharan Africa as estimated by the World Bank (US \$ 2.5 billion yearly). In this context, the Community and its Member States consider that, for the period from 1986 to 1990 bilateral donors should not become net recipients of official capital flows from African countries undertaking adjustment programs. Also we support an IDA VIII replenishment of US \$ 12 billion, a substantial increase in the capital of the World Bank, and the contribution of US \$ 2.7 billion of the Trust Fund within the framework of the Structural Adjustment Facility.

The African paper mentions a number of proposals of a general character of which we have taken careful note. In this context I would like to draw attention to steps already taken to reschedule debts of African countries and to improve the debt conditions through retrospective terms of adjustment on a country by country basis.

Improvement in the quality of assistance should be sought in terms and conditions, sectoral priorities and the strengthening of coordination. In general we consider it important to strive for multi-year aid commitments on the part of donor countries and organizations in support of African development. Direct investment has to be promoted: in this framework we recall the commitments under the Lomé convention to strengthen the role of the private sector in the African development process.

Mr President, much has been said, much will be said on follow-up and coordination, negotiations are not yet finalized. The Programme of Action as proposed, is a framework under which African governments should set up their action plan, their projects and programmes and also determine the

possibilities of their own financial and managerial efforts. On this basis, the African governments will be able to assess the needed external support. Whatever form it will take, an effective coordination and follow-up mechanism, especially at the national level, has to fulfill a catalytic role.

We support the general principles underlying the establishment of follow-up mechanism, as set out in the African paper: the mechanism should be simple, operational and without involving substantial additional expenditure; emphasis should be placed as much as possible on the strengthening of existing institutions rather than on the creation of new ones.

The Community and its Member States intend to contribute to the fullest extent possible to the success of this Special Session. We consider this to be our duty, in view of our involvement in the development of Africa and the special responsibility we have towards this continent.

86/156. Question No 2292/85 by Mr Glinne (S-B) concerning the Human Rights Situation in Vietnam

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 12 December 1985

On 31 May 1985, the Chairman of the Vietnam Committee for the Protection of Human Rights, Mr Vo Van Lai, lodged a complaint with the UN Commission on Human Rights against the Socialist Republic of Vietnam for its repeated violations of human rights and its continual infringements of the civil, political, economic, social and cultural rights of the Vietnamese. This complaint, together with the documents produced in evidence, goes to make up a dossier of more than 500 pages providing the following:

- the existence of 150 camps and prisons throughout the territory of Vietnam;
- the presence of hundreds of thousands of political prisoners, that is 1% of the total population, in those 're-education' camps where they are held without being charged or tried;
- the atrocious living conditions of those prisoners; under-nourishment, the absence of medical treatment, hard labour and torture;
- the presence of children of under eight years of age in those camps;
- police surveillance of the population living outside the camps, in particular by the permanent presence of local policemen each responsible for 500 families and for vetting them to ensure that they comply with the ideological demands of the Vietnamese Communist Party.

This dossier supplements the information published in numerous Amnesty International reports and the evidence provided by the survivors of the 'boat people'. It is overwhelming proof of the failure of the Vietnamese Government to comply with the Paris Agreements signed in 1973 intended to protect the population from any reprisals.

I would therefore ask the Foreign Ministers what steps they intend to take in relation to the Vietnamese Government to ensure that it:

- releases the political prisoners;
- closes the re-education camps;
- ceases reprisals and discrimination against the 'dissident' population of the South;
- guarantees democratic freedoms: personal liberty, freedom of speech, of the press, of assembly, of association, of political activity, belief, movement, and residence, and freedom to choose one's work and livelihood?

Answer:

The human rights situation in Vietnam has been brought up regularly in political cooperation. In February 1985 an approach was made to Hanoi on humanitarian grounds expressing the concern of the Governments of, and public opinion in, the member countries of the EC at violations of human rights in

Vietnam and specifically the execution of death sentences pronounced at a trial in Ho Chi Minh City, death sentences pronounced by the Song Be tribunal and the detainment in re-education camps of the seven South Vietnamese ex-diplomats.

86/157. Question No 2514/85 by Ms Dury (S-B) concerning the Kidnapping of Children of Mothers who are Community Nationals by North African Fathers

Date of Issue: 29 May 1987

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 January 1986

Children whose mothers are nationals of the Community countries and whose fathers are from North African countries are being literally kidnapped by their fathers and taken to Morocco and Algeria against their will.

It is virtually impossible for the mothers to apply for their kidnapped children to be returned to Europe, even when they have been given custody of them by the courts.

Do the Foreign Ministers of the European Community meeting in political cooperation intend, in the course of their contacts with the authorities of the North African countries, to make representations to the latter to put a stop to these kidnappings and, above all, to ensure that the children involved can be returned to their mothers as soon as possible.

Answer:

Particular cases of the sort described by the Honourable Member have been raised on a bilateral basis by a number of the partners and the problem as a whole has been discussed in the framework of European political cooperation. The Twelve do not, however, have any plans at present to take joint action – not least because they believe that such action might well prove to be counterproductive.

86/158. Question No 2736/85 by Mr Glinne (S-B) concerning the Belgian-South African Agreement on the Reciprocal Admission of Doctors to Medical Practice

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question on 10 February 1986

A bilateral Belgian-South African agreement, which was signed in Capetown on 25 May 1965 and came into effect on 8 August 1970¹, provides for the admission by either country of a minimum of five doctors who may practice their profession without being subject to any restrictions. This point should be emphasized, because restrictions on medical practice, programmes with specific humanitarian aims or predetermined scientific agreements have all featured in the bilateral medical agreements concluded between Belgium and countries other than those of the Community or Zaire.

The main purpose of this 'exchange' agreement, however, is to facilitate emigration by Belgian doctors to the Republic of South Africa, its 'Bantustans' and Namibia in order to alleviate its shortage of doctors and dentists, a shortage which is the outcome of the application of the policy of apartheid to the entire health care sector in that country and also to the organization of and access to higher education there, especially medical training.

Rather than encouraging black citizens to enter the medical professions and facilitating their access thereto, the South African authorities have chosen to turn to foreign doctors (the majority of whom are of Irish or British origin), who even in 1975 represented a quarter of the doctors practising in South Africa.

Black, coloured and Indian doctors, who have thus been deliberately kept to a minority within the medical profession, also have to submit to the racist organization of medical practice, one of the most damaging restrictions of which, in terms of the population's health, is the rule that blacks treat blacks and whites treat whites. This means one (white) doctor for 370 whites, compared with one (non-white) doctor for 45 000 non-whites, when the latter form 80% of the population.

African doctors who have private patients may only set up practice in the homelands (Bantustan policy), while in the urban and industrial areas where thousands of Africans live, white doctors are theoretically prohibited from practising.

African doctors are also the victims of various kinds of racial discrimination in public hospitals, such as their restriction to junior posts and inevitable subordination to white doctors.

As a result, quite apart from the scanty public resources channeled into health care services for Africans, the entire South African health policy is tainted by the logic of apartheid. The results are terrible: infant mortality is 1.2% among the white population, compared with 20% among Africans living in urban areas and 50% in the Bantustans, where the ravages of tuberculosis and diseases caused malnutrition bely government propaganda, which uses internationally acclaimed examples of medical technique (e.g. Professor Barnard) to claim a high-quality image for South African medicine. In this context it is obvious that emigration to South Africa by foreign doctors, particularly Belgian doctors, constitutes direct support for the apartheid policy imposed by the Pretoria Government.

Accordingly, I request the Foreign Ministers meeting in political cooperation to answer the following questions:

1. Should the Belgian Government and its Minister for Foreign Relations not be reminded of the latest list of restrictive measures which was drawn up by himself and his Community colleagues (with the support of their Portuguese and Spanish colleagues) and submitted at the September 1985 part-session of the European Parliament in Strasbourg, and which included the following specific point:

discouraging cultural and scientific agreements except where these contribute towards the ending of apartheid or have no possible role in supporting it?

2. Does the Belgian-South African medical agreement on the reciprocal admission of doctors to medical practice, which has been in force since 8 August 1970, not qualify as a 'scientific' agreement to be condemned on the basis of its direct support for apartheid?

3. Should the Belgian Government not be encouraged to terminate this agreement which, according to Article 9 thereof, may be terminated in writing by either party before 30 June each year?

4. Would it not be advisable to ensure that the anti-apartheid National Committee of South African Health Care Organizations should replace the Pretoria Government as the partner in scientific and medical agreements, and particularly those covering exchanges of doctors?

5. What is the situation as regards bilateral agreements similar to the Belgian-South African agreement signed by other Community Member States?

Answer:

On 10 September 1985, the Twelve decided to harmonize their attitude on a number of positive and negative measures concerning South Africa. Decisions on individual bilateral agreements with South Africa are, however, the responsibility of the Governments of the Member States.

¹ Agreement published in the *Moniteur Belge* (Belgian Government gazette) on 11 July 1970; see also *Afrique Australe* (Southern Africa) No 1-1970, pp. 18-20.

86/159. Question No 2757/85 by Mr Glinne (S-B) concerning the South African Economic Blockade of Lesotho

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 10 February 1986

In early January 1986 the Pretoria Government imposed an economic blockade on Lesotho because of the presence of African National Congress (ANC) militants in the territory of this independent Kingdom. In 1982, South African commandos used the same pretext for raiding Maseru, destroying the ANC headquarters there and killing 42 people. In the first half of January the South African Minister of Foreign Affairs and the political and military leaders of the opposition in Lesotho coordinated the coup d'état which on 20 January 1986 overthrew Prime Minister Chief Jonathan and his Government. On 21 January 1986 the South African blockade was lifted ... South African involvement was clear.

Lesotho is one of the poorest countries in Africa. Half its national income comes from wages paid to emigrant mine workers in South Africa. Pretoria was easily able to stop road and rail haulage at the frontiers bringing vitally needed supplies to Lesotho. It has also conducted destabilization operations, in particular by supporting an opposition movement, the Lesotho Liberation Army, which announced its intention of expelling ANC refugees if it took power. South African pressure even lay at the root of internal conflict, some units of the paramilitary force refusing in defiance of the youth movement of the Lesotho National Party (in power until 20 January 1986) to accept the risk of a new South African attack as the price for the presence of ANC resistance fighters and refugees in Lesotho.

