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Foreword

This ninth issue of the EPC Documentation Bulletin covers the term-of-office of the Spanish Presidency (1 January-30 June 1989). It includes:

- the official declarations of the European Council, of the Foreign Ministers and of the ‘Twelve’, including statements in international conferences and organizations;
- all documents related to the European Parliament, i.e. replies to oral and written questions, reports presented by the Spanish Presidency (or abstracts thereof) on matters of EPC.

We would like to thank all those who helped us in collecting material for this issue, in particular the Spanish Mission to the United Nations. Our gratitude also goes to Ms Emir Lawless from the European Documentation Centre at the EUI, and to Marica Ricci, Angelika Lanfranchi and Anne Bremner, who helped in the preparation of this issue.

The Editors

How to use the EPC Bulletin

The documents issued in the framework of European political cooperation are normally published in English or in French if no official English version is available.

They have been given a unique document number for quick reference in the index of the Bulletin and for purposes of citation. It is our hope that the EPC Documentation Bulletin will become the standard reference work for public domain EPC documents.

The document number indicates the year in which the document is issued, as well as the place of that document in the EPC Bulletin. Documents are ordered chronologically in each issue, and they are numbered consecutively throughout the volume (two issues) covering one year. Thus, the first document issued in 1989 bears the number '89/001'.

The cumulative index of the EPC Bulletin refers to document numbers, and therefore to the place of a document in a given volume. If for technical reasons a document can not be included in the volume concerning the year in which was issued, it will be published in a later volume. In the cumulative index a reference to such a document will be accompanied by a reference to the volume and issue in which the document can be found.

The EPC Bulletin contains further information on the origin and status of the documents, and on their contents.

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.

At the end of each issue the cumulative index can be found, which contains different classes of information for which the documents have been specifically analysed. This index has been developed by members of the European Policy Unit and the Institut für Europäische Politik, aided by a group of experts which includes senior diplomats and scholars of several European Community Member States. It is designed to cover all aspects of European political cooperation, its structure and activity. Thus one will find the following classes of information:

- 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 third countries, international organizations and political groupings.
- *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 issue, 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

A-ALC	Asian-African Legal Consultative Committee
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 de l'Asie du Sud-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)
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 Commission 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 (O.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
C.N.U.D.	Commission des Nations unies du désarmement
COM	Communist and Allies Group (EP) – Groupe communiste et apparentés (PE)

List of abbreviations

Comecon	Cf. C.A.E.M., CMEA
COSATU	Council for South African Trade Unions
CPC	Committee for Programme and Coordination
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 Cooperation 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	Drachma — Drachme
E	Spain — Espagne
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)
EDF	European Development Fund
EEC	European Economic Community
EFTA	European Free Trade Association
EIB	European Investment Bank
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

GNP	Gross national product
GR	Greece – Grèce
I	Italy – Italie
IAEA	International Atomic Energy Agency
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
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
ICSU	International Council of Scientific Unions
IDA	International Development Association
IFAD	International Fund for Agricultural Development
ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
INF	Intermediate-Range Nuclear Forces
IRA	Irish Republican Army
IRL	Ireland – Irlande
J.O.	Journal officiel (des Communautés européennes)
JIU	Joint Inspection Unit
KGB	Komitet Gosudarstvnoï Bezopasnosti; Committee of State Security (USSR) – Comité de la sécurité d'État (U.R.S.S.)
L	Luxembourg
L	Liberal and Democratic Group (EP) – Groupe libéral et démocratique (PE)
LDC	Less developed countries, developing countries
LLDC	Least developed countries
MBFR	Mutual and Balanced Force Reductions
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

List of abbreviations

OAS	Organization of American States
OAU	Organization of African Unity
OCT	Overseas Countries and Territories
ODA	Official Development Assistance
O.E.A.	Organisation des États américains
OIC	Organization of the Islamic Conference
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
OPANAL	Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
O.T.A.N.	Organisation du traité de l'Atlantique Nord
O.U.A.	Organisation de l'unité africaine
P	Portugal
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 rénovateurs 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 Coordination Conference
SALT	Strategic Arms Limitation Talks — Négociations sur la limitation des armements stratégiques
SARC	South Asia Regional Cooperation
SDI	Strategic Defence Initiative
SELA	Latin American Economic System

SFRY	Social Federal Republic of Yugoslavia
SLL	Supplemented living level
S.M.E.	Système monétaire européen
SNAP	Substantial New Programme of Action
SSOD	Special Session on Disarmament
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
TREVI	Terrorisme, radicalisme et violence international
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
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 Coordinator
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
UNGOMAP	United Nations Good Offices Mission for Afghanistan and Pakistan
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNIFIL	United Nations Interim Force in Lebanon
UNIIMOG	United Nations Iran-Iraq Military Observer Group
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
UNPAAERD	United Nations Programme of Action for African Economic Recovery and Development
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
UNTSO	United Nations Truce Supervision Organization in Palestine
U.R.S.S.	Union des républiques socialistes soviétiques
US; USA	United States of America
U.S.A.	États-Unis d'Amérique

List of abbreviations

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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89/001. Statement at the Paris Conference on Chemical Weapons

Date of Issue: 9 January 1989

Place of Issue: Paris

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Statement in International Forum

Mr Chairman, it is an honour and a pleasure to take the floor today on behalf of the twelve Member States of the European Community.

In doing so, allow me first of all to congratulate you on your election to the presidency of the conference of States parties to the Geneva Protocol of 1925 and other interested States. We are confident that under your wise and experienced guidance the conference will be able to complete its task to a successful end. It is a privilege for me to assure you, Mr Chairman, that the Twelve will make every effort to contribute constructively and in a positive spirit to the work of the conference.

The Twelve would like to thank President Mitterrand for convening this conference, as proposed by President Reagan in his speech at the United Nations General Assembly on 26 September.

This conference takes place at a moment when encouraging progress has been made in the field of arms control and disarmament and when there are good prospects for the future. Certain elements are undoubtedly creating a favourable climate for the achievement of further progress in arms control and disarmament. Among them, the signing by the USA and the USSR of the INF Treaty, with its subsequent ratification and its ongoing implementation through the process of the destruction of missiles in a satisfactory way for both parties, the progress in the negotiations on a 50 per cent reduction of the strategic nuclear arms arsenals of the two superpowers, and the beginning in the near future of two negotiations within the CSCE framework: one regarding stability at lower levels of conventional forces in Europe from the Atlantic to the Urals, and the other concerning confidence- and security-building measures.

During the last few years considerable progress in the ongoing negotiations on chemical weapons has been achieved within the Conference on Disarmament in Geneva. Although there still remain important issues to be solved, the structure of the future convention has already been established, and considerable progress has been achieved in the field of verification. On the basis of this progress, the Twelve commit their wholehearted efforts to reaching agreement on a durable and effective convention, and to bringing to the final stage the negotiations of a new and very necessary multilateral contribution to disarmament: the total ban of chemical weapons. This would result in the disappearance from the face of the earth of a whole category of extremely cruel mass destruction weapons.

However, improvement in the international situation and progress in the negotiations of Geneva contrast with the recent use of chemical weapons, which has been strongly condemned, not only by the Twelve but also by Security Council resolutions on the matter, which we fully support.

The use of such weapons, which due to their nature deserve particular reprobation, violates and consequently undermines the Protocol of 1925, is a serious warning and a reminder of the urgency to undertake new efforts geared to the achievement of a total and comprehensive elimination of chemical weapons. The Twelve hope that the new momentum reached by this conference will help to solve outstanding problems in the ongoing Geneva negotiations.

The countries on whose behalf I speak today have all adhered and strictly conform to the Geneva Protocol of 1925. We take this opportunity to declare our strong and firm commitment to this important protocol. We call upon all States who have not yet done so to become parties to the Geneva Protocol. We hope that this will be the first success of the Paris Conference.

The 1925 Geneva Protocol also covered the use of bacteriological weapons. Since then, the international community has successfully negotiated and agreed the 1972 Biological Weapons

Convention, which prohibits the development, production and stockpiling of biological weapons and provides for their complete destruction. The two review conferences and the meeting held in spring 1987 of scientific and technical experts from States parties have done much to reinforce this convention and to improve international cooperation in peaceful biological activities.

Mr Chairman, the Twelve believe that the international community faces today the risk of proliferation of a kind of weapons we regard as particularly loathsome. As Europeans, we cannot forget that it was precisely in our continent where, for the first time, mankind was exposed to the massive use of chemical agents. Since then, scientific and technological progress has allowed the development and modernization of chemical weapons, dangerously increasing their potential to inflict abhorrent damages to the human being.

Therefore, this conference is for us of paramount importance and we consider it must underline our full commitment to the goal of an early conclusion of a global, comprehensive and verifiable convention on the prohibition of development, production, stockpiling and use of chemical weapons and on their destruction.

Different reasons may have led the international community to believe, in the past, that there was no urgency for reaching agreement on a total ban on chemical weapons. However, their recent use has shown the need to strengthen the international prohibition[s] already existing on the matter and their authority. Therefore, the Twelve believe that this conference should have two main objectives: On the one hand, we should reaffirm at the highest political level the commitment of the States parties to the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare and the rejection by the international community of the said weapons. On the other hand, the Twelve believe that the recent use of such weapons has shown that the prohibition of the use of chemical weapons established by the Geneva Protocol must be completed by the prohibition of the production and stockpiling. Consequently, this conference must give a strong impetus to the ongoing Geneva negotiations on a global, comprehensive and effectively verifiable convention banning chemical weapons, as the complete elimination of chemical weapons is the best way to prevent their use.

Pending the positive result of this negotiation with the signing of such a convention, we believe that the international community must firmly and unambiguously condemn any breach of the Geneva Protocol.

Mr Chairman, together with these two main objectives, the Twelve believe that this conference should serve to urge and encourage the adherence of new States to the Protocol. In this context, the Twelve welcome with satisfaction the recently announced new accessions, which we hope will soon be followed by other States.

Likewise, we all bear in mind the humanitarian reasons which have prompted us to come to this meeting and, therefore, the final declaration of this conference should urge the need for humanitarian assistance to the victims of chemical weapons use, as already provided by Members of the Twelve.

The Twelve also believe that this conference should express at the highest level its support of the role of the Secretary-General of the United Nations in the prompt and effective investigation of the allegations of use. Should the Secretary-General decide the need for such an investigation, the country involved would give him the best assistance.

At the same time, the States participating in this conference must offer their cooperation through their specialists and laboratories in order to improve the early investigation of these allegations. In this context, the Twelve are ready to cooperate, as they have done before, with the Secretary-General in the performance of his task.

The Twelve attach particular importance to the problem of proliferation. On this particular issue, we consider that the final declaration should encourage measures to prevent the proliferation of chemical weapons and to call upon States to adopt self-restraint measures for the

exportation of chemical precursors as long as the convention is not yet concluded. In this context, the universal adherence to the future multilateral convention is the best response to the concern shared by all the States here represented.

We believe that this conference should not be used as a substitute to efforts currently being made in Geneva, where the only durable solution to this worldwide problem — the long expected global verifiable chemical weapons ban — is being negotiated within the Conference on Disarmament. Therefore, our presence here should also serve to give a new momentum to the work of the Conference on Disarmament in Geneva in order to finalize as soon as possible a draft of the convention to ban chemical weapons.

Aiming to near the end of the negotiations of the Conference on Disarmament, this conference should promote the future exchange of relevant data for the negotiations which will take place in Geneva, on a truly global basis and taking into account that this exchange would be an important confidence-building measure in this field.

In order to achieve the two above-mentioned goals, and building on the experience of the past, we believe that we should adopt in this conference a forward-looking approach, avoiding confrontation and accusations against particular States.

Mr Chairman, since the last century international attention has been drawn to the awful suffering of the victims of chemical weapons. The huge toll of casualties during World War I prompted the adoption of the Geneva Protocol, as a means to reaffirm the prohibition of the use, over sixty years ago. Unfortunately, again, the suffering of human beings under the very same causes has summoned us here with the common wish of avoiding these developments to happen anew.

The Twelve are ready to contribute, actively and constructively, to the success of the conference and we believe it should conclude with a short and concise final statement of a political nature and based upon the elements on which there is consensus within the international community. The Twelve are committed to undertake all necessary efforts to achieve this aim.

89/002. Questions Nos 190/88, 220/88, 361/88, 705/88, 804/88 and 1185/88 Concerning Human Rights in Syria

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Questions of 17 May 1988, 25 May 1988, 9 June 1988, 5 July 1988 and 1 September 1988

Question No 190/88:

Are the Foreign Ministers meeting in Political Cooperation aware of the fate suffered by the large number of prisoners in Syria following the deterioration of relations with Iraq in 1975, including the secondary school headmaster, Ab al-Mashi Kirkayos, and the director of the Syrian news agency SANA and former Arab League Observer to the United Nations, Marwan Hamawi?

Question No 220/88:

Following the adoption of an urgent resolution during the European Parliament's February part-session, what representations have the Foreign Ministers made to the Government of Syria concerning human rights abuses in that country and, in particular, will they undertake to raise the case of Mr Riad al-Turk on humanitarian grounds?

Question No 361/88:

Have the Foreign Ministers meeting in Political Cooperation considered the case of the Syrian lawyer, Riad al-Turk, who has been held as a prisoner of conscience since 1981, tortured on several occasions, remained for 25 days in a coma in the al-Mezze prison and is now seriously ill in a solitary confinement cell?

Question No 705/88:

Will the Foreign Ministers meeting in European political cooperation state what action they are going to take upon the resolution on torture in Syria, which was adopted by the European Parliament on 11 February 1988?¹

Question No 804/88:

The European Parliament has already concerned itself with human rights in Syria and a resolution has been adopted on the matter.

Fresh information has been forthcoming from Amnesty International concerning the ill-treatment of political prisoners sometimes leading to their death. The last case reported is that of Mr Abd al-Razzaq Abazid, 41 years of age, who was tortured to death.

Have the Foreign Ministers meeting in European political cooperation already made representations to the Syrian authorities on this matter?

Should not rapid measures be taken in order to prevent serious occurrences such as those revealed by Amnesty International?

Question No 1185/88:

On 11 February this year, the European Parliament passed a resolution drawing attention to the evidence of torture in Syria, calling for the release of all political prisoners, the ending of the practice of torture and the provision of adequate medical care for prisoners in Syria.

This resolution was sent to the Council and the Foreign Ministers of Member States.

Have the Foreign Ministers considered this resolution? If so, what action has been taken by the Council and by the Foreign Ministers, either acting independently or jointly?

Answer:

The Twelve consider the protection and promotion of human rights the legitimate and continuous duty of the world community and of nations individually.

They have in their declaration of 21 July 1986² expressed their concern for human rights and the importance they attach to them in their relations with third countries.