Chief Jonathan's Government had restated its desire to meet its obligations towards ANC refugees and to impose no penalties on them. He had sent Ms Thatcher, the British Prime Minister, and President Reagan detailed reports on the South African attempt to throttle his country's economy and called on their Governments to intervene to end the blockade of Lesotho and organize an airlift of supplies into that country, evading the South African stranglehold.

1. How do Twelve view the economic blockade imposed on Lesotho by the South African Government between 1 and 20 January 1986, and Pretoria's interference in the internal politics of a small country entirely surrounded by South African territory, and which is one of our partners in the Convention of Lomé?

2. Could not the Governments of the Member States of the Community and cooperation between the Twelve set up a programme for urgently supplying vital commodities to the Southern African countries subject or liable to South African economic blackmail, in cooperation with the US authorities if the latter's reaction was positive and in cooperation with any other appropriate international authority or body (UN, SADCC)?

Answer:

1. The Twelve condemned in the strongest possible terms the economic blockade of Lesotho which South Africa imposed from 1 to 20 January 1986. They also made clear their serious concern to the South African Government.

2. In both the Community context and on a bilateral basis the Twelve maintain close links with the member States of the Southern Africa Development Coordination Conference and contribute significantly to SADCC's funding. In this way the Twelve try to help reduce the economic dependence of SADCC countries on South Africa. The Twelve have not, however, received any requests for emergency aid as described in the question.

86/160. Question No 2790/85 by Ms Piermont (ARC-D) concerning the Actions Taken by the French Secret Service in New Zealand Using Forged Swiss Passports and Their Effects on Friendly Relations Between the Community and New Zealand and the Community and Switzerland

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 17 February 1986

My Written Question No 1586/85¹ received the laconic answer that the question did not fall within the terms of European political cooperation.

1. Please inform me how you would view the situation if the roles were reversed and if the New Zealand secret service had carried out its activities in France, i.e. in a Member State of the Community, using forged Swiss passports?

2. Please inform me also why you take the view that the terms of reference of European political cooperation no longer apply once one of the Member States takes action?

3. Please supply me with a list of all the Written Questions to the Ministers of Foreign Affairs meeting in European Political Cooperation during this and previous electoral periods of the European Parliament which were not answered because they did not come within the 'terms of reference' of the European Political Cooperation.

Answer:

The Honourable Member has put several questions to the Ministers for Foreign Affairs:

1. The reply to the first question is that in view of their hypothetical nature, these alleged events were not raised within European political cooperation.

2. Cooperation between the partners within European political cooperation is characterized by a flexible and pragmatic approach. The scope of European political cooperation is determined by the basic texts concerning political cooperation which stipulate that it covers any foreign policy question of general interest.

3. The Honourable Member's attention is drawn to the fact that the Ministers for Foreign Affairs meeting within political cooperation have hitherto answered all the questions put by the European Parliament, without any exceptions.

For the reasons given above, the reply to certain written, as well as oral, Questions has had to be that they do not come within the sphere of competence of political cooperation. To give an example, it may be noted that out of a total of 62 Written Questions put to the Ministers for Foreign Affairs meeting within political cooperation during the second half of 1985, seven Written Questions did not come within the sphere of competence of political cooperation.

¹ *EPC Bulletin*, Doc. 86/016.

86/161. Question No 2897/85 by Mr Wurtz (COM-F) concerning the Visit by Federal German Police Officers to South Africa

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 5 March 1986

As part of the measures taken by the Community on 10 September 1985, which included the freezing of official contacts relating to security, the Member States agreed to suspend cooperation with the South African police¹. However, according to press reports, 40 German police officers have travelled to South Africa, on a special flight from Luxembourg, to visit a dog training centre and police training camps.

1. Have the Ministers discussed this matter in the framework of political cooperation?

2. Do the Ministers not consider that this trip is contrary to the measures towards South Africa agreed on by the Community on 10 September 1985?

3. Do the Ministers intend to urge the Federal German authorities and the Luxembourg authorities, which made practical assistance available for this trip, to ensure that these measures are enforced?

Answer:

On 10 September 1985, the Twelve decided to harmonize their attitude on a number of positive and negative measures concerning South Africa. Private contacts, such as private visits to South Africa, are not covered by the 10 September package of measures.

¹ *EPC Bulletin*, Doc. 85/172.

86/162. Question No 2963/85 by Mr Glinne (S-B) concerning the UN Council for Namibia

Date of Issue: 29 May 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 March 1986

Belgium is the only Member State represented on the UN Council for Namibia. This is the sole legal authority for Namibia, which is at present occupied by the Republic of South Africa in violation of UN Security Council Resolution 435.

1. Have the Foreign Ministers meeting in political cooperation endeavoured to shape the – apparently passive – attitude adopted by Belgium on the UN Council for Namibia or will they do so?
2. Is it true that the United Nations Institute for Namibia in Lusaka is being funded with regular contributions from Greece, Italy, Ireland, the Federal Republic of Germany, the Netherlands and France? If so, what amounts were involved in 1984/85?
3. Why are the other Member States – and particularly Belgium, which is a member of the UN Council for Namibia – not involved in the funding of this institute?
4. To what conditions, if any, do the Member States referred to under point 2 make their payments subject?
5. Could not the Foreign Ministers seek to take a positive attitude towards the institute in Lusaka?

Answer:

The Foreign Ministers of the Twelve have not discussed the specific questions raised by the Honourable Member, many of which refer to issues which are decided on a national basis. The Twelve have, however, made clear on numerous occasions their view that Namibia should be granted its independence as a matter of urgency on the basis of Security Council Resolution 435.

86/163. Statement on Sudan

Date of Issue: 4 June 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Twelve

Status of Document: Declaration

The Twelve welcome the recent holding of elections in the Republic of the Sudan. They view it as an encouragement for all those who strive for democracy and they express the hope that the process of national reconciliation will soon enable all Sudanese to enjoy in peace the benefits of democracy and justice to which they aspire.

The Twelve declare that they are willing to support to the best of their ability and on the basis of partnership and international cooperation, a sound strategy for economic recovery of the democratic government of the Sudan.

86/164. Statement by the President-in-Office on the Term of Office of the Dutch Presidency¹

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Balance Speech to European Parliament

Mr Van den Broek, President-in-Office of the Council: Mr President, we shall be taking provisional stock today or at least the Presidency will be.

Mr President, the Dutch Presidency's term of office is not yet over, and there are still a fair number of Council meetings on the agenda. That is why I shall be taking provisional stock.

A second preliminary remark I should like to make is that my experience of meetings with the European Parliament has taught me that the Council Presidency should not spend too much time speaking itself but give the Members of the Parliament enough time and scope to do the talking. We have therefore decided to submit to you a document which takes interim stock and discusses in greater detail the activities that the Presidency has undertaken in the last five months and, of course, developments in the Community.

I would also point out to the House that, apart from the Council meetings in June, to which I have just referred, we also have, of course, the meeting of the European Council of the Heads of State or Government. I should therefore like to use the limited time available to me this morning to talk about a number of personal impressions and perhaps indicate various special developments that have occurred in the last five months.(...)

We have regarded the presidency primarily as a service to the Community and to political cooperation, and it is also true to say that the President can exert no more than limited influence on the choice of problems that appear on the agenda, but I would nevertheless say that there is considerable scope for manoeuvring and bringing influence to bear and that an active presidency is not simply tolerated: it is required and expected. We at any rate shall make every effort until the end of our presidency to seize these opportunities as best we can.(...)

European political cooperation is gaining in substance and effectiveness. Increasingly, European political cooperation has become a reality, a factor of growing importance, not only for the Twelve, but also for countries outside the Community. The subject that has recently attracted most attention has undoubtedly been the fight against international terrorism. The international situation and the increasing number of violent terrorist attacks called for the rapid establishment of a common anti-terrorist policy, which, as you know, is based on three pillars: a coordinated and harmonized approach to the fight against terrorism in the Twelve, a clear warning to countries which are obviously involved in international terrorism, especially Libya, against which practical steps were taken, and lastly, a diplomatic offensive with the Arab, Eastern European and non-aligned countries to put a stop to terrorism. Relations and consultations with the United States have also been intensified in the past year.

At the beginning of the Dutch Presidency I told you of a number of priority areas of concern on which EPC would be concentrated in this period: the Middle East, East-West relations, Southern Africa, Central America and the human right situation in the world. I will comment briefly on each of these areas in the short time available to me. As regards the Middle East, I was, as you know, instructed by the Twelve to visit the parties principally involved in the Middle East situation. These talks took the form of silent diplomacy and were discussed by the Twelve at the recent Heemskerk meeting in the Netherlands, the provisional conclusion drawn being that in this situation it does not seem opportune for the Twelve to take fresh initiatives as this time, but these contacts must certainly be maintained with a view to establishing how the peace talks can be stepped up. And they are being maintained.

As for East-West relations, policy has been successfully coordinated in the context of the CSCE process, both at the disappointing meeting of experts held in Berne in May to discuss human contacts and at the conference on confidence- and security-building measures in Stockholm. A good start has also been made on the preparation of the CSCE follow-up conference to be held in Vienna in the autumn.

Precisely because East-West relations are going through a difficult period, in which exploratory moves are being made to establish what practical progress can be made in the various East-West fora in the immediate future, we believe the Twelve have a particular responsibility to act together in regularly providing impulses for the process of *détente* which is so essential to European security.

Mr President, I have had several opportunities to discuss the situation in South Africa with the European Parliament. A meeting with the front-line States was held in February. There have been many contacts, both with the South African Government and with very many representatives of anti-apartheid groups in and outside South Africa. The conclusions do not put us in an optimistic mood at the moment. We now await a report from the Eminent Persons Group, which has been commissioned by the Commonwealth to report on its efforts to encourage negotiations between the Government and opposition and representatives of the black community in South Africa. Here again, our expectations are not high, and the Presidency certainly intends to call on the European Council to consider the situation in South Africa with a view to deciding what we should do in the circumstances.

Our interest in the Central American region was again demonstrated by the Presidency's attendance at the conference of these countries held in Panama some time ago. Contacts are being maintained in this case too, and they are clearly designed to encourage these countries to sign the joint Act on peace in Central America. The Contadora process, which the Twelve have consistently and explicitly supported, is also hanging on a silken thread. We are continuing our efforts in this area.

A review of the Twelve's activities in the area of human right was forwarded to you in May. I was then able to have a confidential exchange of views on this document with Parliament, which, I believe, revealed the importance the Twelve and this Presidency attach to encouraging respect for human rights. In this connection, I must of course also stress the importance of the solemn adoption of the declaration on racism and xenophobia today.

Mr President, five months ago I expressed the hope, in the words of King-Stadholder William III, that the eyes of Europe would turn more to your Parliament. I am convinced that the past few months have had a positive effect in this respect. The Dutch Presidency has had the usual six months to take the centre of the European stage, and we shall shortly be withdrawing after handing the torch over to the United Kingdom. You may rest assured, however, that my country will do all it can not only in the short period of its presidency but also in the next five years, until the next Dutch presidency, to ensure that continuing fruitful cooperation in Europe takes shape, not least through your institution, the democratic cradle of decision-making which we are convinced is of the greatest importance for European unification and for the citizens of Europe.

[After the ensuing debate, Mr Van den Broek stated furthermore:] I said in my first statement that the Dutch Presidency believes the present situation in South Africa should most certainly be considered by the Heads of State or Government at the forthcoming European Council meeting, but that it was impossible for me at the moment to anticipate the outcome of this discussion. But I explicitly referred to passages in the decision of 10 September 1985 on South Africa², in which it is made clear that, if the situation does not improve, if, in other words, the South African Government does not make a serious effort to improve the situation, within a reasonable period, as these texts put it, the Twelve will have to review their position. The debate, in the Council and elsewhere, must reveal what decisions the Council – or the Twelve, I should in fact say – eventually take or how they review their position.

Mr President, other political subjects were discussed: the events surrounding Libya, the fight against terrorism. To be honest, I must say that I do not find the criticisms voiced in this respect wholly justified. There is no denying that it was an extremely complicated matter. It is clear that an effective joint stand against terrorism is no easy matter, but that the Twelve have nonetheless accepted their responsibility in this area. I would refer those who are sceptical about this to the results which increased cooperation has already produced, the success that has been achieved in very clear and practical terms in preventing terrorist attacks in the Federal Republic, the United Kingdom, France and the Netherlands. I therefore believe that, although we have not, of course, achieved perfection, it can be said that progress has been made in this area.

I will conclude, because I shall also be speaking during Question Time, by repeating that we can only regard today's debate as a provisional review and that I still believe, still have the realistic hope that even

in this last month of the Dutch presidency further progress will be made in a number of vital areas of European cooperation. I assure you once again that during this last month and in the discussions with the Presidency that succeeds us we shall emphasize our relations with the European Parliament and the cooperation we have had from the European Parliament. We gave you assurances about this when we took office, and I still think it possible, even before the Single Act is ratified, to maintain such contacts with the European Parliament in various fields, by which I mean, for example, the internal market and the budgetary problems, where it will be possible to take account of the European Parliament's views.

¹ Cf. *OJ* No 2-340 of 11 June 1986, pp. 114-145.

² *EPC Bulletin*, Doc. 85/172.

86/165. Question No H-104/86 by Ms Simons concerning South Africa

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

On 5 March 1986 the President-in-Office of the Council, Mr Van den Broek, held talks on the situation in South Africa with representatives of the European Ecumenical Commission for the Church and Society.

In these talks he stated that the Community's assessment of the South African Government's willingness to dismantle apartheid would from now on be based on how the latter implemented the reforms it had announced.

Could the Foreign Ministers state

- whether they have agreed on a date by which the South African Government should implement the reforms it has announced, so that further selective economic and political measures can be taken if the deadline is not met;
- whether in this connection they consider the South African Government's intention to make the Kwa Ndebele homeland independent to be a cogent reason for doubting the Botha regime's willingness to institute reforms;
- if so, what specific action the Community will take if this plan is carried out.

Mr Van den Broek, President-in-Office of the Foreign Ministers: South Africa has been discussed on several occasions today in another context. I gave a further clear report on the activities of the Twelve in this respect and concluded that we now await the report of the Commonwealth Eminent Persons Group on their findings in South Africa and their efforts to negotiate with the South African Government. We do not expect the report to be favourable, and the Presidency believes that the situation in South Africa should be considered at the forthcoming meeting of the European Council. But I would not want to anticipate the conclusions drawn.

It has already been said, both on 10 September, when the Twelve announced a package of measures against South Africa, and at the meeting with the front-line states in Lusaka in February, that, if no progress is made within – I quote – a reasonable period, the Twelve should review their position. I feel that, if the findings of the Commonwealth Eminent Persons Group are as discouraging as we now suspect, there will be every reason to discuss the need to review the position of the Twelve.

Ms Simons (S): I should like to ask two specific supplementary questions. Does the meeting of Foreign Ministers have a specific, systematic plan of what measures will be taken when they reach the conclusion that the time has now come? I suspect you cannot say if the time has come, but what measures would be taken? And secondly, do the Foreign Ministers, in the framework of European political cooperation, intend to take part in next weekend's world sanctions meeting in Paris, or will only the French Foreign Minister attend?

Mr Van den Broek: In my answer I was principally stating the views of the Dutch Presidency on the need for the Twelve to discuss the joint position adopted on 10 September 1985. I am thus saying that there is no actual plan, let alone proposals for measures, which the Twelve would decide to implement if they came to the conclusion, for example, that the pressure on South Africa should be increased. I am not saying this conclusion has been reached. That is something that now has to be discussed. If it is agreed that this should be done, the question will then be how. I am not in a position to anticipate the answer to this question, especially as it has yet to be discussed. But this discussion will be taking place shortly.

As regards the conference on sanctions to be held in Paris shortly, I would point out that not only France — which, if I am not mistaken, will be attending only as an observer — but also a small number of other western countries will be represented, along with a large number of Arab and Eastern Bloc countries. Where my own country is concerned, I can only say that we attended the preparatory symposium in Oslo, which finished last week. As we did not consider the outcome of this symposium acceptable, the Netherlands will be attending the conference on sanctions in Paris as an observer, not as a participant.

Mr Martin David (S): I wonder if the President-in-Office would confirm a report in today's *Financial Times* that three Member States, Britain, France and Germany, are opposing Community action on sanctions and will continue to oppose action regardless of the findings of the Commonwealth Eminent Persons Group which, as the President-in-Office has stated, is likely to call for action.

Would he give this House an assurance, particularly in view of the escalating violence in South Africa, that the other Member States, the other representatives of the Council of Ministers, will continue to push for common Community measures against South Africa in order to bring down the apartheid regime in that country?

Mr Van den Broek: I will not go into the positions of individual members of the Council or of the Twelve. I do not think it would be wise to do so on the eve of a fresh round of discussions on South Africa within the Twelve.

Mr Rogalla (S): Does the President-in-Office know of any other international organizations and groupings considering sanctions against South Africa? Is he aware that the Catholic bishops in South Africa have formed a working party to consider what sanctions could possibly be taken?

Mr Van den Broek: You ask if other organizations are considering the possibility of imposing sanctions on South Africa? Very many are, mainly non-governmental organizations, which are urging the imposition of economic sanctions. The subject has also been on the agenda at the United Nations for many a year, it comes up in the General Assembly every year, and numerous resolutions calling for sanctions have been adopted, with recommendations to the Security Council. As you know, the Security Council has imposed a mandatory embargo on the export of arms to South Africa on many occasions, the last time in 1977, but more general mandatory sanctions have yet to be introduced.

Then there is the group of Nordic countries, which have also looked into the possibility of imposing effective sanctions. The Commonwealth group may have considered them too, but that will be revealed by their report. In short, the discussion is certainly not confined to the European Community.

Mr Simpson (ED): The Eminent Persons Group may well call for further measures. Would the Minister agree that while disapproval of apartheid must clearly be shown by concrete measures, these should not go as far as full economic sanctions aimed at bringing the South African economy to its knees and, secondly, would he also agree that brutal and insensitive policing by the South African police is contributing to making the situation worse?

Mr Van den Broek: I agree on the later point. I will not comment on the outcome of the activities of the Eminent Persons Group until I have read their report. In general, whether we are advocates or opponents of economic sanctions, we can say that the Community's efforts must be directed at peaceful change. Any instrument that can be used to that end should be used.

86/166. Question No H-51/86 by Mr Galland concerning the Disappearance of Mr El Bellal Ould Lahbib El Bellal, a Moroccan Citizen

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

In February 1976 Mr El Bellal Ould Lahbib El Bellal, a Sahrawi Moroccan citizen, was arrested along with more than 100 others in Zak in Southern Morocco where he was the caliph. Since then there has been no news of these people. Amnesty International has made representations on their behalf to the Moroccan Government, which has consistently denied all knowledge of the arrests.

Do the Foreign Ministers meeting in political cooperation intend to urge the Moroccan Government to release detailed information concerning Mr El Bellal Ould Lahbib El Bellal's present situation?

Mr Van den Broek, President-in-Office of the Foreign Ministers: I am sorry to say that we have been unable to obtain information confirming the reports, to which the Honourable Member refers, of the disappearance of these Moroccan people. In general, I can tell the Honourable Member that the Twelve do, of course, regularly express their constant concern about reports of the violation of human rights and continue to follow such incidents closely and actively. More specifically, all I can say is that we have been unable to verify the report to which the Honourable Member refers.

Mr Galland (LDR): I wish to express my stupefaction. The problem is very simple. A caliph, a person of considerable standing in Morocco, disappeared together with about a hundred people in February 1976. I asked this question four months ago and yet you tell me that you have been unable to check the facts. Mr President, let me put this question to you: When will you be able to check?