Although the specific cases of persons mentioned in the questions submitted have not been discussed in the framework of European political cooperation, the Twelve share the concern of the Honourable Parliamentarians concerning the situation of human rights in Syria.

¹ OJ No C 68 of 14 March 1988, pp. 72-73.

² EPC Bulletin, Doc. 86/230.

**89/003. Question No 414/88 by Mr Coderch Planas (NI-E)
Concerning the Sale of Military Equipment to Iran**

Date of Issue: 16 January 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Written Parliamentary Question of 13 June 1988

According to reports in the Spanish press, various European firms, especially Belgian, German and Spanish ones, are selling military equipment to Iran.

Can the Foreign Ministers confirm or deny these reports?

If the reports are true, what is the Ministers' position on the matter and what measures do they intend to take to prevent the sale of such equipment to a hostile country?

Answer:

The question has not been discussed in the framework of European political cooperation.

**89/004. Question No 877/88 by Mr Pranchère (COM-F) Concerning
Human Rights in Morocco**

Date of Issue: 16 January 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Written Parliamentary Question of 1 September 1988

On 11 February 1988 the European Parliament adopted an urgent resolution condemning arbitrary arrests and deportations in Morocco.¹

This resolution referred more specifically to the situation of Mr Serfaty and Mr El Bou, who have been in prison for a number of years, and called for their release.

What steps have the Foreign Ministers taken or will they take pursuant to this resolution to ensure that the Moroccan Government puts an end to these arbitrary arrests and releases Mr Serfaty and Mr El Bou?

Answer:

The human rights policy of the Twelve and the importance they attach to it in their relations with third countries are known by the Moroccan authorities. The specific cases mentioned have not been discussed within European political cooperation.

¹ Resolution on the imprisonment of Mr Abraham Serfaty and Mr Hassan El Bou, OJ No C 68 of 14 March 1988, p. 73.

**89/005. Question No 897/88 by Mr Vandemeulebroucke (ARC-B)
Concerning the Arrest of Mr Airikian in the Soviet Union**

Date of Issue: 16 January 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Written Parliamentary Question of 1 September 1988

On 25 March 1988 Parour Airikian, one of the members of the committee for the annexation of the autonomous region of Kharabakh to the Armenian Republic, was arrested in the Soviet Union and charged with disseminating false rumours and anti-Soviet propaganda. He has since been held for more than one month without his defence rights being respected.

Do the Foreign Ministers meeting in European political cooperation intend to make representations to the Soviet Russian authorities with a view to securing his release as soon as possible?

Answer:

The particular case of Mr Airikian has not been discussed in European political cooperation. However, the Soviet authorities are well aware of the Twelve's views on human rights and fundamental freedoms and their concern that all commitments in this field, freely entered into, be fully respected.

**89/006. Question No 1036/88 by Mr Vandemeulebroucke (ARC-B)
Concerning Arrests in Poland**

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 1 September 1988

Following the strikes in the major steelworks in southern Poland and the Lenin shipyards in Gdansk, the Foreign Ministers issued a statement expressing their concern at the large number of people arrested and calling on the Polish authorities to release those under arrest.

What was the authorities' response to this request and what further steps do the Foreign Ministers intend to take in connection with those who are still under arrest?

Answer:

The Twelve have been following developments in Poland closely also since their statement of 10 May [1988],¹ which the Polish authorities are fully aware of.

In numerous contacts which Partners have had bilaterally with the Polish authorities they have continued to impress upon their Polish interlocutors the view, as stated in the Twelve's declaration of 10 May, that only an open dialogue between the Polish Government and all representative groups of Polish society can ensure democratic reforms in Poland and the success of the process of economic renewal.

According to the information available to the Twelve, all those who were arrested in connection with the strikes referred to in the question have been released subsequently.

¹ *EPC Bulletin*, Doc. 88/116.

**89/007. Question No 1214/88 by Mr Ford (S-UK) Concerning
Albania**

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 3 October 1988

Can the Foreign Ministers meeting in Political Cooperation detail discussions that have been held on the issue of Albania's relations with the Community, and human rights violations in Albania since the passage of the Tzounis report?

Answer:

At their recent meeting, Foreign Ministers discussed relations with other European countries, including Albania. In this context, they took note of the Albanian participation in Balkan cooperation, as well as of the establishment in recent years of diplomatic relations with certain Members of the Twelve. They welcomed these signs of a more open attitude of the Albanian authorities and expressed their interest to maintain the channels for dialogue.

The Twelve have on many occasions in international fora and elsewhere emphasized the importance which they attach to universal observance of human rights. They have also paid attention to the particular situation in Albania, and, on an individual basis, they have drawn the attention of the Albanian Government to the human rights issue.

89/008. Question No 1617/88 by Ms Ewing (RDE-UK) Concerning Air Transport of Plutonium

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 15 November 1988

With regard to the agreement signed between the US and Japan on the transport of plutonium by air, will the Foreign Ministers meeting in Political Cooperation provide the following information:

1. Whose airspace in Europe do these flights cross over?
2. What information is given to the governments of those countries as to the exact cargo content and frequency of these flights?
3. How far has Japan progressed in its plans to establish its own reprocessing facilities?
4. Will these flights be abolished?

Answer:

Concerning the agreement signed between the United States and Japan, the Honourable Parliamentarian is kindly requested to refer to the answer given to Oral Question No H-495/88 of Mr Ford in September 1988.¹

The specific questions 1-4 have not been the subject of discussions in European political cooperation. The Honourable Parliamentarian might consider to address them to the Council.

¹ *EPC Bulletin*, Doc. 88/266.

89/009. Question No 1648/88 by Mr Robles Piquer (ED-E) Concerning the Visits to Mozambique, Malawi and Zaire by the President of South Africa

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 18 November 1988

Have the Foreign Ministers weighed up the consequences of the State visits to Mozambique, Malawi and Zaire by the President of the Republic of South Africa on 12 and 13 September and 1 October respectively?

The reception accorded to these visits certainly does not mean that the three nations which hosted them are turning into champions of apartheid; it actually indicates that they wish to help bring about peace between the States in Southern Africa. Are the Twelve also prepared to encourage dialogue between the governments in that region by directly urging it?

Answer:

The Twelve regularly discuss Africa within the framework of European political cooperation. They are following with particular attention the situation in South Africa and have noted with satisfaction the encouraging developments which are taking place.

As stated on previous occasions, the Twelve believe that dialogue and genuine peaceful cooperation among the countries in the region are of great importance for the achievement of security and stability and the promotion of development. The Twelve have always welcomed all efforts aiming at improving relations between South Africa and its neighbouring States. The governments in the region are aware of this long-standing position of the Twelve.

89/010. Question No 1671/88 by Mr Cervetti (COM-I) Concerning the Negotiations Regarding F-16s

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 18 November 1988

The Soviet leader, Mr Gorbachev, has stated before the Polish Parliament that a contingent of Warsaw Pact aircraft now located in a 'forward position' could be withdrawn if NATO decided not to deploy in Italy the F-16s transferred from the Torrejon base. Leaders of other Warsaw Pact countries have, at different times and in different ways, indicated their willingness and intention to consider this question with a view to a balanced and reciprocal reduction of the military potential of the two alliances. Previous discussions within the Council and Parliament have demonstrated the need not to construct but rather to promote the present phase of *détente*.

Does the Council not consider that, meeting in Political Cooperation, it should urge NATO to open negotiations with the Warsaw Pact to tackle this question and find appropriate solutions, and to set a favourable precedent for the negotiations on the reduction of conventional arms in Europe?

Answer:

The Twelve have on many occasions explained to the European Parliament their commonly held views on problems concerning security and arms control in Europe.

The specific question regarding F-16 aircraft raised by the Honourable Member does not fall within EPC competence and has not been discussed by the Foreign Ministers meeting in Political Cooperation.

89/011. Question No 1708/88 by Mr Cottrell (ED-UK) Concerning Pol Pot and the Settlement in Kampuchea

Date of Issue: 16 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 5 December 1988

As a member of the European Parliament delegation to China, I was disturbed, together with the entire delegation, to hear our Chinese hosts describe the *Khmer rouge* as 'liberators' in Kampuchea. The Chinese Government expressed the view that the *Khmer rouge* under Pol Pot committed 'excesses' but that these unfortunate mistakes had been 'exaggerated'.

In context, this is rather like the Allies sitting down at the end of World War II, packing Hitler off to a bungalow in California and offering the rest of the Nazis a job in the post-war pacification of Germany.

No good will come of permitting Pol Pot, or the *Khmer rouge* in any case, a role in a truly liberated Kampuchea. Will the Ministers now adopt, as a common position, a refusal to recognize any *Khmer rouge* role in the forthcoming Kampuchean settlement, and so inform the Chinese Government?

Answer:

I would remind the Honourable Member that, in the speech made by the President-in-Office on 27 September at the 43rd meeting of the General Assembly of the United Nations, the Twelve stated in particular that a new, independent, democratic, neutral and non-aligned Kampuchea must be free from any prospect of return to the universally condemned policies and practices of the recent past.

The Twelve voted in favour of the General Assembly resolution, adopted on 3 November 1988,¹ on the situation in Kampuchea, which also demanded no return to the policies and practices of the recent past.

That cannot, however, justify the illegal occupation by Vietnam or its imposing an unlawful regime. The Government of the People's Republic of China is well aware of the position of the Twelve.

¹ *EPC Bulletin*, Doc. 88/298.

89/012. Statement on the Programme of the Spanish Presidency [EPC Aspects]

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Programme speech before the European Parliament

Mr Fernández Ordóñez, President-in-Office of the Council and of the Foreign Ministers: [...] Mr President, ladies and gentlemen, I am pleased that in areas as closely connected as external relations and Political Cooperation the Spanish Presidency should coincide with a phase of clearly positive dynamism.

We have welcomed the first tangible results in the process of nuclear disarmament, which should be extended to strategic weapons. We have spoken out in favour of eliminating chemical weapons throughout the world and are pleased that the recent conference in Paris should have

obtained results which will undoubtedly encourage the work in this field of the Geneva Disarmament Conference, which the Twelve have always supported. In addition to the conclusion of the CSCE meeting in Vienna, the negotiations on conventional disarmament between 23 sovereign States participating in the CSCE should produce results which in the end will enhance the security of all. We also hope to see advances in the areas of confidence- and security-building measures between the 35 States participating in the CSCE.

We are a powerful force for peace. The Community and its Member States will continue to make an active contribution to ensuring that international relations are relations of peaceful cooperation.

Nevertheless, because of a surprising paradox, the more active we prove to be, the clearer our wish for cooperation and to help in eliminating barriers to trade is, the more extensive our dialogue with non-member States is, the more I express our wish to play an active role in international policy, the more we hear specific accusations that we want to build a fortress within which to retreat, isolated from the rest of the world.

No doubt we have been unsuccessful in explaining clearly what our approach is and objectives are. Of course we want a stronger, more cohesive European Community, but also one that is more open and shows more solidarity with the rest of the world.

The Presidency will tackle this task decisively and hopes to receive the important contribution that this Parliament can make. [...]

We also hope that during the Spanish Presidency the Community will succeed in defining a Community framework for relations with the Soviet Union. We shall accordingly be asking the Commission to submit a draft negotiating brief which reflects the over-all thrust of Community interests.

We can make a significant contribution to the economic development of the USSR and of the countries of Central and Eastern Europe. We shall do this in a coordinated way and in consistency with our political positions.

It is, in fact, in this area of our external dealings that we observe most clearly the need to maintain, at all times, consistency between political action and economic action.

Our opening towards the East and our readiness for political dialogue are based on a positive assessment of processes of change which we regard as consistent with the commitment entered into in the Helsinki Act and with our desire to heal the division of our continent, strengthening security, trust and cooperation between all our States.

The Presidency will strive to put into practice the programme of action approved by the European Council in Rhodes. My forthcoming meeting with the Soviet Minister for Foreign Affairs, Edward Shevardnadze, should usher in a new era of contacts which will not be confined to the USSR.

If we are to give a new impetus to the dialogue with the Soviet Union and with other Warsaw Pact countries, we shall have to be fully aware of the overriding importance of developing the security dimension within the process of constructing European Union. When the time comes to consider the possibility of revising the content of Title III of the Single Act, we shall have to examine whether we should remove the restrictions which Article 30 imposes on our coordination on security issues.

Spanish membership of the WEU is the result of a dichotomy recognized in the Single Act itself and one which my country would like to see resolved. In the meantime, we must not avoid an extremely important debate to which, I am pleased to note, the Parliament is giving all the attention it deserves.

Political cooperation — which is not yet equivalent to the joint formulation and implementation of a European foreign policy as laid down in the Single Act — means working together for peace through dialogue. This is how it must be understood by those nations which unfortunately have not yet succeeded in achieving it. As we have stated and demonstrated on numerous occasions, we are prepared to contribute to the efforts of those who share our absolute commitment to negotiation and the peaceful resolution of conflicts.

Mr President, ladies and gentlemen, the Presidency believes that diplomacy should not restrict itself to making statements, and wishes to make an active contribution, in conjunction with the other Member States, towards resolving one of the most complex conflicts of our time. A peaceful solution must be found for the Middle East and we have repeatedly stated the basis on which we consider this to be feasible. The Parliament fully agrees with this, as it showed most recently last December.

We shall speak with all the parties involved. The recent public statements by the PLO leaders and the positive response by the United States have presented a particularly significant opportunity which should not be wasted. Peace and security for all the States in the region will only be achieved by recognizing the political rights of the Palestinians and Israel's right to live in peace and security.

Although our relations with Israel are close and important, the relations which the majority of the Member States maintain with the Arab countries are no less sound. With them, as with other areas of the world, there is still scope for cooperation. The Presidency will make every effort to ensure that the meeting of the General Committee of the Euro-Arab Dialogue is a success and will pave the way for fruitful cooperation in many areas.

The Presidency will also devote its attention and efforts to further developing the Community's relations with the member countries of the Gulf Cooperation Council, working in due course towards a new phase to build upon the recent agreement.

Spain's undoubted Mediterranean character means that the Presidency is particularly pleased to be able to devote special attention to the development and strengthening of relations with the countries of the Mediterranean basin.

The conclusion during the next six months of the Financial Protocols with Cyprus and Malta (and we hope also with Syria and Turkey) will mark the end of the operation to adapt the Community's relations with the Mediterranean countries to the most recent enlargement of the Community. This set of technical, commercial and financial agreements has emphasized that the Community of Twelve wishes to maintain and improve the role of preferential Mediterranean agreements, leaving aside national interests. In this way, for the first time in an enlargement, we shall be able to maintain the spirit of the privileged links which have always inspired and will continue to inspire the Community's activities in this region which is so close to us.