Mr Van den Broek: When I say that we have been unable to verify the report, I mean that we have tried to verify it but without success. I find it rather difficult to say when this will be possible.

Mr Roelants du Vivier (ARC): Mr President of the Council, the case mentioned by Mr Galland is not an isolated one. We are confronted every day by requests from non-governmental organizations concerning similar cases.

I should like to know whether, when the EEC-Maghreb agreements are renegotiated, the Council intends to take steps to ensure that human rights are respected in this area of North Africa. Do you not agree, Mr Minister, that it is worth trying – although this may sound rather cynical – to trade tomatoes against human rights in these negotiations?

Mr Van den Broek: I have also read newspaper reports that King Hassan recently said he was prepared to invite a group from Amnesty International to study the human rights situation in Morocco. I would therefore prefer to express the hope that contacts of this nature will clarify this matter.

Mr McMillan Scott (ED): Would the Presidency examine the possibility of a better coordinated effort by the Foreign Ministers of the presidency so that when this sort of case occurs a rather more rapid examination can be made of individual cases because all too often it occurs in this House that a family is split or someone disappears and a question is asked in this House and we get the sort of reply we have received this afternoon? I think it is not outside the competence of the Presidency to establish a better mechanism for pursuing the interests of Community citizens if such cases extend beyond the European Community's frontiers.

Mr Van den Broek: We should, of course, take an interest in any instance of human rights being violated or of individuals being involved. Any case, any individual case of human rights being violated is undoubtedly one too many. Within the Twelve a great deal is done in this area, often by governments whose citizens get into such situations, when they go missing and so on, and sometimes by governments which have special relations with the country where human rights are being violated. In general, the Twelve take collective action only when there is structural violation of human rights on such a scale that the collective weight of the Twelve is considered necessary if influence is to be effectively exerted. It is, of

course, impossible for the Twelve to take action each time an individual's human rights are violated. What we have seen, in relations with the Soviet Union, for example, is the Twelve pressing for the release of those who have become the symbol of persecution. They are very clearly seen as examples and symbols, but that is different from individual cases of disappearances or violations of human rights.

Mr Wolff (LDR): Mr President, this is very surprising. You said just now that you had read in the press that Amnesty International was going to be received by the King of Morocco. I feel that, in the light of the investigation which you are deemed to have financed some four months ago, you might have learned of that development directly rather than in the press!

Mr Van den Broek: I am afraid I do not completely understand the question. I said that I had seen from recent press statements the King Hassan of Morocco was prepared to receive a group from Amnesty International.

86/167. Question No H-128/86 by Ms Lizin concerning Measures to Combat Terrorism and Collaboration with Certain East European Countries

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

In the fight against terrorism, do the Ministers meeting in political cooperation contemplate some specific form of collaboration with certain East European countries? What matters would be covered and what would be the procedures followed? Would such collaboration be concerned with extradition proceedings and would the Trevi group be involved or would independent arrangements be made?

Answer:

After the 61st meeting of the Foreign Ministers on 17 April 1986, the Twelve increased their contacts with, among others, the Warsaw Pact countries with a view to asking them to cooperate in the elimination of international terrorism. Specific cooperation with certain member countries of the Warsaw Pact in the fight against international terrorism involving a choice of areas to be covered and procedures has not been contemplated.

86/168. Question No H-140/86 by Ms André concerning European Political Cooperation and the American Raid on Libya

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

With regard to European political cooperation in the sphere of foreign policy, Article 30, paragraph 6(a) of Title III of the Single European Act states:

The High Contracting Parties consider that closer cooperation on questions of European security would contribute in an essential way to the development of a European identity in external policy matters. They are ready to coordinate their positions more closely on the political and economic aspects of security.

Everybody is well aware that terrorism and the countries which unconditionally support it represent a constant and real danger to security in Europe. Libya has clearly shown for some time that it is in favour of acts of terrorism. It took the American raid on Libya for Europe to make its position clear and introduce drastic measures regarding Libyan diplomatic staff.

Does the Council not feel that in future political cooperation should come into play *before* the event, to ensure that Europe has an identity of its own in matters of foreign policy without the support of military action on the part of a third country?

Answer:

The Twelve have repeatedly expressed their firm opposition to international terrorism. In their declaration of 27 January 1986, they condemned all forms of terrorism, the perpetrators, accomplices and instigators as well as governments that supported them. They stressed that countries that favoured or protected terrorists could not expect indulgence nor could they expect to have normal relations with the Twelve. On 27 January 1986 they drew attention to their September 1984 agreement on a set of principles to increase cooperation in the fight against international terrorism. They decided to intensify their efforts to tackle the abuse of diplomatic immunity for terrorist purposes. They also agreed not to export arms or other military equipment to countries which are clearly implicated in supporting terrorism.

On 14 April 1986, before the United States' attack on targets in Libya the Twelve decided to act against Libya and any other countries obviously involved in supporting terrorism by placing restrictions on the freedom of movement of diplomatic and consular staff, by reducing the number of staff at their diplomatic missions, and by applying stricter conditions and procedures for granting visas to their nationals. European political cooperation therefore took action *before* the twelve Foreign Ministers were aware of the US President's decision to launch a military strike against targets in Libya. At the Ministerial meeting of 21 April 1986 in Luxembourg, the Twelve put into practice the measures taken against Libya regarding the reduction of the number of Libyan diplomatic and consular representatives.

86/169. Question No H-167/86 by Mr Adamou concerning the Turkish Vice-Presidency at the Council of Europe

Date of Issue: 11 June 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

At a recent meeting of the Council of Europe, the vice-presidency was assigned to Turkey. It was clear from the voting that the Member States adopted different positions.

Have the Twelve, within the framework of political cooperation, worked out a joint position on this question?

Answer:

The subject referred to by the Honourable Member has not been discussed in European political cooperation.

86/170. Question No H-155/86 by Mr Alavanos concerning the Suspension of Nuclear Tests

Date of Issue: 11 June 1986
Place of Issue: Strasbourg
Country of Presidency: The Netherlands
Source of Document: Presidency
Status of Document: Answer to oral Parliamentary Question

Following the Chernobyl accident, the leader of the Soviet Union announced, in a statement made on 14 May 1986, the unilateral suspension of nuclear tests until 8 August this year.

What specific measures do the Foreign Ministers intend to take to ensure that this initiative does not remain unilateral and continues after 8 August, thereby opening the way for the total abolition of nuclear tests and nuclear weapons, which are a threat to our planet?

Answer:

Measures of the type envisaged in the Honourable Member's question have not been considered in the framework of European political cooperation.

86/171. Question No H-157/86 by Mr Ephremidis concerning the Prevention of an Attack on Syria

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

The continuous build-up of Israeli forces in the Golan heights and in the southern Lebanon and the repeated statements by American authorities about Syrian involvement in terrorist activity indicate that intensive preparations are being made for an attack on Syria.

What measures do the Foreign Ministers intend to take to prevent a further attack on a Middle Eastern State, which would cause the already tense situation in the region to explode?

Answer:

It is well known that the Twelve are seeking to bring about a peaceful solution to the conflict in the Middle East and have thus repeatedly expressed their support for a continuation of the peace process.

The Foreign Ministers of the Twelve have persisted in these efforts throughout the periods of increasing and decreasing tensions in the area, and the Ministers consider that such efforts are one of the best ways of ensuring that there is no resumption of hostilities between the opposing sides in the Middle East conflict.

After the peace process was broken off in February this year, the Twelve have endeavoured to bring about new contact between the parties. In recent weeks the President of the Council, as representative of the Foreign Ministers of the Twelve, has successively met representatives of the parties involved in order to hear their assessment of the present state of the peace process and to put forward the European position.

The Foreign Ministers of the Twelve will continue their joint efforts to intensify the search for a peaceful solution in the Middle East.

A possible Israeli attack on Syria has not been discussed in European political cooperation.

86/172. Question No H-160/86 by Mr Pearce concerning the Provision of Arms to Libya

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Have the Ministers meeting in political cooperation seen press reports on or around 6 May 1986 to the effect that 'Crotale' anti-aircraft missiles belonging to Libya were, at that date, being serviced at the Saint Denis plant of Thomson CSF; if these reports are correct, do the Ministers consider that this activity is in conformity with Community decisions on the provisions of arms to Libya?

Answer:

The twelve Ministers of Foreign Affairs meeting in the framework of political cooperation on 14 April 1986 in The Hague approved a common declaration on international terrorism and the crisis in the Mediterranean, which states under its point 6:

In conformity with their declaration of 27 January 1986 they reaffirm that no arms or other military equipment will be exported to Libya. They will continue to do everything within their power in order to ensure that their nationals and industry do not seek any commercial advantage from measures in reaction to terrorist attacks and other terrorist activities.

The specific reports quoted by the Honourable Member of Parliament have not been discussed by the twelve Ministers meeting in political cooperation.

86/173. Question No H-163/86 by Mr Iversen concerning the Severance of all Diplomatic Relations with South Africa

Date of Issue: 11 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to oral Parliamentary Question

Will the Foreign Ministers take the initiative without delay in severing all diplomatic relations and recalling all their ambassadors from South Africa, following that country's bombing of the ANC headquarters in Botswana, Zimbabwe and Zambia, and what steps do the Foreign Ministers plan to take, in practical terms, to support the front-line States against this outrage committed by the South African regime?

Answer:

The Twelve condemned the South African military attacks of 19 May against Botswana, Zambia and Zimbabwe in the strongest possible terms in their declaration of 22 May. They consider these attacks a serious violation of the sovereignty of the countries concerned and deeply deplore the resulting loss of human lives.

The Twelve are particularly concerned about the negative effects of these actions on the possibilities for a peaceful solution of the grave problems of South Africa. Threats, officially expressed by the South African Government, to strike again in neighbouring countries have further affected the prospects for national reconciliation in South Africa.