In these six months, and as part of the normal activities of the institutions provided for in the Mediterranean agreements, meetings are at present scheduled for the Cooperation Council with Tunisia and the Association Council with Malta, a country with which arrangements have recently been finalized for a political dialogue, which we are willing to begin without delay.

Political cooperation will continue to devote particular attention to Lebanon. We shall renew our support for any initiative to restore its sovereignty, unity, independence and territorial integrity.

On the same basis and through dialogue between the communities, a viable solution must be found for the problem of Cyprus. We shall endeavour to help find such a solution, by supporting the efforts of the United Nations Secretary-General and continuing a political dialogue on behalf of the Twelve with the Government of Cyprus, on the basis of arrangements recently agreed.

The stability of Yugoslavia is of the greatest importance for the whole of Europe and we should give proper consideration to how we can contribute in this respect. The desire to strengthen our relations was demonstrated only a few weeks ago with the decision to institutionalize and initiate a political dialogue.

Once more we must stress the importance of maintaining the necessary consistency in our political relations and cooperation activities.

This is an essential point as regards Latin America. Since its accession to the Community, Spain has constantly stated its conviction that the framework of relations with that part of the world does not correspond to the common links of tradition, history and democratic beliefs which unite us.

In the last three years, with the invaluable help of this Parliament, significant steps have been taken to strengthen those relations. However, we cannot be content with this. We shall be holding two important meetings during our six months: in February we shall be holding a meeting in Honduras with the Central American countries and the Contadora Group and in April there will be a further meeting with the member countries of the Rio Group.

The San José V meeting in San Pedro Sula must be the occasion for significant new moves by the Community to take an active part in rebuilding the economy of the area, thus helping to reinforce the peace process which we have been pressing for so determinedly in European political cooperation. In San Pedro Sula we will be counting on the presence of this Parliament and, once again, its encouragement.

In Granada, the 4th meeting involving the member countries of the permanent mechanism for consultation and concerted political action should provide an opportunity for a direct and fruitful dialogue. The consolidation of democracy, economic development and social stability seem to us to be fundamental and of course inter-related questions.

The continent of Latin America, the vast proportion of which is democratic, with a profoundly European heritage, now more than ever needs our contact and our understanding. Problems such as that of indebtedness have been the subject of intense debate among the foremost authorities in every corner of the world, including the top leaders of various European countries. However, the collective voice of the Community still remains silent on this, one of the most crying problems in international politics.

Special mention must be made of Chile. The Twelve welcome the result of the plebiscite as a first step towards the re-establishment of democracy, a process which the Government must aid. We shall press strongly our demand for the full re-establishment of civil liberties and respect for human rights, which are preconditions for that swift and orderly return to democracy which we want to help become a reality.

Mr President, ladies and gentlemen, during the next six months, the Community's relations with the developing countries as well as those of its Member States will indeed be a matter of the greatest importance and will be given special attention by the Presidency.

The renewal of the convention with the ACP countries will have to be negotiated. Two ministerial negotiating meetings are scheduled, in February and May, which we trust will be of practical help in the search for the right solutions to the problems of this group of countries so important to the Community. The Lomé Convention is the most important development cooperation instrument in the world today and Spain wishes to take this opportunity of reaffirming its total commitment to it.

The aims which the Presidency must help to achieve are of great importance: to search for solutions which will make a real impact on the economic problems suffered by many of these developing countries; to use the most appropriate methods for employing the funds at its disposal positively; and to enhance significantly the achievements already gained. The Spanish Presidency will spare no efforts to pursue these aims.

To mention Lomé is to mention Africa, a continent in which many flashpoints regrettably persist, which are receiving constant attention in political cooperation. Happily, the new climate in international relations which I mentioned a few minutes ago seems also to have permeated into Southern Africa.

You will recall that the Twelve welcomed the important protocol which was signed by Angola, Cuba and South Africa in Brazzaville on 13 December 1988. We will do all in our power to help the people of Namibia with a view to securing a peaceful transition to independence. In this connection, a number of Member States, among which Spain, have shown willingness to cooperate in the implementation of Resolution 435 of the UN Security Council [and particularly in the] Transition Assistance Group.

The Twelve will naturally express its support for this important contribution to the imminent independence of Namibia.

Likewise, Spain is taking part in the United Nations Angola Verification Mission (UNAVEM) for the withdrawal of Cuban troops from Angola in accordance with the agreed timetable.

It cannot be ruled out that in future, and in other areas of conflict, responsibilities of this sort may be collectively assumed by the Twelve. This would be fully consistent with our political commitment to dialogue and reconciliation.

We are determined, in defending human rights without discrimination wherever they are violated, to maintain a close eye on events in South Africa, whose Government is perfectly aware of our deep-rooted opposition to the intolerable system of racial segregation.

With the Commission's support, we shall endeavour to improve the coordination of our national programmes of positive measures to help the victims of apartheid, measures which have proved so valuable and effective that the South African authorities have been attempting to curtail them by legislative means, which we regard as unacceptable.

Our common aim is to contribute towards the total abolition of apartheid. Although our restrictive measures are clearly effective, they are not on their own sufficient. Consequently, the Presidency will also endeavour to increase the scope of provisions in the 'Code of Conduct' for our undertakings in South Africa.

Our dialogue with the front-line countries must continue and the Presidency will examine favourably the possibility of another ministerial meeting, since it is already a long time since the last one, which was held in Lusaka in 1986.

Mr President, ladies and gentlemen, I have referred to various matters arising in the context of the Community's external relations. I am aware that there are omissions, but these do not indicate lack of interest by the Presidency. An obvious example would be Andorra where the Spanish Presidency's interest is self-evident; we have just received a draft negotiating brief from the Commission and we hope that the corresponding agreement will be concluded swiftly.

For example — and this is very important — we [n]ote with satisfaction the positive steps being taken in the process of integration of the Maghreb and, in particular, those that were recently effected in relation to the Sahara conflict.

I make no claim to provide this Parliament with an exhaustive list of the matters to be dealt with on our Political Cooperation agendas. You have recently received the latest annual Report on European Union,² which gives a detailed description of our activity, and you will have seen that we have paid attention to such important questions as the search for a just and permanent solution to the conflict between Iran and Iraq, the situation in the Sudan and the Horn of Africa and the prospects for dialogue between the two Koreas. I have not referred in detail to these and other areas of conflict in the world, but this should not be interpreted as meaning that they are of no importance to the Presidency. I do, however, feel that there should be specific mention of two important Asian problems: Afghanistan and Kampuchea.

We hope that all Soviet troops will be withdrawn from Afghanistan on time, after which it should be possible for refugees to return, for a representative government to be set up and for the Afghan people to exercise its right to self-determination. If at any time the parties involved feel that the good offices of the Twelve might be useful, the Presidency will act swiftly and within the limits of a consensus which must always be respected.

In Kampuchea too, there should be a total withdrawal of foreign troops. We support the efforts of Prince Sihanouk and ASEAN to achieve an over-all political agreement to which other countries in the region should contribute.

When it has completed withdrawal of the troops it currently has in Kampuchea, we shall have to re-examine our relations with Vietnam, which has expressed a desire to follow the example of other Comecon countries in establishing relations with the Community.

Allow me to say again that respect for human rights is paramount for the Twelve. That this is also the case for the Parliament has been demonstrated on countless occasions. You will be receiving in good time the regular memorandum reflecting our activities in this area. It is the

Presidency's hope that at the 45th meeting of the Commission of Human Rights a statement will be made on behalf of all our governments. We should also make ourselves clearly and forcefully heard in Geneva.

All terrorist action inexorably gives rise to grave violations of the most elementary human rights. There can be no possible justification for terrorism. We must keep fighting it resolutely, we must do our utmost to coordinate our efforts in Political Cooperation, in the TREVI Group and wherever in international bodies we can strengthen the means of eradicating it in all its forms. I feel that it is inappropriate to speak of 'international terrorism'. No adjectives can qualify terrorism. [...]

¹ Cf. *OJ* No 2-373 of 17 January 1989, pp. 28-56.

² *EPC Bulletin*, Doc. 88/499.

89/013. Question No H-758/88 by Mr Tzounis Concerning the Continuing Discrimination Against Greeks in Turkey

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Are the Foreign Ministers aware that Greeks in Turkey once more face the prospect of having their assets frozen following the recent judgment of the Ankara Supreme Court of Appeal which showed that the much-publicized repeal of the notorious Decree No 6/3801 is invalid, whilst for its part Greece has made a significant gesture of good will? May we hope that the Foreign Ministers will condemn Turkey's conduct and take the necessary measures to ensure that the Turkish authorities stop deceiving their victims?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: The subject raised by the Honourable Member has not been discussed in the framework of European political cooperation but I may say that the Twelve attach great importance to Turkey's strict observance of all the commitments it has freely entered into by acceding to the international conventions of human rights.

Mr Tzounis (PPE): The European Parliament is tired of hearing evasions instead of answers. For that reason I want to ask the President-in-Office of the Foreign Ministers whether he can assure us that Political Cooperation will convey to the Turkish Government, at the demand of this Parliament since the responsible Greek Foreign Minister does not demand it, our indignation at its breach of formal promises by applying its favourite tactics of 'what's yours is mine but what's mine is my own'.

Mr Fernández Ordóñez: This question relates to a specific subject, as the Honourable Member knows. It is a matter of legal interpretation. I think this is not the time to go into the question whether the derogative decree has or has not been approved by the judgment of the Turkish Court of Cassation to which the question refers. Precisely because of this the matter has so far not been dealt with by Political Cooperation — and we have only just taken over the Presidency. But the observance of human rights is a fundamental question for the Community and it is a question which has always been raised at all meetings of the councils of Foreign Ministers of the Association with Turkey.

Ms Crawley (S): Will the Foreign Ministers meeting in Political Cooperation not agree that Turkey, whose membership of the European Community is now being officially discussed by both Council and Commission, should be condemned for its continual harrassment of legitimate trade unions and recognized political parties? How is it possible for a country that bans certain trade unions and political parties to be part of the democratic and pluralist club of the European Community?

Mr Fernández Ordóñez: Turkey is a member of the Council of Europe; it has therefore put its name to certain obligations. We believe that these obligations must be met fully and I can assure you that both in bilateral meetings and in joint Community meetings we have always expressed our concern for all questions relating to human rights in that country.

Mr Alavanos (COM): I too would like to repeat what Mr Tzounis said, namely that we receive various assurances but in practice see very little action on the part of the Community. And I would like to make even more specific the matter raised by Ms Crawley, namely whether during his meeting with the members of the Turkish National Assembly, who are in Strasbourg today, the President-in-Office of Political Cooperation will raise the subject of democratic rights in Turkey, and specifically the fact that not all political parties and trade unions are permitted to function, and more particularly still, the unacceptable imprisonment of two leaders of the Turkish Communist Party for such a long time?

Mr Fernández Ordóñez: I can only repeat what I said. I believe that the Council's tremendously firm attitude in this matter is clearly shared by Parliament and I am glad to know that Parliament too has taken initiatives in this matter.

89/014. Question No H-779/88 by Ms Cinciari Rodano Concerning Terrorism

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Does the Council know about the statement made by the Italian Chief of Police, Mr Parisi, to the Chamber of Deputies' and Senate's joint committee of inquiry into terrorism and acts of violence on 6 December 1988, in which he said that there was still a serious threat that the opponents of Arafat, on their own behalf or exploited by other groups, might carry out terrorist attacks against Israeli or American targets and claim that the PLO was responsible for them. The Abu Nidal terrorist organization had resumed operational autonomy, which might increase its willingness to engage in mercenary activities. Does not the Council consider that direct concerted action is called for to prevent such terrorist acts from being carried out against Israeli and American targets on the territory of the Community, one of the reasons being to safeguard the image of the PLO and not to hamper the quest for a peaceful solution to the Middle East problem?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: The Twelve have expressed on various occasions and in the clearest possible terms their utter condemnation of terrorism in all its forms. In their declaration of 21 November 1988,¹ confirmed by the European Council of Rhodes, as well as in the speech given by the Greek Presidency in the debate in Geneva on 18 December, the Twelve expressed their satisfaction at the PLO's express renunciation of terrorism. Naturally the Twelve are remaining on the *qui vive* in view of any possible risk of terrorist activity and, as the Honourable Member knows — as the question implies — are cooperating closely in this connection both in European political cooperation and within the TREVI Group.

Ms Cinciari Rodano (COM): My question really was very precise. I am well aware of the positions of the Twelve. However, I wanted to know whether they were aware of this specific statement — which was made by a representative of the Italian police, and referred to particular groups and the possibility of their being used, amongst other things, against the peace project that was set in train by the PLO's declaration in Algiers — and whether, in this particularly delicate phase, some concerted action was being taken to monitor the possibility of terrorist acts designed also to hinder the peace moves initiated by the Algiers declaration.

Mr Fernández Ordóñez: There is such concerted action within the TREVI Group. There is this concern and we are aware that one of the aspects of terrorism is that it is always or often very difficult to identify which hand in the last resort has committed the terrorist act, as the Honourable Member suggests in the question. The answer to the question whether there is concerted action to safeguard Israeli or United States targets on the territory of the Community is 'yes'.

Mr Arbeloa Muru (S): Mr President of the Council, what is clear is that the greatest terror being inflicted at present is in the hands of the Israeli army under the authority of the Israeli Government. Having regard to the commitment of the Twelve, to your recent visit and to your statements, are the Ministers in Political Cooperation really doing all that is possible to put an end to this daily slaughter, exceeded only by the slaughter in neighbouring Lebanon?

Mr Fernández Ordóñez: Yes, Mr Arbeloa, you are right. I was in Israel the day before yesterday. Two little girls died on the day of my arrival. The situation is truly tragic. The European Community's concern has been expressed, publicly and privately, and I think that absolutely everything possible is being done to promote peace in that sad part of the world. I think the European Community is accepting its responsibility by every means.

¹ *EPC Bulletin*, Doc. 88/447.

89/015. Question No H-787/88 by Mr Cabezón Alonso Concerning the Western Sahara

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

I welcome the declarations made by the Twelve pointing out the need for a referendum on the right of self-determination to be held under the auspices of the United Nations, in order to put an end to the conflict in the Western Sahara and restore a stable, lasting and just peace in the Maghreb area.

Do the Foreign Ministers meeting in Political Cooperation acknowledge that the problem of the Western Sahara is one of decolonization which has remained unsolved and in which Morocco, a country which enjoys preferential relations with the European Community, has become involved?