The Twelve have, together with the front-line States, set out their views on the situation in Southern Africa in the Joint *Communiqué* issued in Lusaka on 4 February 1986. In this *Communiqué*, South Africa's policy of destabilization was sharply condemned.

In order to avoid further bloodshed in South Africa and its neighbours, the Twelve have urged the South African Government to initiate the necessary political dialogue with the genuine representatives of those South Africans excluded from the present government structures with the aim of abolishing the apartheid system.

To this end, the Twelve consider it essential that the ban on the ANC, the PAC and other political parties should be lifted and that all political prisoners in South Africa should be freed immediately.

The Twelve contribute, on a bilateral basis as well as through the Community, to the development of the front-line States. Assistance is provided both directly and through the Southern African Development Coordination Conference, the aim of which is to increase the economic self-reliance of the countries involved.

86/174. Question No H-172/86 by Mr Wurtz concerning the International Conference on the Relationship Between Disarmament and Development

Date of Issue: 11 June 1986
 Place of Issue: Strasbourg
 Country of Presidency: The Netherlands
 Source of Document: Presidency
 Status of Document: Answer to oral Parliamentary Question

France has just requested the postponement of the international conference on the relationship between disarmament and development, which was due to be held in Paris from 15 July to 2 August 1986, following a decision by the United Nations General Assembly. Given the importance of this question, no opportunity for dialogue should be lost. What is the position of the Foreign Ministers meeting in political cooperation on this conference?

Answer:

The Twelve have clearly shown their interest in a thorough dialogue on the relationship between disarmament and development. However, the preparatory work has not yet resulted in a consensus on an approach which would make it possible to organize a conference on this subject with any chance of success. In view of this, the preparation of the conference should take longer than initially planned. A draft decision on such a conference will be submitted to the United Nations General Assembly at a later date.

86/175. Code of Conduct – Reporting Format EC

Date of Issue: 13 June 1986
 Place of Issue: Brussels
 Country of Presidency: The Netherlands
 Source of Document: Political Committee
 Status of Document: Decision

Preamble

The intention of this common format is:

- a) to standardize the criteria according to which companies prepare their reports;
- b) to simplify the drafting of reports;
- c) to reflect the provisions and requirements of the Code.

Note: Companies are free to attach further written explanation, as part of their reports, should they feel that certain material would otherwise be omitted or that the form gives them insufficient scope to explain fully their position regarding the requirements of the Code.

Report for twelve months to 30 June

Report by (name of company)
 of (address)

Please provide name(s) and address(es) of South African subsidiaries, associates, branches, etc.; showing percentage of equity held, the total workforce and breakdown to show the number of whites, coloureds, Asians and black workers employed by each and their place and district of employment.

Section 1: Relations within the undertaking

1.1. Please confirm that all employees, irrespective of racial or other distinctions are able to choose freely and without hindrance the type of organization to represent them.

1.2. Please state progress made in implementing that policy, including:

- a) whether recognition and collective bargaining agreements in accordance with internationally accepted labour standards have been signed with trade unions representing black workers;
- b) or whether the company is prepared to conclude such agreements;
- c) who are the parties to such agreements;
- d) what other machinery (liaison committee, works council or similar body) is established to conclude collective agreements on pay and working conditions on behalf of black employees and whether there is trade union representation within it;
- e) whether trade union officials have requested the facilities outlined in section 1(d) of the Code;
- f) what was or would be the company's response to such an approach;
- g) what measures the company has taken to inform its employees of their social and trade union rights, to promote the Code and to inform its employees of its policy on implementation.

Section 2: Migrant labour

2.1. Please state whether migrant workers are employed and, if so, how many.

2.2. If the company is employing migrant workers, please explain its policy towards the use of such labour and what action it is taking to alleviate the effects of existing regulations on such employees and to help them to lead a family life. Indicate particular measures, including any to facilitate

- a) the opportunity to lead a family life;
- b) the regular renewal of contracts; and
- c) any arrangements for making it easier for the families of employees to settle near their companies.

Section 3: Pay and wage structures

3.1. Please state company policy on pay of black employees and whether common pay scales for all employees, irrespective of race (i.e. equal pay for equal work) are applied and whether wages are based on a qualitative job evaluation.

3.2. Please attach as much information as possible on wage scales for all grades, indicating the number of black workers employed at each level, the districts in which they are employed and the number of working hours per week. The information provided should be sufficient to answer the following questions (separate information is required for each affiliate):

- a) The supplemented living level (SLL) for a family of five in the location of your subsidiary as assessed by the university of South Africa.
- b) Excluding overtime and other bonuses, except where these are guaranteed and certain, are all black employees paid at or above the SLL for a family of five? If not, how many are paid below this level?
- c) What are the wages of the lowest paid grades (Rands per month)?
- d) How many black workers are in the lowest paid grades?
- e) What was the date, within the reporting period, when the company last revised wage scales, including those for the lowest paid workers?

3.3. If the wages of the lowest paid employees are below the minimum level laid down in the Code, please describe the company's plans and any timetable for achieving this minimum.

3.4. Please indicate any plans the company has to upgrade the minimum wages to higher levels.

Section 4: Training and promotion of black employees

4.1. Please state (with details of the numbers involved) company policy for training and promoting black employees including:

- a) company policy and practise on employment and promotion of black employees in supervisory and management jobs and those requiring higher technical qualifications;
- b) company training schemes for the advancement of black employees and examples of successes achieved;
- c) company assistance to black employees to take advantage of other educational and occupational training schemes outside their place of work;

- d) apprenticeship schemes and specialized training programmes (including preparatory programmes for apprenticeship), which the company operates or participates in, explaining whether these are open to all suitably qualified workers, irrespective of race and without any form of segregation.
- 4.2. Please state company policy on the employment of white immigrants and, if applicable, details of the numbers employed and plans to reduce dependence on such labour.

Section 5: Fringe benefits

- 5.1. Please describe fringe benefits provided or envisaged by the company, in particular for the purposes listed in section 5(b) of the Code which include medical, educational and assistance with accommodation.
- 5.2. Please also give details of any support for projects which aim to improve the quality of life in the black communities from which your company derives its workforce.

Section 6: Desegregation of places of work

- 6.1. Please state whether your company has done everything possible to abolish any practice of segregation, notably at the workplace, in canteens, in education and training and in sports facilities.
- 6.2. Please indicate whether it is company policy to remove any remaining segregation at the earliest possible opportunity.
- 6.3. Please indicate what measures they take to promote inter-staff contacts from different racial groups.

Section 7: Encouragement of black business

Please state company policy towards the encouragement of black businesses, indicating whether the company has helped to develop small black-owned business, or has sub-contracted or has regularly placed orders with such companies.

Publication of company reports

Please state whether this report will be made publicly available by the company.

86/176. Question No 2596/85 by Ms Crawley (S-UK) concerning Support and Aid for Central American Countries

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 24 January 1986

Would the Foreign Ministers meeting in political cooperation state what up-to-date strategy has been agreed by the Foreign Ministers on the promotion of Western European political support and economic aid for Central American countries, in an effort to enhance stability and develop peace in that region? This should be considered in the context of the Luxembourg follow-up meeting of 11 and 12 November 1985 to the *San José* meeting of September 1984?

Would the Foreign Ministers also state in relation to the Luxembourg meeting of 11 and 12 November 1985 what concerted effort the EEC countries will bring to bear on the United States in an effort to dissuade it from further outside interference in the policies of the legitimate democratically elected Government of Nicaragua?

Answer:

At the Luxembourg ministerial meeting on 11 and 12 November 1985¹, the Twelve reiterated their support for the Contadora peace process and expressed their willingness to contribute to the successful

conclusion of this process by measures designed to improve the socio-economic situation in Central America. On the political side, the Twelve have remained in close touch with the countries of the region and have publicly welcomed the new impetus given to the Contadora process in the wake of the meeting in Caraballeda. They have also welcomed the exchange of letters of 13 February 1986 whereby Nicaragua and Costa Rica put an end to their frontier dispute. The question of economic support falls within the competence of the Community. The Council of Ministers, in approving the guidelines for development-aid to developing countries in Asia and Latin America for 1986, has allocated 59,4 million ECU for aid to Latin America and the Commission has indicated its intention to earmark a further 12,5 million ECU for projects in Central America. As far as the second part of her question is concerned, the Honourable Member is referred to the answer given to Oral Questions H-841/85 and H-856/85².

¹ *EPC Bulletin*, Doc. 85/253.

² *EPC Bulletin*, Doc. 85/080.

86/177. Question No 2859/85 by Ms Piermont (ARC-D) concerning the Situation in Iran

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 21 February 1986

Profoundly concerned at the continuing violation of human rights and the suppression of basic freedoms by the Khomeini regime in Iran; whereas since 20 June 1981 this regime has been responsible for the execution on political grounds of 50 000 people, of whom more than 60%, according to rough estimates based on United Nations investigations, were children and teenagers, and for imprisoning 140 000 people on political grounds; having regard to the extreme oppression of women, the persecution of religious communities (particularly the Baha'i), the execution of homosexuals and the mutilation and barbaric executions of (alleged) lawbreakers in the name of Islamic law; having regard to the resolution recently adopted by the United Nations General Assembly expressing the international community's deep anxiety at the violation of human rights in Iran;

having regard to the senseless war between Iraq and Iran, which is being continued against the will and the interests of the Iranian people in order to keep the Khomeini regime in power, and which has so far caused the deaths of more than a million Iranians, including thousands of teenagers and children, and made three million Iranians homeless;

having regard also to the growing resistance of the Iranian people;

1. What steps have the Foreign Ministers taken to put a stop to the violation of human rights and the suppression of basic freedoms in Iran and to contribute to bringing the conflict between Iran and Iraq to an end?

2. Do the Ministers, in accordance with Articles 113 and 224 of the EEC Treaty, propose to suspend arms deliveries, with which the Khomeini regime carries on the war and internal oppression, to Iran?

3. Given that the Khomeini regime uses its oil revenues to buy weapons for the continuation of the war and the oppression of the Iranian people, have the Ministers given any serious consideration to an oil boycott?