Since this is a problem of decolonization, do the Ministers not consider that the parties involved — the Kingdom of Morocco and the Polisario Front — should meet, so that political dialogue may lay the foundations for a solution to the conflict?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: On the need for a referendum for self-determination in the Western Sahara, as was stressed in answers to the Honourable Member's questions on this subject at previous part-sessions, and as was stated in the declaration of the Twelve on 7 September 1988,¹ the Twelve have fully supported the efforts of the Secretary-General of the United Nations to reach a negotiated solution to the conflict in the Western Sahara and to hold a referendum on self-determination under the auspices of the United Nations.

In this connection the Twelve continue to support Resolution 621 of the United Nations of 20 September 1988.

Mr Cabezón Alonso (S): The answer does add something to the ones I have already had on this same problem, but the purpose of the question was to induce the Council of Ministers to go a

little further on this question. The wishes of the United Nations and the OAU on this meeting between the Polisario Front and the Kingdom of Morocco have been met satisfactorily. Personally I am thoroughly optimistic although rationally there are many grounds for pessimism.

In any case, I should like to ask whether the Ministers meeting in Political Cooperation do not think they should intensify their efforts or take some initiative to hasten a peaceful agreement between the parties, and secondly whether, in the opinion of the Foreign Ministers, the recent meeting between the Polisario Front and the King of Morocco holds out any positive prospects for solving this conflict, which has already lasted 13 years.

Mr Fernández Ordóñez: I quite agree with what you have just said. At the Conference on Chemical Weapons in Paris I met the Foreign Ministers of Algeria and Morocco and they gave me a moderately optimistic account of some conversations which until recently were hampered by the fact that one of the two countries was refusing to engage in direct talks. That problem has been resolved. Progress is being made. I hope shortly to hear from the Polisario Front and I can assure you that we are closely following this matter, which is so important for the peace of north[ern] Africa, and that, if there should be a need to issue any statement outside the framework of the contacts we already have, we shall propose it within European political cooperation.

¹ *EPC Bulletin*, Doc. 88/250.

89/016. Question No H-797/88 by Mr Valverde López Concerning the European Community and Human Rights

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Within the framework of European political cooperation a special group was set up with the task of laying down general guidelines for action to be taken by the Twelve in the event of violations of human rights and coordinating their positions in the relevant international fora. During 1988 the European Parliament has adopted a large number of urgent resolutions concerning violations of human rights. Can the Ministers say how many joint actions have been carried out by the European Community in the context of European political cooperation in accordance with recommendations made in the European Parliament's resolutions?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: Within the framework of human rights policy, which I mentioned at some length this morning, the Twelve take into consideration the resolutions of the European Parliament and inform it periodically by means of memorandum — which I think was presented in 1986, 1987 and 1988 — of actions which have been taken.

During the next six months we shall present a new document in which we shall endeavour to provide a complete picture of the actions of the Twelve in this sphere in 1988.

Mr Arbeloa Muru (S): I should like to put a related supplementary question. It is understandable that the Ministers in Political Cooperation cannot deal with all the innumerable cases which we put forward in all the oral and written questions and so forth. It can also be well understood that at times the President might give a brief, sometimes even a critical, reply because it relates to a very sensitive subject in which sensitivity may sometimes be related to effectiveness.

But does it not seem to you, Mr President of Political Cooperation, that all these cases, proposals, questions, sometimes very special ones on which we cannot dwell, might be studied

by the new working group which has been set up within Political Cooperation and that perhaps the usual answer which you give us to the effect that the Ministers in Political Cooperation have not studied this case might be changed for example to something like: 'The Ministers in Political Cooperation have taken note of the proposal, the question or the case put forward by the Honourable Member'?

Some people think, Mr President, that this might be a good contribution from the Spanish Presidency.

Mr Fernández Ordóñez: I absolutely agree and feel sure that this must be one of the objectives of the Working Group on Human Rights. It occurs to me that, for example, in 1988 action was taken in 25 cases with various governments, many of them of a confidential nature, in response to concerns expressed by this Parliament in the human rights field. We dealt with many different subjects and I think that Parliament's collaboration within this working group may be tremendously useful.

89/017. Question No H-816/88 by Mr Ford Concerning the Mass Executions in Iran

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Have the Foreign Ministers meeting in Political Cooperation raised with Iran the issue of the recent series of mass executions of at least 1 000 (and maybe as many as 5 000) prisoners, without trial?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: The Twelve are following the human rights situation in Iran closely, as we are in many other countries, and we have taken note of recent news of executions for pursuing political activities.

The Twelve have unanimously supported the international community's call to Iran to comply with its obligations in this matter, as illustrated by our support for the resolution on Iran adopted at the 43rd General Assembly of the United Nations. We have raised the question of human rights in bilateral contacts with the Iranian authorities, and I spoke only recently with the Foreign Minister of Iran. Thus we have not only been publicly involved with the United Nations resolutions but have also taken bilateral action both through the Presidency and the Member States.

Mr Ford (S): I am very pleased that the President-in-Office recognizes the inhumanity that is being practised in Iran, and that the totalitarian regime there is acting in a totally barbarous manner. Could he tell us whether, following the bilateral meeting with the Iranian ambassador, any progress has been made in this area, and whether the Iranians are likely to stop the series of executions, not only of political prisoners in the traditional sense of the word, but [also] of religious minorities such as the Baha'i? Moreover, have any representations been made to Member States who are trying to improve their relations with Iran, such as the United Kingdom, and which appear to be ignoring the human rights issue?

Mr Fernández Ordóñez: We have brought up specific topics at the bilateral meetings with the Iranian Foreign Minister who, for his part, has expressed his concern about Iraq's compliance with paragraph 1 of Resolution 598. Unfortunately the Secretary-General's efforts have so far produced only a 'no peace, no war' situation, which is dangerous and a worry to us all.

This subject of human rights is one of many, unfortunately, in a situation which is very far from satisfactory. But I am sure that in this field as in others I can rely on the sensitivity of the individual Foreign Ministers of the Member States to bring up each of the specific subjects and amongst them many of those which the Honourable Member has mentioned.

Mr Alavanos (COM): I do not overlook the sensitivity of the President-in-Office of Political Cooperation concerning such issues, which are not simple violations of human rights, but mass murder of political opponents. Yet I think he is still answering with generalizations, and I would like to ask him specifically: during the December part-session, the European Parliament adopted a specific decision concerning the murder of Communist leaders, and other leaders of political parties in Iran, and on the basis of that decision, called for an intervention by Political Cooperation. Has there been any such intervention to date, based on the special decision taken by a plenary sitting of the European Parliament, and if not, will this take place in the immediate future?

Mr Fernández Ordóñez: We have acted in accordance with that, absolutely consistently with these resolutions. We shall continue to do so, and we shall have occasion at the next meeting of the Committee on Political Cooperation to debate this subject at length if necessary.

I think that on the subject of human rights the Community must clearly show its concern in all fields, at all levels and in the most forceful terms. I think the situation to which the Honourable Member refers is one of great concern to everyone, to all the Members of the European Parliament. It is therefore a matter of concern also to the Council of Ministers and I can assure you that we have acted consistently and will continue to do so.

89/018. Question No H-827/88 by Mr Selva Concerning Political Relations with the Republic of China in Taiwan

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Since the Republic of China in Taiwan has ceased to claim 'sole representation' of the Chinese people, will the Council give thought to the desirability of forging closer political and cultural links with Taiwan, the affairs of which ought now to be followed more attentively by the citizens of the Community?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: As none of the twelve countries of the Community has diplomatic relations with Taiwan it is difficult to raise the question of official contacts.

Mr Selva (PPE): I realize the difficulties in regard to official contacts but, with reference to what you said this morning, Mr President-in-Office, and to what President Delors stated — namely, that the Community does not propose shutting itself in, as in a fortress — we cannot fail to consider the Chinese Republic as a very strong power.

That being so, why, then, for example, do some countries in the Community make the mere granting of entry visas to economic commissions difficult? I should like to have a precise answer on this point.

Mr Fernández Ordóñez: Of course there are trade relations and relations of all other types, as I have mentioned. I think that from this point of view the Community's wisest course is to await the development of relations between China and Taiwan, to follow the position closely and act accordingly. That is what we should do, carefully and collectively, in addition, of course, to any commercial contacts which may exist. I am referring to official relations.

89/019. Question No H-848/88 by Mr Hutton Concerning the Destruction of Pan Am Flight 103

Date of Issue: 17 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What action do the Foreign Ministers meeting in Political Cooperation propose to take following the destruction of Pan Am Flight 103 over the South of Scotland on 21 December, particularly in view of the probability that the destruction was caused by a terrorist organization operating within the European Community?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: We keep on talking of terrorism and I must tell Parliament that in the declaration of 31 December 1988¹ the Twelve energetically — most energetically — condemned this attack on a civil aircraft and reaffirmed their condemnation of all acts of terrorism. They also reaffirmed their solidarity in the common drive to prevent these crimes and the desire to harmonize their policies for combating terrorism in all its forms. I think I made the depth of our feelings very clear this morning in my speech to introduce the Spanish Presidency.

Mr Tuckman (ED): I thank the President-in-Office for the answer. However, in the meantime there has been a further disaster — this time in my constituency near Loughborough — where a plane has come down and the likelihood is that this was not caused by terrorism at all.

How certain are we that technical, safety and training standards are being maintained? In the media — certainly in Britain but elsewhere as well — all kinds of possibilities are being mentioned. People are entitled to have their worries answered. What is anybody in the EEC doing to address itself to this side of things which goes well beyond straight terrorism?

Mr Fernández Ordóñez: It is not within the powers of the Council to take these aviation standards into account as the Honourable Member requests and I have not the slightest doubt that the local authorities are using all information and other media to find out exactly what happened and what were the causes.

Mr McMahon (S): Would the Foreign Ministers meeting in Political Cooperation discuss at international level with IATA and some of the other international bodies, measures to tackle some of the very serious problems? We notice that quite often when there are disasters funds are available. Would the Community consider offering some recompense to the people of Lockerbie and elsewhere who have suffered through no fault of their own?

Mr Fernández Ordóñez: Yes, in fact the disasters have occurred because minimum standards have not been met, because of some infringement of regulations or because of some human or technical error. Naturally it is not a question of Political Cooperation but may provide food for thought for the Ministers responsible.

Mr Provan (ED): The people of Europe are fed up quite honestly with the state of international terrorism as far as the airlines are concerned. It would be of great benefit to the whole world if the President-in-Office were to take a European initiative to move forward the international negotiations that are going to be required to tighten up security on all aircraft entering the European Community and leaving the European Community. Would he not, therefore, consider taking some international initiatives and make the European Community leaders in this field and follow the recommendations of the International Federation of Airline Passengers Association and charge one dollar per passenger on each aircraft so that we can have proper security arrangements?

Mr Fernández Ordóñez: I am fully in favour of any initiative which might lead to those results. I may say that from our point of view there are two distinct aspects: the terrorism aspect and the accident aspect. As regards terrorism we are convinced that the fight against terrorism is through

information or coordination. Information is the biggest enemy of terrorism, as is coordination. Not only the European Community but also other international organizations are working along these lines.

As regards accident prevention, this is, as I said, a matter for the relevant technical authorities — of course the Councils of Transport Ministers and other responsible ministers who have, I am sure, gone thoroughly into this matter at their meetings with the same concern as that expressed by the Honourable Member, which I share.

¹ *EPC Bulletin*, Doc. 88/528.

89/020. Question No H-347/88 by Mr Arbeloa Muru Concerning Political Asylum for Community Citizens

Date of Issue: 18 January 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

Do the Foreign Ministers meeting in European political cooperation intend to take any measures to prevent terrorists and other delinquents in the Community from obtaining political asylum in a Member State?

Answer:

As the Honourable Member is well aware, the Twelve cooperate closely to prevent and to combat terrorism, both in the framework of the TREVI Group and of European political cooperation. In this context, the appropriate measures aimed at preventing terrorists from obtaining asylum in a Member State are currently being examined.

89/021. Question No H-802/88 by Mr Newton Dunn Concerning Human Rights Violations by Romania

Date of Issue: 18 January 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

What steps will the Spanish Presidency be taking to renew pressure on the Romanian authorities to relinquish their policy of liquidating villages, as requested by Parliament in its Resolution of 7 July 1988?¹

Answer:

The policy of the Twelve concerning the human rights situation in Romania has been set out in detail to the European Parliament in answer to various questions, including Oral Question No H-664/88² by the Honourable Member, to which his attention is drawn particularly.

It may be reaffirmed that the Twelve share the European Parliament's concern with regard to Romania's policy of systemization and the human rights violations which its implementation involves.

Last year the Greek Presidency raised this matter with the Romanian authorities on several occasions and the Spanish Presidency, for its part, is determined to continue the policy of the Twelve on this matter.

¹ *OJ* No C 235 of 12 September 1988, p. 104.

² *EPC Bulletin*, Doc. 88/516.

89/022. Question No H-840/88 by Mr McMahon Concerning the Peace Process in Central America

Date of Issue: 18 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

When did the Council of Ministers meeting in Political Cooperation last discuss the situation in Central America following on their Hamburg conference of 1988, and what have been the results of the deliberations of the Council meeting in Political Cooperation on measures to bring about the completion of the Arias plan?

Answer:

The situation in Central America is being kept under review by the Foreign Ministers meeting in European political cooperation. Since their meeting in Hamburg the Foreign Ministers of the Twelve have discussed this matter on several occasions, in particular at their meetings in Luxembourg on 13 June and in Athens on 18 July 1988.

In September 1988 the Troika of Foreign Ministers also met the Foreign Ministers of the five Central American countries in New York. The Honourable Member's attention is also drawn once more to the statement issued on 29 November 1988,¹ a copy of which was sent to the European Parliament, setting out the position of the Twelve on this matter and, in particular, their firm support for the implementation of the Esquipulas Agreement.

In preparation for the forthcoming San José V meeting to be held in San Pedro Sula, the Twelve are maintaining close and permanent contacts with the countries of this region and those belonging to the Contadora Group and the Support Group.

¹ *EPC Bulletin*, Doc. 88/482.

89/023. Question No H-842/88 by Mr Papoutsis Concerning the Illegal Detention of Trade Unionists in Chile

Date of Issue: 18 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Several months after the October referendum in which the people of Chile expressed their belief in democracy and freedom, Manuel Bustos Huerto, president of the CNT (United Workers' Union) and Arturo Martínez Molina, vice-president of the CNT, are being detained in Chile, together with hundreds of other trade unionists, in Parral and Chanaral respectively. The CNT leaders were arrested after a protest strike which they organized a year ago, and repeated threats have been made on their lives in the place where they are being held.

What pressures will the Foreign Ministers meeting in Political Cooperation bring to bear in the immediate future in order to end the detention of trade union activists and secure full restoration of human rights and political and trade-union freedoms in Chile?