Answer:

In accordance with their support for the respect for human and humanitarian rights which they have professed on many occasions within the competent international organizations and in direct contacts with the Iranian authorities, the Twelve are following the human rights situation in Iran with deep concern. They have discussed the violations of human rights and basic freedoms in Iran and have

consulted each other on any joint positions to be adopted. For example, the Twelve supported Resolution 40/141 on the situation of human rights in the Islamic Republic of Iran which was accepted by the General Assembly of the United Nations on 13 December 1985, and which

expresses its deep concern over the specific and detailed allegations of violations of human rights in the Islamic Republic of Iran to which the Special Representative refers in his interim report [and] urges the Government of the Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights, to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant.

More recently, on 19 March 1986, the countries which are members of the Commission on Human Rights supported the Resolution on the situation of human rights in Iran. Additionally, the Twelve have kept in close touch with international organizations which monitor respect for human rights. The Twelve intend to continue taking every possible step – in the most suitable manner and at the most appropriate time – *vis-à-vis* the Iranian authorities or elsewhere to help put a stop to human rights violations and the denial of basic freedoms in Iran. With regard to the conflict between Iran and Iraq, the Twelve have on several occasions condemned the violations of human and humanitarian rights which have occurred during military operations, including the repeated use of chemical weapons.

As early as 1984 the Twelve agreed on a list of chemical products which would be subject to checks before export.

The Ministers for Foreign Affairs, meeting within the framework of political cooperation, have not considered the possibility of boycotting Iranian oil.

86/178. Question No 2894/85 by Mr Marshall (ED-UK concerning the Capture of Three Israeli Soldiers in Lebanon

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 5 March 1986

Three Israeli soldiers – Zachary Baumel (No 3122139), Zvi Feldman (No 2255896) and Yehuda Katz (No 3119987) – were captured in the Lebanon and were subsequently paraded in Damascus on 11 June 1982. Their families have still to hear from them and are clearly anxious about their fate. Would the Ministers please intercede with the Syrian authorities.

Answer:

The Ministers for Foreign Affairs of the Member States of the European Community have not discussed the incident referred to by the Honourable Member in the framework of political cooperation.

86/179. Question No 2938/85 by Mr Glinne (S-B) concerning the ILO and the EEC Code of Conduct for Undertakings Operating in the Republic of South Africa

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 5 March 1986

A statement published on 5 September 1985 by the International Labour Organization on working conditions in the undertakings covered by the Sullivan Code and/or the Code of Conduct recommended in 1977 by the EEC gives the following judgement:¹

Close study of the living and working conditions of black employees prompts serious doubts as to the effectiveness of these codes, or, more accurately, to whether they are being rigorously applied and observed. There can be no doubt that the attempts to improve the situation of blacks in the companies covered have been no more than a qualified success. Out of some 350 companies, only a quarter have recognized the black trade unions. Many blacks are still being paid at rates below those stipulated by the codes. A relatively limited number have been offered apprenticeships or promotion. No significant change has occurred in the case of migrant workers. Fringe benefits have generally been improved, but in many companies, segregation still obtains in the installations of the workplace proper (...)

The codes have also failed in their aim of influencing South African employment policy. The working conditions of South African blacks have hardly changed, despite amendments to the law (...) The real income of blacks has not changed in the last 10 years. The wage differential between whites and blacks has in fact widened and the concept of equal work is generally excluded by the racial stratification of employment.

The report concludes:

It is difficult to see how the imposition of the codes in companies employing less than 3% of black workers in the advanced sector of the economy (...) can widely influence general working conditions (...)

As a means of international pressure to promote change, the codes have clearly had no effect and, if used in conjunction with a policy of 'constructive engagement' they do nothing whatsoever to increase the credibility of that policy in the present-day reality of South Africa.

What comments do the Ministers have to make about this opinion of the ILO?

Answer:

The Twelve are convinced that the codes for companies operating in South Africa drawn up by various governments and institutions, such as the Code of Conduct and the Sullivan Code, contain important guidelines to improve working conditions and remove racial discrimination in the workplace.

Since its introduction, the Twelve have closely monitored the effectiveness of the Code of Conduct which they have strengthened in November 1985. Furthermore, representatives of individual Member States, in particular their labour *attachés* in South Africa, are in constant touch with organized labour in South Africa, in an attempt to improve the quality of the Code further and ensure its full implementation.

The Twelve therefore firmly believe in the value of the Code in supporting the efforts of black workers in South Africa to improve their conditions.

¹ *The New York Review of Books*, 7.11.1985.

86/180. Question No 2961/85 by Mr Glinne (S-B) concerning the Racist Birth-Control Practices in South Africa

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 7 March 1986

In November 1983, the International Planned Parenthood Federation (IPPF) expelled the South African Family Planning Association for its failure to respect the IPPF's principles of non-discrimination on the grounds of race, creed, colour, politics or sex, since the South African Government is conducting a racist campaign of black 'birth control' while supporting measures to increase birth rates among the white population.

In addition to such discrimination, it must also be stressed that coercive government measures to control black fertility include the administering of a highly controversial contraceptive to black women in both South Africa and Namibia: Depo-Provera, available as a pill and in injectable form, which contains the synthetic hormone medroxyprogesterone acetate. This contraceptive is banned in the US because it is strongly suspected of causing breast cancer. Other serious side effects have also been reported: hair loss, headaches, haemorrhaging, liver disorders and, in particular, permanent sterility. Naturally, the

last-named side-effect is not pointed out to users, who effectively are acting against their will, and is a particularly cruel and unjust burden on a population with an extraordinarily high infant mortality rate as a result of malnutrition, the lack of medical facilities, and very difficult living conditions for families.

In 1983, the managing director of the Upjohn Company, which manufactures Depo-Provera in South Africa, estimated that approximately one million women in South Africa and Namibia were using this contraceptive, which is banned in the US. Moreover, in order to circumvent the US ban, Upjohn has begun to produce Depo-Provera at its subsidiaries – at Puurs in Belgium, for example – which then themselves export this product to South Africa¹.

Can the Foreign Ministers therefore answer the following questions:

1. Is it not imperative to protest to the South African authorities about the commonplace administering of the contraceptive Depo-Provera, which is banned in the US, to black women in view of its dangerous side-effects such as breast cancer and the risk of permanent or prolonged sterility?

2. Would it not be advisable to call on pharmaceutical companies in the Community which produce Depo-Provera for export to South Africa and Namibia to put an end to their involvement in Pretoria's policy of black birth control, which is very largely based on the racist principles of apartheid?

Answer:

1. The contraceptive Depo-Provera is commonly prescribed and widely used in several Member States of the Twelve – countries which have very strict regulations in the field of health and medicine, particularly covering possible 'side-effects'.

2. The policies of the Twelve *vis-à-vis* South Africa are intended to contribute to the abolition of apartheid. The contraceptive Depo-Provera has not been discussed in this context.

¹ See the Commission's answer to my Written Question No 1608/85, *OJ* No C 32 of 12 February 1986, p. 29.

86/181. Question No 23/86 by Ms Ewing (RDE-UK) concerning Professor Cizek, Prisoner in Yugoslavia

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 10 April 1986

Are the Ministers aware that Professor Cizek, for a long time resident in the Federal Republic of Germany, left that country under somewhat mysterious circumstances, was arrested in Yugoslavia and sentenced to 13 years in prison?

Are the Ministers further aware that Professor Cizek has already served eight years in prison and has become blind in Zenka Prison?

Have the Ministers made representations to the Yugoslav Government on this case and if not would they do so immediately, calling on the Government to release Professor Cizek on humanitarian grounds?

Answer:

Ministers are indeed aware of the case to which the Honourable Member refers.

Representations on this case have been made to the Yugoslav Government. In the interest of all concerned, the Presidency prefers to give no further details at this stage.

86/182. Question No 48/86 by Mr Pordea (DR-F) concerning the Reminders to the Soviet Union of the Obligations to Which it has Subscribed in the Field of Human Rights and the Rights of Nations

Date of Issue: 16 June 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Answer to written Parliamentary Question of 10 April 1986

In its answer of 9 January to Written Question No 1829/85¹, the Council (or more precisely the Foreign Ministers, since the matter raised fell within their province) stated that

the Ten do not fail to remind the USSR regularly of the obligations to which it freely subscribed when the Helsinki Final Act was signed.

In what form and how frequently are such reminders made? Are they confined purely to an appeal to respect human rights and fundamental freedoms, or do they also make mention of the right of peoples to self-determination and the obligation of non-interference in the internal affairs of sovereign States?

Answer:

The Twelve make use of bilateral contacts as well as multilateral meetings in the framework of the Conference on Security and Cooperation in Europe to regularly remind the USSR of the obligations to which it freely subscribed when the Helsinki Final Act was signed. These reminders may take the form of formal, written statements, or may be given orally. The Twelve avail themselves of such opportunities to emphasize the importance they attach to respect for all of the ten principles of the Helsinki Final Act by the participating States and to the full implementation of all its provisions. Depending on the nature of the specific issue being addressed on a particular occasion, individual principles may also be mentioned.

¹ *EPC Bulletin*, Doc. 86/022.

86/183. Discours prononcé à la douzième Session de la Conférence internationale du travail concernant les travaux et les conclusions de la Commission de l'apartheid de la Conférence

Date of Issue: 19 June 1986

Place of Issue: Geneva, Switzerland

Country of Presidency: The Netherlands

Source of Document: Dutch Delegation

Status of Document: Statement in international forum

Mme Kappeyne van de Coppello, conseiller technique gouvernemental des Pays-Bas: Prenant la parole au nom des douze Etats membres des Communautés européennes, je voudrais présenter nos vues sur les travaux et les conclusions de la Commission de l'apartheid de cette Conférence.