Answer:

The Twelve have on several occasions repeated their firm belief that the complete restoration of democracy in Chile requires, above all, total respect for human rights and civil liberties. This position has been made known to the authorities in Chile both in general terms and with reference to the two trade unionists. In this connection, it is of interest to note that the Presidency has received from Mr Manuel Bustos a letter in which he expresses his appreciation and that of Mr Arturo Martinez for the efforts undertaken by the Twelve concerning their detention.

In line with their stance on human rights, the Twelve intend to continue their efforts in support of civil liberties, including the right of association.

89/024. Question No H-856/88 by Mr Ephremidis Concerning Arrests in Chile

Date of Issue: 18 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

The Pinochet regime has arrested and is holding in custody four leading members of the Chilean Communist Party: Americo Zorilla, Mirella Voltra, José Sanfuentes and Guillermo Serping. According to statements by the Chilean Foreign Minister, the Government ordered the arrest of the four leaders to demonstrate its determination to achieve a peaceful transition to democracy. What action will the Foreign Ministers meeting in Political Cooperation take to secure the immediate release of those arrested?

Answer:

The Twelve have been informed of the recent arrests, which in their view run counter to the process for the restoration of democracy in Chile. They are accordingly following the matter very closely.

89/025. Question No H-729/88 by Mr Alavanos Concerning the Political Future of President Pinochet of Chile

Date of Issue: 18 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What specific measures and action do the Community Foreign Ministers meeting in Political Cooperation intend to take against the dictatorship in Chile of President Pinochet, who is threatening, according to his recent statements, not to observe even the principles of the constitution currently in force in Chile?

Answer:

The Twelve have constantly supported the swift and orderly restoration of democracy in Chile. They are accordingly keeping a close watch on the situation in the country, and the matter was

again considered at the informal meeting of the Foreign Ministers at Ioannina (Greece). The recent developments provide grounds for cautious optimism concerning conditions for the complete restoration of democracy in Chile when all the necessary requirements have been met.

The Twelve have urged the Chilean Government to open talks with the democratic opposition. The Twelve have also repeated their firm belief that human rights and civil liberties must be fully respected and that all parties should show restraint during the difficult transitional period. The Twelve intend to continue with their policy of constructive encouragement towards Chile so that the people of that country may enjoy the rights to which they have aspired for so long.

89/026. Question No H-859/88 by Mr Dessylas Concerning the Deportation of Palestinians

Date of Issue: 18 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Contrary to UN Security Council Resolutions 605, 607 and 608 and resolutions adopted by the UN General Assembly and in the face of condemnation by other international organizations and international public opinion, the Israeli authorities continue to pursue their policy of deportation in the occupied State of Palestine. What measures do the Foreign Ministers meeting in Political Cooperation intend taking to put an end to this unacceptable situation?

Answer:

As the Honourable Member is well aware, the Twelve have in the course of the last year made numerous *démarches* with the Israeli Government regarding the situation in the occupied territories, the loss of life, the deportations of Palestinians, the destruction of houses as well as the practice of administrative detention, the restrictions of media and the closure of Palestinian universities and charitable organizations. In their declaration of 21 November 1988,¹ the twelve Foreign Ministers expressed once more their deep concern about the deteriorating situation and the increasing feeling of disappointment and desperation among the population of the occupied territories. The Greek Foreign Minister has in his speech before the United Nations General Assembly in Geneva² on behalf of the Twelve outlined in a comprehensive way the view of the Twelve on steps to be taken towards a peaceful, just and lasting comprehensive solution. He also stressed that violence and repression in the occupied territories have to stop and that human rights have to be respected. The Twelve have repeatedly declared that they want to contribute as much as they can to bringing the parties concerned together and to the negotiating table. In December they have decided to ask the Troika to make the appropriate contacts.

The Spanish Presidency attaches great importance to keeping the momentum of the peace process. One of my first visits as President-in-Office of the European Community therefore was my visit to Israel three days ago. This was an occasion to listen carefully to the views expressed by the Israeli Government and to make the position of the Twelve in this question understood.

¹ *EPC Bulletin*, Doc. 88/447.

² *EPC Bulletin*, Doc. 88/607.

89/027. Statement at the Closing Session of the CSCE Vienna Follow-up Meeting

Date of Issue: 18 January 1989

Place of Issue: Vienna, Austria

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Statement in International Forum

Mr Chairman, I wish to start my statement on behalf of the twelve Members of the European Community expressing our warmest thanks to the Austrian Government for hosting this third follow-up meeting in Vienna. It is not the first time that the Danube city makes her contribution to the peaceful order of Europe. I also wish to express our gratitude to the people of Vienna and to the local authorities, as well as to the Executive Secretary, Ambassador Liedermann, interpreters and all other members of the Secretariat.

Mr Chairman, we are living in an era in which new prospects for improved cooperation and dialogue make our peoples more and more aware of the growing interdependence existing among them. The positive outcome of this third CSCE follow-up meeting in Vienna is another example of this new spirit.

The very existence of the European Community reflects, from its origins, our deeply rooted awareness of a common destiny uniting peoples of Europe sharing the same ideals of peace and freedom.

In deciding upon integration as a way of achieving their objective towards a European Union, the twelve countries of the Community are not only responding to a necessity and to the deep vocation of their peoples, but they are also conscious of making a fundamental contribution to the stability of Europe.

The Community which for us continues to be the cornerstone of our common future represents the essential basis on which we intend to work together with the member States of the Council of Europe, the neutral and non-aligned as well as with all other participating States in bringing about a future of peace, cooperation and progress for the whole continent.

Guided by common principles and values, the twelve Member States of the European Community find encouragement in the positive result of this Vienna Conference and are determined to work with renewed hope so that full respect for all principles and implementation of all provisions of the Helsinki Final Act and other CSCE documents, make it possible to overcome the division of Europe by promoting peace and security. We aim at reinforcing the process in which human rights and fundamental freedoms are respected, and in which relations between States can develop in an atmosphere of mutual confidence.

Mr Chairman, in this spirit we draw our attention towards countries of Eastern Europe, close to us geographically, culturally and historically.

The Twelve welcome renewal and change in these countries and are ready to respond positively. We note, however, that results are uneven. As stated by our delegations in the course of the Vienna meeting, violations of existing CSCE commitments in some States is still a matter of serious concern to us.

Security in Europe, Mr Chairman, is not just about arms control. It involves a complex combination of political, economic and above all humanitarian factors, especially full respect for human rights and fundamental freedoms and better implementation of CSCE commitments. We welcome the adoption of mandates for both the forthcoming negotiations on conventional armed forces in Europe and those on confidence building as part of a balanced outcome to the review meeting. For it is within the framework of the CSCE process that we can best achieve the security objectives that we all seek, namely a secure and stable balance of conventional forces in Europe at lower levels as well as the building of confidence through greater openness about military activities.

CSCE remains for us an appropriate framework for achieving the above-mentioned objectives. Full respect for the principles of the CSCE, implementation of all commitments

undertaken in the CSCE and new progress in all fields of the Conference, continue to be the determining factors for the improvement of the situation in Europe. This process, the importance of which I need not underline, will continue to be a major endeavour of the twelve Member States of the Community. The spirit of the CSCE will also inspire the political dialogue with all other participating States, which it is our intention to widen and strengthen.

The twelve Member States of the European Community wholeheartedly wish that this Conference may mark an age of cooperation and peace for all the peoples of Europe. Allow me, Mr Chairman, to invite hereby, in the warmest way, all CSCE States to join us in an effort towards the achievement of a more secure, just and free world.

I would like now to draw particular attention to the statement which Mr Aldo Moro delivered in Helsinki in the name of the Community on 30 July 1975, prior to the signature of the Final Act. Mr Moro referred to the transfer of certain competences from Member States to the Community. He pointed out that, because of this, not only the Member States of the Community but the Community as such would have to agree to the Final Act in order to give other participating States the assurance that those areas of the Final Act which concern present or future Community competence will be implemented by the Community in accordance with its internal rules and procedures. In consequence, he stressed that the expression 'participating States' should be interpreted as applying to the European Community in matters within its competence. Therefore Aldo Moro signed the Final Act in his capacity as President-in-Office of the Council of the European Communities as well as in his capacity as representative of Italy.

Mr Chairman, the declaration of Mr Moro in 1975 is even more valid today. Since the beginning of the Helsinki process in late 1972, the European Community has undergone considerable changes. It has been successfully enlarged from the original six to twelve Members and has gained recognition both in the world at large and in the CSCE as a political and economic entity. The increase of Community competence in the fields covered by Basket II finds its most notable reflection in the Single European Act. And in the specific context of the CSCE the recent establishment of formal relations between the Community and the Eastern European countries is certainly an important step forward.

It is in this over-all framework and on the basis of the declaration of Mr Moro in 1975 that the European Community has participated not only in the negotiations and in the conclusion of the Helsinki Final Act but also in CSCE meetings. I can assure you that the Community will fully play its role in the CSCE events to come as regards matters falling under its competence.

We congratulate ourselves on the mutual recognition of the EC and the CMEA and the agreements signed with Hungary and Czechoslovakia. I wish to reaffirm hereby our will to jointly develop economic relations and cooperation with the European countries of CMEA — taking into account the specific characteristics of each country — in fields where it is to our mutual advantage.

The Vienna concluding document represents a historic step within the CSCE process. It shows that the process has gained in dynamism and in its relevance to the development of relations among the participating States.

In this context security cannot be limited to its military dimension but encompasses the wider concept of peace and good relations among States and their peoples. Human rights must be fully respected in order to achieve this goal. The Twelve wanted a substantial and balanced document. The document which has been adopted fulfils this aspiration.

The Human Dimension of the CSCE has been given a renewed meaning through the depth of the new commitments undertaken by the participating States here in Vienna, especially those concerned with the exercise of human rights and fundamental freedoms which are the real foundation of the process in which we are engaged. The freedom of the individual to profess and practise a religion is ensured in the fields of education and the training of religious personnel. We have registered real progress on promoting the rights of the individual in the exercise of freedom of movement.

We have strengthened the principle of human dignity through the commitments concerning the suppression and punishment of psychiatric and other medical practices which violate fundamental human rights.

Mr Chairman, the Vienna concluding document introduces a new key element in this vitally important sphere by convening a conference on the Human Dimension. A notable aspect of this new development within the CSCE process is the creation of a special mechanism to ensure the implementation of the commitments undertaken in the Helsinki Final Act and other CSCE documents concerning human rights, fundamental freedoms and human contacts.

The rights of persons to observe and promote the implementation of CSCE provisions and to associate with others for this purpose is a basic principle for the Twelve within the framework of cooperation between participating States. They believe that this right has been successfully upheld in this meeting.

The participating States have given a clear sign of common responsibility by assuming new commitments to combat the scourge of terrorism. The new undertakings in this field go beyond those of the Madrid concluding document: terrorism is unreservedly and rightly condemned by all participating States.

Regarding peaceful settlement of disputes, the Twelve hope further progress will be made in reaching a generally accepted method of settling disputes by peaceful means. When a dispute cannot be settled by other peaceful means, mandatory involvement of a third party was accepted in principle in this meeting.

The question of capital punishment will be kept under consideration.

The agreements which will allow the opening of two negotiations on military security are of special importance. Positive results in these negotiations will contribute greatly to a climate of mutual confidence. The Twelve welcome the early start of these two negotiations and look forward to concrete steps towards achieving stability of conventional forces at lower levels and enhancing military transparency and confidence-building measures.

Mr Chairman, the European Community and its Member States came to Vienna in November 1986 with the clear aim of strengthening over-all economic cooperation among participating States. This increased cooperation would take particular account of economic changes introduced by Eastern countries as part of their new policies.

The European Community and its Member States feel that although the text in Basket II promises some improvement, there is still some way to go. However, the Twelve consider that the conditions and circumstances for further cooperation between East and West in Basket II areas are now more favourable, and some work will have to be done in the near future to overcome the existing gap between ends and means. For example, in order to promote trade, enlarge industrial cooperation, and encourage joint ventures it will be necessary to concentrate on the most efficient forms of doing business as well as to have easy access to the economic data needed to achieve these goals.

The commitments on environmental issues reflect the growing awareness of the peoples in Europe of environmental problems in our daily life and of the need to find solutions. We also welcome the new provisions on tourism, but there is a long way ahead of us, Mr Chairman.

Mr Chairman, a third of the Member States of the European Community border the Mediterranean. Cooperation in this area, taking into consideration the non-participating States, has always been of particular concern to the European Community. At the Vienna meeting the Community proposed an ecological meeting to deal with cooperation among Mediterranean countries in the protection and improvement of their ecosystems and other related priority areas. They are pleased that this proposal was accepted.

Mr Chairman, when I referred previously to the renewed meaning given to the Human Dimension here in Vienna I mentioned human contacts. We have made major progress in developing commitments on family re-unification and permission to travel abroad. The Human Dimension commitments of the Vienna concluding document would be seriously undermined if

persons were not free to leave and return to their own countries for whatever reason. The Twelve wish to underline their expectation that the refusal of exit permits to citizens will not be arbitrarily applied and that the persons concerned will be fully informed of the reasons and will be granted effective administrative or judicial remedies against the decision. We, the Twelve, expect that restrictions for reasons of State security will indeed be applied only exceptionally and be of strictly limited duration.

The recognition that believers and religious communities are free to maintain direct personal contacts in their own and in other countries and to participate in pilgrimages and other religious events constitutes a further important achievement.

CSCE meetings constitute a valuable and indeed essential means of verifying the implementation of our commitments in all areas of the Final Act. These meetings, which are to be held in conditions of openness and access, in no way less satisfactory than those in Vienna, together with the mechanism introduced in the mandate of the conference on the Human Dimension, are an essential ingredient of continuing progress in the field of human rights, fundamental freedoms and human contacts. After so many years of negotiations in this field, the Twelve welcome the fact that participating States are no longer quoting 'intervention in internal affairs' to escape agreed or new commitments.

A major aim of the Twelve has been to strengthen previous CSCE commitments in freedom of information. They hope that the new commitments now undertaken will lead to significantly improved working conditions for journalists. The cessation of jamming is a particularly welcome development. The decision to hold an Information Forum later this year should further advance their aims in this field.

The Twelve welcome the widening of the area of cooperation and exchanges in the field of culture and education, encouraging the full participation of non-governmental organizations. The commitments to promote direct personal contacts in the field of culture and to establish cultural institutes in participating States are major advances.

Delegations of the 35 participating States are going to meet very frequently between now and 1992. A considerable number of expert meetings is foreseen in the Vienna concluding document. The Twelve hope they will all have a positive outcome, enabling the next follow-up meeting in Helsinki to make a major step forward in this process.

Finally, Mr Chairman, the Twelve believe that their major aim of securing a balanced and substantial concluding document has been achieved. They are therefore pleased to give their consensus to the document before us.

Mr Chairman, the new commitments in this document are indeed impressive. I cannot however emphasize too strongly that implementation by all participating States is crucial and that no exceptions are contemplated in a successful future development of the CSCE process.

On behalf of the Member States of the European Community I would like to thank the group of the neutral and non-aligned countries and the coordinators most warmly for their valuable, tenacious and patient work. This has been of essential help in making the Vienna meeting an historic milestone on the way towards a freer, more secure and more prosperous Europe.

89/028. Question No 197/88 and Question No 1556/88 by Mr Arbeloa Muru (S-E) Concerning Arrests, Maltreatment and Untried Detainees in Jordan

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Questions of 17 May 1988 and 8 November 1988

Are the Foreign Ministers meeting in Political Cooperation familiar with the case of the Jordanian conscript, Wajih Jiryis Al-Nahhas, who was arrested for the third time last December

and imprisoned in Amman at the disposal of the military intelligence service and who could be sentenced for the third time for his membership of the Jordanian Democratic Front? Have the Ministers received in this and other cases reports of prisoners being subjected to torture by the military intelligence services (Al-Istikhbarat al-Askariyya)?

Are the Foreign Ministers meeting in European political cooperation taking any action on behalf of the members of the Popular Front for the Liberation of Palestine (PFLP) and the Islamic Liberation Party, who have been detained in Amman without trial and perhaps not even charged, under the martial law of 1987, which empowers the executive to keep individuals in administrative and indefinite detention for reasons of security? Have they taken action on behalf of the PFLP leader and head of the Palestinian National Council, Azmi al Khawajah, who is ill and was detained in Jordan for several months without being charged or tried?

Answer:

The Jordanian authorities are fully aware of the positions of the Twelve on human rights and the importance they attach to them in their relations with third countries. The cases of the specific persons mentioned by the Honourable Parliamentarian have not been discussed in the framework of European political cooperation.

89/029. Question No 464/88 by Mr Perinat Elio (ED-E) Concerning the Merger of Member States' Military Units

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 17 June 1988

The announcement of the Franco-German decision to form a joint military unit has been followed by a similar decision by the Benelux countries.

In the light of these decisions in the European security field, we appear to be entering a new period of military cooperation between the Member States of the European Community which in time could lead to the creation of a genuine European army formed from the merger of the Member States' military units.

In view of this possibility, do the Ministers consider that they should take a lead in initiating such cooperation and mergers between Member States' military units, with a view to ensuring that they are consistent with a single and effective policy on security and defence cooperation for all Community Member States?

Answer:

Article 30 of the Single European Act states that close cooperation on questions of European security would contribute in an essential way to the development of a European identity in external policy matters. According to Article 30, the Twelve will coordinate their positions on political and economic aspects of security more closely. These aspects are regularly discussed by the Twelve.

The question raised by the Honourable Member concerns defence matters. These fall outside the scope of European political cooperation as envisaged in the Single European Act and are the subject of cooperation among certain Member States in other contexts, to which reference is made in Article 30, paragraph 6 (c) of the Single Act.

89/030. Question No 719/88 by Mr Pordea (DR-F) Concerning Regional 'Autonomy' in Estonia

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 5 July 1988

The Soviet Government has recently granted the 'Republic of Estonia' a form of 'regional autonomy' in industry, energy, public transport and services and in education, culture and the environment.

Will the Ministers take this opportunity of expressing their rejection of the forcible annexation by the Soviet Union of Estonia and the two other Baltic States, along with certain territories in Eastern Europe belonging to Poland, Czechoslovakia and Romania?

By expressing its solidarity with the native European peoples of the invaded territories, the European Community would be making a real contribution towards preventing the process of loss of national identity and deportation and the never-ending colonization by Russian and Ukrainian elements.

Within the constraints of Estonian 'autonomy' in economic matters, indirect support of this nature, in particular support for the 'Councils of State' for culture and education recently set up in Tallinn, would facilitate local measures to protect national values, beliefs and the way of life and hence stop the process of violent, forcible cultural assimilation.

Answer:

The Twelve are encouraged by recent developments towards economic and political liberalization in the Soviet Union, including the steps which are being considered to increase regional economic autonomy. The Twelve will continue to follow these developments closely. They hope that these changes will contribute to openings in the political system, thus taking the aspirations for less centralized government into account.

The policy pursued by the Twelve to overcome the human consequences of the division of Europe has been explained to the European Parliament on many occasions. Allow me in this regard to refer the Honourable Member to the answer to his question No 2920/87.¹

As the Honourable Member will know, the CSCE process is very important in this regard. The Twelve take every suitable opportunity to remind the Soviet Union of the commitments it accepted by signing the Helsinki Final Act and other CSCE documents.

At the CSCE Follow-up meeting in Vienna the Twelve, together with other Western countries, are striving to settle the remaining issues, particularly in the field of human rights and human contacts, so that the Vienna meeting can conclude soon with a balanced and substantial document, benefiting people in all CSCE States.

¹ *EPC Bulletin*, Doc. 88/193.

89/031. Question No 735/88 by Mr Kuijpers (ARC-B) Concerning Ypres as the Seat of an International Institute to Monitor Compliance with the Convention Banning the Use of such Weapons

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 5 July 1988

Mustard gas was first used as a weapon at Ypres during the First World War. As a result, this chemical weapon immediately became known around the world as yperite.

In Geneva, in 1925, a protocol was concluded placing an international ban on the use of chemical weapons. However, this protocol contained loopholes regarding the development, production, storage and transport of such weapons. In October 1986, at the Reykjavik Summit between Presidents Reagan and Gorbachev, initial talks were held concerning ways of closing these loopholes. Could the Presidency please state:

1. what initiatives the Foreign Ministers meeting in Political Cooperation are taking with respect to a new or comprehensive international treaty on this matter;
2. whether they would support Ypres' application to be the seat of a future international body to monitor compliance with the ban on the use of chemical weapons?

Answer:

The horrific reports on the use of chemical weapons in the Gulf conflict, as well as reports of their alleged use against civilian populations, underscore the need for a total elimination of such weapons. The Twelve have consistently supported the ongoing negotiations at the Conference on Disarmament in Geneva for a comprehensive, effectively verifiable chemical weapons convention. Those of the Twelve who are participants in the Conference will continue vigorously to pursue this goal at the negotiations. Pending agreement on a comprehensive convention the Twelve have supported moves to strengthen the authority of the 1925 Geneva Protocol against chemical weapons use.

The location of the seat of an international monitoring body has not been discussed in European political cooperation. Two Members of the European Community have recently stated their preparedness to host the Chemical Weapons Treaty Organization on their territory.

89/032. Question No 857/88 by Mr Arbeloa Muru (S-E) Concerning Executions in Mauritania

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 2 August 1988

Since the present government came to power in Mauritania, three people have been executed: the army officers Saidi Ba, Amadou Sarr and Saidou Sy, all negroes, who were accused of conspiring to overthrow the government and assassinate its members. The trial was held in closed session in a military barracks before a special security court with jurisdiction in political cases. It is likely that the accused were not allowed access to a lawyer during the indictment proceedings and that the lawyers were unable to consult the trial documents until shortly before the trial began. Did the Foreign Ministers follow this case and did they react in time?

Answer:

The cases mentioned by the Honourable Parliamentarian have not been discussed in European political cooperation. The position of the Twelve on human rights is, however, fully known by the authorities in Mauritania.

89/033. Question No 1189/87 by Mr Ephremidis, Mr Adamou and Mr Alavanos (COM-GR) Concerning Political Prisoners in Bahrain

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 1 September 1987

More than 200 political prisoners in Bahrain have been on hunger strike since 7 July (according to a report by the Committee for the Defence of Political Prisoners in Bahrain of 9 July 1987). The hunger strike is taking place at three prisons — Manaman, Al Khala and Gaou. Their demands are: an end to physical and mental torture, an improvement in prison conditions, permission for prisoners to receive visits from their families and permission for an international committee to investigate conditions in the prisons.

How do the Foreign Ministers meeting in European political cooperation propose to respond to these most human of demands from prisoners in Bahrain?

Answer:

The authorities in Bahrain fully know the position of the Twelve concerning human rights.

**89/034. Question No 1367/88 by Mr Arbeloa Muru (S-E)
Concerning Prisoners in Somalia**

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

Can the Foreign Ministers meeting in European political cooperation take up the case of the numerous prisoners — businessmen, soldiers, architects, politicians, etc. — in Berbera and Mogadishu in Somalia, who belong to the Isaaq clan and are apparently being held in the Godka detention centre of the National Security Service in the capital? Many reports have been received of the routine torture of political prisoners.

Can the Foreign Ministers also investigate reports of summary and arbitrary executions carried out by the security forces in Hargeisa?

Answer:

The Twelve are following very closely developments in Somalia. They remain concerned about the persistence of the conflict in the North and the resulting hardship and loss of lives. They are also concerned about growing allegations of human rights violations and the situation of political prisoners in the country, in particular of those held purely for their political beliefs or clan origin. The Government of Somalia is aware of the position of the Twelve.

**89/035. Question No 1368/88 by Mr Arbeloa Muru (S-E)
Concerning the Imprisonment of a Secondary School Headmaster in Kenya**

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

Can the Foreign Ministers meeting in European political cooperation take any steps to secure the release of Julius Mwandawino Mghanga, headmaster of a secondary school and former chairman of the Nairobi University Students' Organization, who was probably tortured, was

sentenced without the proper safeguards and under duress pleaded guilty to possessing the illegal publication 'Mpatanishi' ('The Unifying Force'), was sentenced to five years' imprisonment and is being held in Kisumu prison?

Answer:

The case raised by the Honourable Member has not been discussed in European political cooperation. However, the Government of Kenya is well aware of the position of the Twelve on human rights.

89/036. Question No 1432/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual (Unpublished) — Stratagem No 1

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

The anti-apartheid embargo on arms deliveries to the Republic of South Africa, which was declared in 1977 by the UN Security Council and is therefore mandatory, is sometimes circumvented in the United States where some twenty firms are currently under investigation, according to the US General Accounting Office, a Congress agency. A recent parliamentary investigation revealed that a German Federal State-owned arms company, employing Turkish and Israeli middlemen, sold Pretoria blueprints and equipment for four submarines for 250 million dollars, in addition to a command vessel, following cancellation of the contract. Clandestine deliveries are being carried out by Israel. Despite the fact that the 1977 Security Council Resolution requires governments to refrain from inviting South Africa to take part in exhibitions and demonstrations of military equipment, Armscor, a South African government-sponsored arms company, exhibited pilotless reconnaissance aircraft, air-to-air missiles and over a hundred other types of military equipment in Santiago, Chile, in March this year.

Have the Community institutions taken all the appropriate measures, in collaboration with the Member States, and are they taking them now, to thwart any international or European circumvention of the UN Security Council embargo? Which EEC firms took part in the Santiago arms show and who gave the political go-ahead? Have the Community institutions expressed any views on the subject of an 'arms fair' involving South African participation in the country of Pinochet's regime?

Answer:

The embargo on exports of arms and para-military equipment to the Republic of South Africa, agreed by the Foreign Ministers of the Twelve in Luxembourg, on 10 September 1985, is being rigorously controlled by the relevant authorities of the Member States, which have taken the necessary steps to ensure its proper and full implementation.

South African relations with Chile have not been discussed in European political cooperation.

89/037. Question No 1434/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 2

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

According to a report by Congressman Wise (D-W.V.), half the oil supplies to South Africa originate from European companies associated with North American firms: Royal Dutch/Shell, British Petroleum and Total. According to the Amsterdam Shipping Research Group, Greek, British, German and other oil-tankers ship consignments to South African ports from the Middle East, by falsifying the documents stating their destinations, sending the consignments in transit and transferring them through third countries, etc.

These various forms of collusion enable South Africa to obtain supplies, albeit at prices substantially higher than those on the world market (2.3 billion dollars a year according to Congressman Wise).

Are the Community institutions prepared to be more rigorous in defining, and especially in applying, measures to enforce the oil embargo?

Answer:

The cessation of oil exports to the Republic of South Africa, agreed by the Foreign Ministers of the Twelve in Luxembourg, on 10 September 1985, is being rigorously controlled by the relevant authorities of the Member States, which have taken the necessary steps to ensure its proper and full implementation.

89/038. Question No 1436/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 3

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

South African products exported to the Community are sometimes finished, if not manufactured, in neighbouring third countries. In Swaziland, for example, the South African company Metkor Investments Ltd, has set up a factory in the Matsap industrial zone where handles are simply added to steel pots manufactured in South Africa which are then exported as 'finished' products to Europe under the Lomé Convention. The same applies to the major South African textile group, Frame, which processes, packages and exports a large proportion of its products to Europe.

Do the Community institutions not consider it necessary to check the authenticity of the certificates of origin issued — sometimes unwillingly — by the authorities of the landlocked States in Southern Africa which are parties to the Lomé Convention, and to ensure that the relief from customs duty granted under the Lomé Convention does not improperly benefit the Republic of South Africa?

Answer:

The issue raised by the Honourable Member refers to the Lomé Convention and is, therefore, outside the scope of European political cooperation.

89/039. Question No 1438/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 4

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 October 1988

South African firms are concealing the origin of their products by mixing them with products partly processed in third countries. In this way South African firms are exporting textiles to Mauritius and giving their origin as Malawi. According to Mr Amadée Darga, leader of the Mauritian Socialist opposition, the island's factories process the textiles into clothes which are exported to the Community, mainly France and the Federal Republic of Germany. This is an infringement of the Lomé Convention under which clothes may enter the Community market free of customs duties if they are manufactured from textiles genuinely originating from countries which are signatories to the Lomé Convention.

Do the Community institutions not consider it necessary to investigate the problem of indirect exports from South Africa to the Community and to ensure that the provisions of the Lomé Convention are not circumvented for the benefit of South Africa's foreign trade? Is this not an obstacle in the way of a policy of sanctions against South Africa which our ACP partners would like to be more binding and more consistent?

Answer:

The issue raised by the Honourable Member refers to the Lomé Convention and is, therefore, outside the scope of European political cooperation.

89/040. Question No 1440/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 5

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 28 October 1988

South African companies are marketing their products by mixing them with products from other countries. For example, the De Beers' Central Selling Organization, which controls 80 per cent of the international diamond trade, refuses to give the slightest indication at its fortnightly auctions in London of the origin of its stones. By mixing supplies from South Africa, Namibia, Africa (particularly Botswana), Australia, the Soviet Union and other countries, the organization undermines the adoption of a policy of sanctions and the application of UN Security Council Decree No 1 on Namibia, especially as some of the supplies come from countries in favour of anti-apartheid sanctions.