Permettez-moi tout d'abord de rappeler la position des Douze en ce qui concerne la politique de discrimination raciale menée par le gouvernement de la République sud-africaine telle qu'elle a été exprimée, à diverses reprises, à de nombreuses tribunes des Nations Unies et autres forums. L'apartheid constitue une violation des droits fondamentaux de la personne humaine stipulés dans la Charte des Nations Unies et dans la Déclaration universelle des droits de l'homme. Notre position fondamentale est claire: le système d'apartheid, y compris la politique des *homelands*, doit être complètement démantelé afin que puisse s'édifier une société démocratique non raciale, fondée sur la règle de la majorité, par l'exercice complet et libre du suffrage universel des personnes adultes, de toutes les personnes, de toute la population d'une Afrique du Sud unie et non fragmentée.

Le temps passe, et notre patience s'épuise. La violence en Afrique du Sud s'est de plus en plus répandue. Un cercle vicieux de répressions et de rébellions reflète la déconvenue croissante des

Sud-Africains qui doivent faire face à leur exclusion permanente dans la participation au processus politique dans leur propre pays. Le rétablissement récent de l'état d'urgence et les arrestations aveugles des chefs des syndicats, des églises et de la communauté qui ont précédé cette mesure traduisent clairement l'urgence de la situation. Les Douze ont élevé une protestation en termes très énergiques auprès du gouvernement sud-africain contre le rétablissement de l'état d'urgence et contre ces arrestations qu'ils considèrent non seulement comme une violation très grave des droits de l'homme mais également comme des mesures très dommageables pour la création d'une atmosphère susceptible de déboucher sur un début de dialogue national en Afrique du Sud.

Les actuelles mesures de répression du gouvernement sud-africain ont largement occulté les mesures annoncées jusqu'ici par le Président Botha, qui paraissent comporter certains éléments positifs, bien qu'elles soient insuffisantes à la fois quant à leur opportunité dans le temps et quant à leur fond même pour susciter le changement fondamental nécessaire. Un tel changement doit non seulement être imposé mais aussi négocié par voie de dialogue.

Pour la réalisation du dialogue qui s'impose de façon urgente entre le gouvernement sud-africain et les authentiques représentants du peuple d'Afrique du Sud, les Douze ont exhorté le gouvernement de ce pays à prendre en particulier les mesures suivantes, susceptibles de créer la confiance sans tarder: un ferme engagement de la part du gouvernement sud-africain de supprimer l'apartheid et de démanteler toute législation discriminatoire; la levée de l'interdiction de l'ANC, du PAC et autres partis politiques; la libération immédiate et inconditionnelle de Nelson Mandela et d'autres prisonniers politiques; la cessation de la pratique de la détention sans procès; la fin des déplacements forcés; l'abolition de la politique des *homelands* et la suspension du processus conduisant à la prétendue indépendance du KwaNdebele.

De l'avis des Douze, la pression internationale est nécessaire et importante pour amener le gouvernement de l'Afrique du Sud à mettre fin à sa politique d'apartheid. A cet égard, permettez-moi de rappeler les mesures concrètes prises en septembre dernier par les Douze, conçues d'un côté pour accroître la pression sur le gouvernement sud-africain afin de l'amener à créer, petit à petit, une société exempte de toute discrimination raciale et, d'un autre côté, afin d'appuyer les groupes qui, en Afrique du Sud, luttent pour un changement pacifique. Cet ensemble de mesures de politique générale est suivi de très près, sous réserve de l'évolution de la situation en Afrique du Sud. Les conclusions du Groupe des personnes éminentes du Commonwealth joueront certainement un rôle dans l'évaluation des Douze de leur politique vis-à-vis de l'Afrique du Sud.

Les bénéficiaires importants du programme des Douze, visant à la promotion de l'évolution pacifique en Afrique du Sud, sont les syndicats. Les Douze sont fermement convaincus que les syndicats de ce pays, en particulier le mouvement syndical noir, jouent un rôle important dans le processus de changement en Afrique du Sud. Les Douze estiment que, au cours de quelques années écoulées, les améliorations les plus significatives en ce qui concerne la situation de la population noire d'Afrique du Sud se sont opérées dans le domaine des relations professionnelles. Les Douze se proposent de promouvoir cette évolution en apportant leur appui au mouvement syndical noir.

J'en viens maintenant au rapport du Directeur général sur l'application de la Déclaration concernant l'apartheid. Sur ce point, les Douze apprécient, d'une part, son compte rendu équilibré de l'évolution qui s'est opérée dans le domaine des questions sociales et de travail en Afrique du Sud, et, d'autre part, l'action prise contre l'apartheid par les gouvernements, les employeurs et les organisations de travailleurs.

A cet égard, ainsi que cela a été annoncé dans la réponse commune des Douze à la demande du Directeur général en vue de l'ébauche d'une action des gouvernements contre l'apartheid, le Code de conduite établi par les Communautés européennes à l'attention des sociétés et filiales en Afrique du Sud a été révisé, renforcé et actualisé en novembre de l'année dernière et mieux harmonisé avec les changements qui s'opèrent dans le domaine social et du travail en Afrique du Sud depuis ses débuts en 1977. Ainsi, les dispositions concernant la reconnaissance et l'appui à apporter aux syndicats noirs qui émergent ont été élaborées, les salaires minimums recommandés ont été plus nettement définis, plus d'attention est accordée à la formation et à la promotion des travailleurs noirs pour leur permettre d'occuper des postes qui exigent des qualifications plus élevées, et une plus large place est faite à la

fourniture de prestations supplémentaires en faveur de ces travailleurs. Enfin et surtout, une recommandation additionnelle a été incluse en ce qui concerne l'encouragement et l'appui en faveur des entreprises noires qui émergent.

D'autre part, en ce qui concerne les procédures, il y a eu affinement et une disposition a été ajoutée pour que les vues pertinentes des travailleurs et des employeurs sur la teneur et la mise en œuvre du Code soient évaluées dans l'analyse sommaire européenne annuelle. En outre, un questionnaire européen uniforme sur la mise en œuvre du Code de conduite actualisé a été élaboré qui devrait faciliter l'évaluation et la comparaison des performances des sociétés sur le plan national et dans le cadre européen.

Les Douze estiment que le Code de conduite joue un rôle important pour inciter les employeurs d'Afrique du Sud à éliminer toute discrimination fondée sur la race, dans le cadre des relations professionnelles sur les lieux de travail, pour promouvoir la formation et l'éducation des travailleurs noirs et pour améliorer leurs conditions de vie et de travail. Les rapports nationaux de l'an dernier et la synthèse de ces rapports montrent que certains progrès ont été accomplis à cet égard, mais il reste encore beaucoup à faire.

En ce qui concerne le rapport et les conclusions de la Commission de l'apartheid, les Douze tiennent à présenter les remarques que voici: le rapport contient des réflexions précieuses que les Douze sont prêts à prendre en considération. Toutefois, comme l'année dernière, certaines des conclusions de la Commission de l'apartheid de cette année vont au-delà du mandat de l'O.I.T. La nécessité de respecter la compétence de chaque organisation internationale, y compris celle des Nations Unies, est essentielle chaque fois que l'on propose d'entreprendre des mesures. A cet égard, les Douze considèrent qu'un appel à des sanctions est hors de la compétence de l'O.I.T.

Un certain nombre de conclusions proposent des mesures relatives aux activités des *homelands* et de leurs représentants. Il suffira de dire que les *homelands* ne sont aucunement reconnus comme des entités spéciales, distinctes de la République sud-africaine. C'est la position de la communauté internationale et notamment celle des Douze, au nom desquels je parle actuellement.

Certaines conclusions vont à l'encontre de ce que l'on considère dans nos Etats comme étant la procédure légale, c'est-à-dire qu'elles ne prennent pas en compte les différentes dispositions constitutionnelles des Membres de l'O.I.T., y compris celles qui régissent les compétences respectives des pouvoirs nationaux, régionaux ou locaux.

Face à l'évolution récente de la situation en Afrique du Sud et dans ses environs et étant donné les préoccupations que nous partageons tous – l'apartheid devrait être aboli – les Douze auraient préféré arriver à des conclusions qui soient supportées par un plus large consensus et qui reflètent les vœux de tous les Etats Membres de l'O.I.T.

Enfin, les Douze tiennent à réitérer leur opposition totale à l'apartheid sous toutes ses formes et leur engagement d'œuvrer pour sa prochaine et complète abolition par des moyens pacifiques. Espérons que les appels lancés par cette Conférence pour réaliser cet objectif ne resteront pas lettre morte. Il n'y a pas de temps à perdre. Plus le gouvernement sud-africain s'opposera à la participation de la majorité de sa population, plus il sera difficile de parvenir à un changement.

On ne saurait trop souligner que les événements actuels en Afrique du Sud ne font que rendre la réalisation de cet objectif plus difficile. Merci, Monsieur le Président.

86/184. Conclusions of the European Council (Abstracts)

Date of Issue: 27 June 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Conclusions of European Council

Drugs:

The European Council expressed itself gravely concerned about the serious problem of drug abuse. It pointed out that, for certain aspects of this problem, effective international cooperation exists, in

particular within the 'Pompidou Group' of the Council of Europe and the relevant UN agencies, but that for other aspects there is every need to improve and intensify international collaboration, particularly as regards the production of and traffic in drugs and demand for these products.

The European Council considered it advisable to organize *ad hoc* collaboration between the Member States and the European Commission to examine what initiatives could be taken in this area without there being any duplication with work carried out elsewhere. The European Council noted with approval that the Presidency intends to have this question examined by Ministers for the Interior in the autumn. The contribution which could be made to the conference to be held under the auspices of the UN in the first half of 1987 should also be examined. The European Council decided to continue its examination of this serious matter at its next meeting.

Latin America:

The European Council discussed the situation regarding relations between the European Community and Latin America, in particular in the light of the enlargement of the Community to include Spain and Portugal.

It reaffirmed its desire to strengthen and develop these relations both on the political level and on the economic and technical level.

The European Council therefore asked the Commission to submit a document in accordance with the objectives set out in the Declaration annexed to the Accession Treaty. It also instructed the Ministers for Foreign Affairs to follow this matter closely and to submit reports to the European Council as and when necessary.