What do the Community institutions think of this situation? How do they react to the acquisition last year by the Botswana Government of a 2.6 per cent stake in the capital of De Beers, which effectively rules out any real possibility or intention of marketing the product of Botswana's huge deposits independently? How can the provisions of the Lomé Convention be applied under these circumstances?

In addition, giant coal wholesalers are mixing South African coal with coal from China and/or other countries and exporting it under a Dutch label despite the fact that coal production virtually ceased in The Netherlands twenty years ago. Could this help to explain the EC institutions' reluctance to comply with Parliament's demands for a boycott of South African coal imports?

Answer:

The issue raised by the Honourable Member refers to the Lomé Convention and is, therefore, outside the scope of the European political cooperation.

As regards coal, the Honourable Member is referred to the answer given to Written Question No 265/88.¹

¹ *EPC Bulletin*, Doc. 88/273.

89/041. Question No 1442/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 6

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 28 October 1988

Certain countries concerned to safeguard their international public image and that of their country of principal subsidiary activity (e.g. Coca Cola) have transferred to the territory of some of South Africa's neighbours (e.g. Swaziland) production previously carried out in the Republic of South Africa, where shares have been made over to South African interests.

The same profits are, however, still being made on the South African market by these 'emigrant' companies. To the extent that any European (EEC) companies are or may be concerned, do the Community institutions not consider that 'disinvestment' operations should be calculated:

1. So as to bring about a loss of tax revenue to the South African Government now in power;
2. In a spirit of social responsibility to any workers who could lose their jobs;
3. So as ensure that the markets primarily supplied are those of the SADCC and other markets external to South Africa?

Answer:

The issue raised by the Honourable Member has not been discussed within the framework of European political cooperation.

89/042. Question No 1444/88 by Mr Glinne (S-B) Concerning the Sanctions Busting Manual — Stratagem No 7

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 28 October 1988

Ciskei International Airways, which was set up this year in the nominally independent homeland by South African interests, has registered its aircraft in the United States rather than in South Africa, in order to be able to fly anywhere in the world.

What do the Community institutions think of this action?

Answer:

The issue raised by the Honourable Member has not been discussed within the framework of European political cooperation.

89/043. Question No 1446/88 by Mr Glinne (S-B) Concerning the House Bill No HR 1580 Now Being Debated on Capitol Hill on the Proposed Strengthening of the 1986 Comprehensive Anti-Apartheid Act

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 28 October 1988

The above House Bill, approved by the House of Representatives on 11 August 1988 and by the Senate External Relations Committee on 8 September, includes clauses to the following effect:

1. A ban on new federal permits for the exploitation of North American coal, natural gas and petroleum deposits by the US subsidiaries of foreign undertakings where the latter are helping to export petroleum to the South African refining industry (Shell, British Petroleum and Total are obviously alluded to); a corresponding ban on petroleum deliveries to South Africa by North American ships or by ships managed by North American interests.

2. The closing of the US market to foreign companies such as Toyota and BMW if the latter continue to export to South Africa after the 'withdrawal' from that country of US automobile undertakings; this is to be taken as a serious threat, according to Mr Adrian Botha, director of the US Chamber of Commerce in South Africa.

What impact do the Community institutions think this House Bill will have? Are they preparing to welcome its adoption by Washington? Will the institutions distance themselves from the threat of retaliation made unilaterally by the United Kingdom Government against North American undertakings with an interest in North Sea oil and gas deposits?

Answer:

The question raised by the Honourable Member has not been discussed in the framework of European political cooperation.

89/044. Question No 1555/88 by Mr Arbeloa Muru (S-E) Concerning the Review of Sentences Passed on Prisoners in Pakistan

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 8 November 1988

Seizing the favourable political opportunity offered by the announcement some months ago by the Pakistani Ministry of Justice and Parliamentary Affairs of a special procedure for the annulment of extreme sentences passed on prisoners during the period of martial law from 1977 to 1985, can the Foreign Ministers meeting in Political Cooperation make representations to the Pakistan Government to ensure that the same procedure can also include some provision for the prisoners accused of subversion, sedition or activities against the State and for the more than one hundred political prisoners who are unable to appeal against sentences handed down by military courts without the proper guarantees?

Answer:

The specific problem raised by the Honourable Member has not been discussed in European political cooperation. However, the Pakistani authorities are aware of the very special importance which the Twelve attach to human rights.

The Twelve feel that the recent free elections and the formation of a democratic government are positive developments which should be beneficial to the human rights situation in Pakistan.

**89/045. Question No 1557/88 by Mr Arbeloa Muru (S-E)
Concerning the Massacre of Defenceless Civilians in Sudan**

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 8 November 1988

Have the Foreign Ministers meeting in European political cooperation turned their attention to the massacre on 27 March 1987 at Ad Daien, 800 Kilometres south-west of Khartoum, of several hundred Dinka civilians by mobs of Rizeigat tribesmen, and to the slaughter of some 2 000 Dinka civilians at Wau, south of Khartoum, on 11 and 12 August 1987 by the army and militiamen recruited from the Fertit tribe? Have they at least requested that these murders be investigated?

Answer:

The Twelve are closely following developments in the Sudan and have on several occasions voiced their serious concern at the continued internal conflict there and at the suffering and loss of human life caused by it. The Twelve have urged the Sudanese authorities to take measures to reach a peaceful settlement through a genuine process of national reconciliation and to ensure that human rights are observed in the Sudan.

**89/046. Question No 1618/88 by Ms Ewing (RDE-UK) Concerning
the Release of Nelson Mandela**

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 15 November 1988

What information, if any, do the Foreign Ministers meeting in Political Cooperation have on the physical condition of the jailed former leader of the African National Congress, Mr Nelson Mandela, and do they have any indications on the South African Government's intentions to release him?

Answer:

The Twelve understand that Mr Mandela's health condition has improved. He has been transferred from hospital to accommodation within the grounds of Paarl Prison, near Cape Town.

The Twelve have repeatedly urged the South African Government to release Nelson Mandela and other political prisoners unconditionally and immediately and will continue their efforts to this end.

89/047. Question No 1769/88 by Mr Martin (S-UK) Concerning Measures to Promote Democracy and Human Rights in Chile and Paraguay

Date of Issue: 24 January 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 8 December 1988

Noting the declaration on Chile issued by the Twelve on 18 July 1988¹ which called for the rapid and orderly return to democracy in that country, could the Foreign Ministers indicate what specific measures have been taken by EC Member States both individually and through European political cooperation to help promote human rights and democracy in Chile and Paraguay?

When providing this information would the Foreign Ministers also indicate:

- (a) the present levels of arms sales from EC Member States to Chile and Paraguay;
- (b) whether these sales have increased or decreased over the past five years;
- (c) whether the Foreign Ministers have considered an arms embargo against these two countries?

The Foreign Ministers should be aware that the US Administration, in accordance with the US Congress's wishes, has maintained an arms embargo against Chile and excluded that country from its general system of preferences. Should not such a policy be adopted by the countries of the European Community?

Answer:

The Honourable Member is well aware how the Twelve stand on respect for human rights and fundamental freedoms, and the value they set on democratic ideals.

They have made clear and consistent public statements of these views with regard to Chile. Moreover, in their contacts with Chile, the Twelve have spared no effort to intervene in specific cases of human rights violations and, more generally, to support the return to democracy.

They did everything within their power, while keeping to the rules of international law, to see that the referendum of 5 October 1988 could be held freely.

They subsequently clearly stated their determination to continue to work for a full return to democracy.

On the question of Paraguay, where there is unfortunately no sign of progress towards democracy, the Twelve made a statement on 9 September 1987² reiterating their view that full respect for all political and social rights is an essential precondition for establishing the democratic regime aspired to by the people of Paraguay. These principles are and will continue to be the cornerstone of the policy of the Community and its Member States towards Paraguay.

The specific questions raised by the Honourable Member are matters of national responsibility and have not been discussed in European political cooperation.

¹ *EPC Bulletin*, Doc. 88/234.

² *EPC Bulletin*, Doc. 87/310.

89/048. Statement Concerning the *Démarche* in Paraguay

Date of Issue: 10 February 1989

Place of Issue: Brussels

Country of Presidency: Spain

Source of Document: The Twelve

Status of Document: Press statement, press release

L'Ambassadeur d'Espagne à Asunción a effectué, le 9 février 1989, une démarche auprès du Ministre des Affaires étrangères du Paraguay pour exprimer le souhait des Douze que les conditions soient réunies afin qu'un véritable processus démocratique puisse avoir lieu dans ce pays.

89/049. Statement Concerning Press Censorship in South Africa

Date of Issue: 10 February 1989
Place of Issue: Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Press statement, press release

On 9 February 1989, the Ambassador of Spain in South Africa made a *démarche* on behalf of the Twelve to the Vice-Minister of Foreign Affairs in order to express concern about the threat to close down three newspapers of the so-called 'alternative Press'.

89/050. Eighth Synthesis Report on the Application of the Code of Conduct by Community Companies with Subsidiaries, Branches or Representation in South Africa (1 July 1986-30 June 1987)

Date of Issue: 14 February 1989
Place of Issue: Madrid
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Report to European Parliament and to the Economic and Social Committee

I. The Response from Companies

This Eighth Synthesis Report on the application of the Code of Conduct by Community companies with subsidiaries in South Africa is the second since the revision of the Code. The reporting period coincides with that covered by the first annual report from the Twelve's Heads of Mission in Pretoria on the implementation of the Code of Conduct.

The Ambassadors characterized the period under review as one of increased union growth and activity despite the restrictions of the Government's emergency powers. There was severe labour unrest. On the economic side the period was marked by continued difficulty with an inflation rate of around 17% which led to a decline of average wages in real terms.

Against this background the Ambassadors noted the importance of the Code as an instrument supporting the policy of promoting fundamental changes by peaceful means. In their view it contributed to reform in the field of labour relations and observance of it by European companies set an example for South African companies to follow. In concrete terms the Code led to an improvement of wages. It further promoted development in training and the advancement of black employees. Measures taken by European companies to abolish segregation at the workplace has given many South African workers of all races a favourable experience of integrated society. The general assessment of the Code by Ambassadors was positive. The Twelve should continue to promote the Code's implementation as a demonstration of their continued commitment to change in South Africa. Steps should also be taken to encourage increased support for it among South African trade unions.

The number of companies which presented reports for the period under review is given below by country.

Country	Number of reporting companies	Number of black employees
Belgium	5	24
Denmark	7	793
Germany	94	18 900
Greece	2	39
Spain	1	310
France	15	2 236
Ireland	—	—
Italy	1	133
Luxembourg	—	—
Netherlands	11	4 441
Portugal	2	78
United Kingdom	109	70 300
Total	247	97 254

II. Analysis of Company Reports

Section 1: Relations Within the Undertaking

The reports received indicate a consolidation of company policy to promote and improve relations between the employers and workers in accordance with Section 1 of the Code of Conduct. This consolidation is seen in the increased involvement between employers and black trade unions and their representatives. For the period covered more than 90% of the companies in question allowed their black employees to choose freely the organization which they wished to represent them. The majority also took steps to inform all employees of their social and trade union rights. In this respect a number had also promoted the Code either by making it available for inspection by workers or by discussing the company's individual policy in relation to it with workers. Most companies indicated also that they had taken measures to improve communication between employers and employees. Such measures included the provision of adequate facilities for the organization of trade union meetings and distribution of literature.

Most companies indicated that they had formal relations with trade unions representing black workers. Companies which did not have such relations were either those employing a very small number of black African workers or those involved in an area where the absence of unions or employees' organizations ruled out the possibility of formal relations. The majority of companies confirmed their willingness to recognize black trade unions. In this regard a number of European companies reported that they had in fact recognized and concluded negotiations with a number of black African trade unions which are not officially registered. There was a proportional increase in the over-all number of agreements concluded both directly at company level with such unions and, at a sectoral level, with the government-controlled industrial councils on which only officially registered trade unions may represent black employees. The preference on the part of many black trade unions to initiate direct negotiations, even following negotiations concluded at a sectoral level, was matched by a willingness on the part of companies to engage in such negotiations. In addition most companies reported the existence of some form of committee for consultation between themselves and their employees.

Section 2: Migrant Labour

Less than a quarter of the European companies reporting employ migrant labour. With the exception of one company which employs approximately three-quarters of the total reported migrant work-force, companies employ few migrant workers. Of those companies which indicated the use of migrant labour, most had introduced measures to help such workers with the

particular difficulties facing them. These measures included the granting of additional paid leave to visit families, contributions towards the cost of lodging and the regular or automatic renewal of contracts. It was noted that, with the easing of laws on settlement in urban areas as a consequence of the abolition of influx controls in July 1986, some of the measures taken previously by companies to ensure the renewal of such contracts were no longer necessary.

Section 3: Pay and Wage Structures

The reporting companies accepted the principle of equal pay for equal work regardless of race. Some companies did however report difficulties in implementing the principle of equal opportunity resulting, for example, from the different educational standards caused by the racially segregated South African education system. Companies reported in particular on their observance of the requirement under the revised version of the Code that they pay black workers at least the 'supplemented living level' (SLL) set out in the biannual tables published by the University of South Africa. This SLL is regarded as the absolute minimum wage needed to support a family of five and is, on average, 30% higher than subsistence level, the 'minimum living level' (MLL). In the last reporting period the percentage of black employees paid below SLL dropped from 8% to 4% approximately. In the present reporting period, although precise figures are not available, the figure would now appear to be below 3%. Most companies employing workers within this wage bracket indicated their intention to revise wages in line with the SLL in the near future or at the beginning of January 1988. In the main, persons not paid up to SLL were employed as watchmen, cleaners or probationary workers. In addition the personal circumstances of workers, e.g. those with families of less than five, were cited as a reason for not paying SLL. On average pay to black workers was above SLL, and in many cases it was considerably more than the SLL. During the period covered by this report the inflation rate in South Africa grew considerably more quickly than the increase in average wages, and the progress made by European companies to meet the SLL norm introduced by the revised Code should be viewed in this context.

All the reporting companies which addressed themselves to the question of periodicity of wage reviews confirmed that they carried out annual reviews and, in many cases, biannual reviews.

Section 4: Training and Promotion of Black Employees

All companies reporting indicated that, where training programmes were available, these were open to all employees equally, irrespective of race. Because of their size a limited number of smaller companies employing only a few black employees offered on-the-job training only and not specific training courses. Almost all the other reporting companies offered special in-house training and, in many cases, the possibility of external training. Training courses on offer included those aimed at training employees for supervisory, executive and higher management positions. Towards this end many companies offered financial assistance and even scholarships for university studies.

The view of many companies was that training would be of benefit in preparing local employees for positions of responsibility. Dependence on white immigrant labour declined further with the policy of many companies not to recruit from overseas where suitably qualified local candidates could be found.