86/185. Statement on South Africa

Date of Issue: 27 June 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: European Council

Status of Document: Declaration

1. The European Council is gravely concerned about the rapid deterioration of the situation and the increasing levels of violence in South Africa. The reimposition of the state of emergency and the indiscriminate arrest of thousands of South Africans can only further delay the start of a genuine national dialogue on South Africa's future, which is so urgently needed if a peaceful solution of the country's problems is to be found.

Furthermore, extensive censorship has been imposed on the media. The European Council believes that the present policies of the South African Government can only lead to increasing repression, polarization and bloodshed.

2. Against this background, the European Council has re-examined the Twelve's policy towards South Africa. It reaffirms that the main goal of this policy is the total abolition of apartheid. To support the process of non-violent change in South Africa and to emphasize their deep concern about the recent course of events, the Heads of State and Government have decided to take additional action.

3. The European Council has declared itself in favour of a concerted European programme of assistance to the victims of apartheid, encompassing both Community and national action, in order to maximize the effectiveness of Europe's contribution in this field.

In this connection the European Council has agreed on an increase in financial and material assistance to the victims of apartheid, in particular [to] those effected by the disturbances in crossroads and to political prisoners, including those arrested in connection with the recent reimposition of the state of emergency.

4. The European Council is convinced that the commencement without delay of a national dialogue with the authentic leaders of the black population is essential to halt a further escalation of violence and allow negotiations leading to a truly democratic and non-racial South Africa.

This dialogue cannot take place as long as recognized leaders of the black community are detained and their organization are proscribed.

In this context the European Council calls on the South African Government

- to unconditionally release Nelson Mandela and other political prisoners;
- to lift the ban on the African National Congress, the Pan Africanist Congress of Anzania and other political parties.

5. In the mean-time in the next three months the Community will enter into consultations with the other industrialized countries on further measures which might be needed covering in particular a ban on new investments, the import of coal, iron, steel and gold coins from South Africa.

6. The European Council decided to ask the future UK Presidency Foreign Minister to visit Southern Africa, in a further effort to establish conditions in which the necessary dialogue can commence.

86/186. Statement on the Lebanon

Date of Issue: 27 June 1986

Place of Issue: The Hague

Country of Presidency: The Netherlands

Source of Document: The Foreign Ministers

Status of Document: Declaration

The twelve Ministers for Foreign Affairs are deeply concerned about the situation in Lebanon, which, after so many years of confrontation, continues to deteriorate, particularly as a result of the continuing escalation of violence involving the civilian population in Beirut, especially the Palestinians in refugee camps, and leading to heavy loss of life and property on all sides. They endorse the recent appeals by the Security Council and the United Nations Secretary-General to all parties concerned to exercise restraint, to make efforts to end the present bloodshed and to facilitate the work of relief organizations such as the ICRC and the UNRWA. The Twelve reaffirm that the sovereignty, unity, independence and territorial integrity of Lebanon must be respected.

86/187. Statement by the Outgoing President of the European Council on the European Council Meeting of 26 and 27 June in The Hague¹

Date of Issue: 8 July 1986

Place of Issue: Strasbourg

Country of Presidency: The Netherlands

Source of Document: Presidency

Status of Document: Report on European Council

Mr Lubbers, President-in-Office of the European Council: Mr President, I am happy to be here this morning to report on and account for the meeting of the European Council.

In the past six months we have had only one meeting of the European Council. This was a deliberate choice: we wanted to place the emphasis as far as possible on the practical activities and decision-making of the various Councils and to concentrate the European Council's efforts on providing more specific political impulses, which is after all what the European Council is meant to do. Remarkably, the meeting of the European Council was not this time overshadowed by some crisis or other. This gave us an opportunity to work together in a very practical way. The vast majority of the items on the agenda concerned Community issues, but we also set some time aside for problems connected with political cooperation. I am happy to report that the Presidency greatly enjoyed cooperating with the Commission and its President in preparing for the European Council meeting. (...)

Mr President, as I have already said, there was an opportunity this time not only for the Foreign Ministers but also for the Heads of State or Government to discuss various aspects of political cooperation. We were deliberately selective. I will confine myself to reporting on two of the subjects discussed. First, there was the question of human rights. In confidential discussions Parliament's Political

Affairs Committee and Minister Van den Broek considered the desirability of gradually codifying our views on this subject to enable Europe to speak with a clearer voice. We have experience, the necessary action has been taken in the field of human rights in the last five years, and the review has been discussed here. What should now follow is an unequivocal public statement of the principles of the European Community's and Member States' policy on human rights. This will be an important decision, if we can take it, because it may round off Europe's image. After the discussions among the Heads of State or Government in The Hague, the Council of Foreign Ministers has now been requested to elaborate on the numerous texts that have already been prepared. We have thus expressed our desire to take the political decision to codify our views on human rights. The political will is there.

Then, Mr President, in the area of political cooperation, we concentrated this time primarily on the South Africa problem. There was a great need for this. Our discussions must be seen as a logical continuation of what happened last autumn. I would remind you of the visit by the 'Troika' to South Africa in August 1985, the package of measures consequently adopted in September and then, following on from that, the political dialogue with the front-line States in Lusaka in February 1986. This shows that we had all committed ourselves to a joint political position.

Unfortunately, we have found in the last six months that not enough progress has been made towards eliminating apartheid. In fact, a state of emergency has been imposed, and violence has escalated. These are serious political facts, which forced us to reconsider the position Europe should adopt.

We tried to adopt a clearly defined position. How can we help to bring about a genuine political dialogue in South Africa aimed at eliminating apartheid? Before this dialogue can begin, we believe that Nelson Mandela and other political prisoners must be released and the ban on the ANC, the PAC and other political parties lifted. We have adopted a timetable for this. It should be possible for this to be done within a comparatively short period. It is therefore a wise move to send out another diplomatic mission, headed this time by the President-in-Office of the Council, Sir Geoffrey Howe, the Minister responsible in this instance. This must be accompanied by a joint political position, as we have adopted, and also by the announcement that, unless real progress is made, further measures may be considered necessary. The package of possible further measures was also defined by the European Council in The Hague. They include a ban on new investment and the import of coal, iron and steel and gold coins from South Africa.

We obviously had a fairly long discussion on this subject, in which we had to weigh up the pros and cons. I feel I should point out that we came to unanimous conclusions, but from different viewpoints. Opinions on this important issue in the European Council differed in some respects. I considered it my duty to try to bring about a compromise that everyone might see as a step in the right direction. Clearly, some of the large countries in particular were inclined to be more cautious than others about announcing or agreeing to restrictive measures. It is equally clear that we were all agreed on our intention to accept the onerous political responsibility for putting an end to apartheid and to make every effort to prevent a further escalation of violence. I am confident that, in view of the willingness of the countries represented at the European Council meeting ultimately to settle their differences, the logical conclusions can be jointly drawn from this joint position in the next few months.

Mr President, I will say no more for the moment. In political as in other respects, this European Council meeting was as I believe it should have been. There was a very frank exchange of views and a penetrating exchange of arguments, and in the end we reached joint conclusions. I believe this means Europe has also gained in strength where political cooperation is concerned.

[Upon the ensuing debates, Mr Lubbers stated moreover:] Madam President, I will begin by expressing my sincere thanks for everything that has been said. It has given me a great deal to think about. It will not therefore be possible in a short answer to do justice to all the important statements that have been made. I would add straight away how pleased I am that various Members from Spain and Portugal in particular have spoken and that the meetings of the European Council have latterly had the benefit of the presence of these two Member States, which has also been very noticeable during this debate.

A point that I take particularly seriously is the criticism, the amazement, the disappointment that the problem of Turkey and the problems between Turkey and Greece were not discussed. In fact, Prime

Minister Papandreou gave us a lengthy and thorough account during dinner, and we had an opportunity to discuss his concern and thus our concern in this respect. But we agreed that this should not culminate in conclusions and statements which might stand in the way of the actual solution of the problems.

Madam President, I would perhaps do well to say a few words about the most important points that have been raised rather than taking up what all the various speakers have said. (...)

Various political subjects have understandably been discussed here. The political will to set down our views on human rights and to disseminate them so that we have a sound basis was welcomed. Excellent. South Africa was discussed briefly because, as I understand it, there is to be a separate debate on this subject. I too will therefore be brief, but I should like to add a few words after what I have heard here today.

It would be a very important step if as members of the European Community we could make an effective contribution in our foreign policy to the elimination of the apartheid regime and to the initiation of a national dialogue. That is why the Dutch presidency, the European summit meeting in The Hague attached so much importance to this item. Not with a policy mapped out two weeks before the European Council meeting, but by working on it constantly, month after month, and preparing practical proposals. To be perfectly frank, we must admit that views differed in The Hague on the most effective method of achieving results. So that we might be as politically effective as possible, we confined ourselves to setting a general goal for bringing about a dialogue, but we did say what the practical conditions would be. This may give the Howe mission a better edge than in the past.

We have now reached the stage where not only the positive means of supporting the dialogue, the assistance that has been discussed, but also the means of exerting pressure are clearly defined. What still had to be done was to set a date after which these means of exerting pressure should possibly be used. Here again, there is greater precision than in the past: a period of three months was decided on. Views continued to differ on the question of whether it should be a decision with delaying conditions or a package of measures that should be seriously considered in the absence of results, once again in the coming month. The problem here is knowing what will be politically effective. Two misunderstandings need to be avoided. The first is that moral justice can be demonstrated in advance in this matter. I do not doubt the good faith of all those who attended the meeting in The Hague as regards their desire to see progress made towards the elimination of apartheid. The second is that the debate should not focus entirely on the United Kingdom. It is not for nothing I referred to certain large countries seeing things rather differently than a number of others.

I think it would be very important if Parliament could see its way to translating into political pressure the emotion, the aversion to the regime in South Africa, the appraisal of current human suffering, the concern about the tragedies that may yet occur. I believe that may help the British Foreign Minister in the great responsibility he has now assumed in this matter on the European Community's behalf.

¹ Cf. *OJ* No 2-341 of 8 July 1986, pp. 30-52.

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