Section 5: Fringe Benefits

The code calls for companies to concern themselves with the living conditions of their employees and their families.

Most companies concentrated on the provision of financial assistance towards pension funds and medical assistance. Almost all of them offered such assistance in one form or another. In addition many made available low-interest or interest-free loans for the purchase of accommodation and assisted towards the education of employees and/or their families. A similar

proportion also provided extra benefits by way of support for commuting costs, subsidized work canteens or work clothes. All the companies which addressed themselves to the question of leave indicated that they gave special support or full pay for leave and allowed a period of leave in excess of the minimum legal requirement in South Africa. The majority of companies offered bonus payments, special awards (e.g. for long service or retirement) or more than 12 months' pay in one year. Not all companies reported on their involvement with the local community, but the majority of those who did so stated that they had offered support to local schools, libraries, hospitals or sports facilities, etc.

Section 6: Desegregation of Places of Work

The Code requires companies to abolish any practice of segregation of workplaces, canteens, education, training and sports activities.

All the reporting companies indicated their intention to implement full desegregation and nearly all of them have already abolished any segregation previously existing. Companies also indicated that all social events organized by them, for example anniversaries, Christmas parties or sporting events, were desegregated and provided opportunities for racial mixing. Some companies which had taken no measures to promote such mixing claimed that the natural mixing already taking place made any further steps to promote it unnecessary.

Section 7: Encouragement of Black Businesses

As far as they are able, employers are asked under the Code to encourage black entrepreneurs by providing assistance for black employees to set up their own companies, by preferential treatment in placing orders and by awarding contracts to black companies.

The kind of assistance offered by European companies to black businesses consisted broadly either of the award of sub-contracts or support for organizations promoting black entrepreneurs. Up to one third of companies had awarded sub-contracts to black companies or gave them priority in customer/supplier relations. Others indicated that it was not possible to do so either because there were no black companies in their line of business or because the nature of their business did not lend itself to subcontracting. A number of companies indicated that they were intending to enter, or had already entered, into joint activities with small black companies. The majority of reporting companies were involved in providing other forms of support. Many companies, for example, indicated that they were members of the National African Federated Chamber of Commerce (NAFCOC), an organization whose principal purpose is to promote black participation in economic life. Most companies had joined one or several of a number of similar organizations including various local Chambers of Commerce, the Small Business Development Corporation, the Urban Foundation and the Black Management Forum. Other measures to encourage black businesses included the giving of loans or donations and the provision of advisory services.

89/051. Statement Concerning the Eighth Synthesis Report on the Code of Conduct for Community Companies with Subsidiaries in South Africa

Date of Issue: 14 February 1989
 Place of Issue: Madrid
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Declaration

The Ministers for Foreign Affairs approved the eighth Synthesis Report on the Application of the Code of Conduct for Companies from the EC with Subsidiaries, Branches or Representation

in South Africa. They decided to forward it to the European Parliament and to the Economic and Social Committee of the European Community.

The report covers the period from 1 July 1986 to 30 June 1987 and analyses reports on their activities by 247 companies with more than 97 000 black employees. It also takes into account the annual report by representatives of the Twelve in Pretoria on implementation of the Code.

The period under review was one of increased union growth and activity despite the restrictions of the South African Government's emergency powers. There was severe labour unrest. The economic climate remained difficult and an inflation rate of around 17% led to a decline in average wages in real terms.

The Twelve noted with satisfaction:

1. that the reports received indicate a consolidation of company policy to promote and improve relations between the employers and workers;
2. that the companies accept the principle of equal pay for equal work regardless of race; in concrete terms, the implementation of the Code led to an improvement in wages and a wide range of fringe benefits were made available by companies;
3. that many companies continue to promote development in the training and the advancement of black employees;
4. that a number of companies further contributed to the encouragement of black businesses.

The Twelve believe that the measures taken by European companies to abolish segregation at the workplace have contributed to furthering their policy aimed at achieving the dismantlement of apartheid by peaceful means. They wish to encourage European companies to further pursue their efforts to improve the conditions of black employees and underline in this context their determination to promote the implementation of the Code to this end. At the same time, the Twelve call once again on the South African Government to take the necessary steps to remove all racial discrimination.

89/052. Statement Concerning Poland

Date of Issue: 14 February 1989
Place of Issue: Madrid
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve follow with hope the start of round-table talks in Poland involving the representatives of the Government and the different political and social forces of the country. The Twelve trust this dialogue will make it possible to reach agreements that will ensure pluralism, democratic reforms, political and social stability and economic consolidation in the country. They point out that these developments are also an important factor for future cooperation.

89/053. Statement Concerning Afghanistan

Date of Issue: 14 February 1989
Place of Issue: Madrid
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve express their satisfaction at the withdrawal of Soviet troops from Afghanistan to be completed on 15 February. This fulfils one of the main provisions of the Geneva Agreements, which constitute an important step towards a comprehensive political solution to the Afghan problem.

With the full Soviet withdrawal, possibilities now increase for an internal settlement in Afghanistan. Therefore, the Twelve urge all parties concerned, including the resistance, to exercise moderation and realism in order to achieve the establishment of a fully representative government formed through a genuine act of self-determination. The Twelve reiterate their continued support for the efforts of the United Nations Secretary-General to assist the formation of such a government, while accepting that it is the exclusive responsibility of the Afghan people to decide upon its composition.

The achievement of a comprehensive political settlement, which should guarantee a non-aligned, independent and democratic Afghanistan where respect for human rights will prevail, and the restoration of peace are necessary preconditions for the voluntary return of the refugees in safety and honour. The Twelve pay tribute to Pakistan for the generous shelter afforded to the Afghan refugees and note with deep sorrow the immense loss of life and the enormous destruction of the last nine years in Afghanistan.

The EC and its Member States stress their readiness to contribute to the multilateral aid effort to resettle the refugees, help the innocent victims of war and reconstruct the country, in close cooperation with the United Nations Coordinator for humanitarian and economic assistance to Afghanistan, Prince Sadruddin Aga Khan.

89/054. Question No H-763/88 by Mr Arbeloa Muru Concerning the Examination of Violations of Human Rights by the Foreign Ministers Meeting in Political Cooperation

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Although by now I am used to receiving the answer that the Foreign Ministers meeting in Political Cooperation have not examined the many instances of violations of human rights which I have referred to them over the last three years, can the Ministers tell me what matters of this kind they have dealt with during the second half of 1988?

Answer:

Human rights questions are of paramount importance to the policy of the Twelve. The Twelve have consistently made a significant contribution to deliberations on human rights in international fora, for example at the United Nations and at the recently concluded Vienna meeting at which important new commitments on human rights were undertaken by the States participating in the Conference on Security and Cooperation in Europe.

Action by the Twelve in multilateral fora is complemented by a close attention to specific violations of the rights of the individual in different parts of the world. When such questions are examined in European political cooperation the first priority is to ensure that any steps taken by the Twelve are as constructive as possible in their effects. In the period to which the question refers, approximately one dozen public statements or declarations were made on specific human rights issues. In a greater number of cases, *démarches* undertaken by the Twelve have remained confidential. Such confidentiality has been judged to be in the interests of those whom the Twelve are seeking to help.

As on previous occasions, the Presidency will be transmitting to the European Parliament a memorandum on activities of the Twelve in the human rights field in the past calendar year.

89/055. Question No H-788/88 by Mr Cabezón Alonso Concerning the Middle East Peace Conference

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Going beyond the balanced statement by the Twelve¹ on the agreement by the Palestine National Council of 15 November 1988 declaring the establishment of a Palestinian State, what positive, practical action do the Ministers meeting in Political Cooperation intend to take to encourage the early convening of an international conference on peace in the Middle East?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: I can say that the Twelve are convinced that only a negotiated solution to the Arab—Israeli conflict by means of a fair and lasting comprehensive political settlement can bring peace to the region. We have repeatedly shown our willingness to make an active contribution to that negotiated solution and to maintain all contacts which may contribute to bringing the positions of the parties closer together and to help in overcoming the obstacles in the path of a negotiating process.

Our consistent approach to the problem, shown in the Declaration of Venice and subsequent statements, has made it possible for the Twelve to become in the past few years an important partner for all parties in the conflict.

In their most recent statement on 16 December 1988² the Twelve urged all the parties to respond to the new situation which had evolved during recent months and take the necessary measures to convene an international peace conference and to start direct negotiations under the auspices of the United Nations. They also reaffirmed their intention of working towards that end including appropriate contacts with the parties concerned.

In pursuance of the European Council of Rhodes the Foreign Ministers of the Twelve again asked the Presidency and the Troika to make careful preparations for our contribution, by means of the appropriate contacts, to the efforts of the international community. In pursuance of that mandate the President-in-Office has maintained various contacts in the past few weeks and amongst other things has been to Israel and talked to many prominent people. The Troika of Foreign Ministers met Mr Arafat in Madrid and have just been to the Middle East, where they have held talks in Jordan, Egypt and Syria.

The question of the Middle East is a very important point on the agenda in our contacts with the United States and the Soviet Union. A comprehensive, fair and lasting solution will be possible only if the international community as a whole can agree to gather all the parties concerned round the negotiating table.

Mr Cabezón Alonso (S): I hope in any case that the European initiative will not flag or weaken until peace is secured in that part of the world.

Two brief supplementary questions. What prevented the issue of a final communiqué about the Middle East at the last meeting of the Political Cooperation Council? Is the Council in a position to state formally to the United Nations that it is possible to convene this desirable international peace conference?

Mr Solbes Mira: As regards the first point, there is no question of preventing or not preventing a statement about the Middle East at the ministers' meeting in Madrid. The Presidency's position is that actions speak louder than words and we therefore think we must persevere with this work. On this point I can tell the Honourable Member that the Madrid meeting agreed that this action on the part of the Presidency and the Troika should continue with a view to maintaining subsequent contacts which will allow us to make progress in this matter.

As regards the second point, we think it is too early to propose to the United Nations any action in this direction. The process in which we are still involved might finally lead to that.

Mr Ephremidis (COM): I have listened to the answers given by the President-in-Office, who said that he is in favour of a peaceful solution to the problem, in favour of an international conference which might help. Since there seems to be one principal obstacle to such an international conference, namely that Israel does not want participation by the PLO, the only legal representative, I ask: Would it not help to minimize or remove this objection on the part of Israel, if the Community, the Twelve, were to recognize the recently declared independent State of Palestine? Would such recognition not help our progress towards an international conference?

Mr Solbes Mira: That is correct and it is no secret. Israel's position on this matter is well known. However, I can tell the Honourable Member that after the contacts by the Presidency and the Troika with the various parties involved in the conflict certain points of detail make us more optimistic as regards the future course of events in this matter.

Mr Nielsen (LDR): Against the background of the last question I want to ask the President-in-Office of the Council: When exactly was the wording mentioned — 'the legal negotiators for the Palestinians' — formulated? When were legal negotiators on behalf of the Palestinians appointed?

Mr Solbes Mira: With regard to the position of legal representation of the Palestinians there are two opinions round the table on this subject — it must be the PLO or the Palestinians living in the occupied territories. Of course this is an essential point to settle before a conference is called, if it is eventually to take place as the Member States of the Community wish, but it seems to me that it would be absurdly premature to prejudge this point today.

¹ *EPC Bulletin*, Doc. 88/447.

² *EPC Bulletin*, Doc. 88/525.

89/056. Question No H-868/88 by Mr Pérez Royo Concerning Concrete Measures to Promote the Opening-up of the European Community Towards Central and Eastern Europe

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Could the President-in-Office of the Foreign Ministers meeting in Political Cooperation specify what measures the Twelve have considered or are considering taking during the first half of 1989 in order to enhance dialogue and cooperation with the countries of Central and Eastern Europe?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: When presenting its programme to Parliament on 17 January last the Presidency tried to define specific initiatives including the one on this subject.

The opening-up towards the East and readiness for political dialogue are based on a positive assessment of the processes of change which we regard as being in harmony with the commitments undertaken in the Helsinki Agreement and with our desire to put an end to the division of our continent, strengthening security, confidence and cooperation between States.

In this spirit the Presidency has started to put into effect the action programme approved at the European Council in Rhodes. The Presidency has thus had an opportunity to open the political dialogue with the Soviet Union by a meeting with the Soviet Foreign Minister, Mr Shevardnadze, at the closing session of the Vienna Conference. The Presidency hopes that this dialogue will not be confined to the Soviet Union.

Economic relations with the countries of Eastern Europe are gradually developing following the signature of the joint declaration on the establishment of official relations between the

Community and Comecon and the conclusion of agreements between the Community on the one hand and Hungary and Czechoslovakia on the other. The Commission has already submitted to the Council of Ministers proposals for a negotiating mandate for an agreement between the Community and Poland and one with Bulgaria.

Work within the Council has proceeded satisfactorily during the past two months and I hope that the next Council meeting on general matters on 20 February may approve these mandates so that negotiations may begin at once.

Mr Perez Royo (COM): First I should like to thank Mr Solbes for his answers and to tell him, as we have said before, that we agree with the political analysis he has just made of relations with the countries of Eastern Europe.

However, I should like some further information with regard to two specific points:

1. From the commercial points of view, he has referred to the proposal for a negotiating mandate in respect of Bulgaria and Poland. I should like to ask him also what he can tell us about a possible negotiating mandate for a treaty with the Soviet Union; and, secondly, what are the prospects of these three treaties' coming to fruition during the Spanish Presidency's term of office?

2. From the political point of view and more specifically within the framework of Political Cooperation, there is one important subject, namely security, which is mentioned in the declaration of 17 January. Is there any chance that the Spanish Presidency, the Presidency of the Council, will be able to speed up performance of a task repeatedly demanded by this Parliament, namely that of seeking a common position with regard to Gorbachev's disarmament proposals?

Mr Solbes Mira: I shall try to reply quickly to the two questions raised by the Honourable Member. As regards the first, at the moment negotiations for the mandate for the USSR are still at the level of exploratory talks between the Commission and the Soviet authorities. Of course we shall only be able to make progress on this subject once we have a proposal for a mandate from the Commission.

I shall try to reply also to your question about the timetable during the Spanish Presidency. The mandate for Poland may possibly be discussed at the next Council of Ministers. The Spanish Presidency's impression is that the mandates for Poland and Bulgaria should be approved during this half year and the mandate for the Soviet Union will depend on the course of those exploratory talks I mentioned.

If we have a proposal for a mandate long enough in advance, of course the Presidency would wish to speed up its approval so that it might be dealt with before June.

As regards the Honourable Member's second point on security questions, I should like to say simply that, in spite of the importance of this subject for all of us, it is not part of the responsibilities of Political Cooperation and in any case, of course, the limits laid down in Article 30 of the Single Act must be observed.

89/057. Question No H-874/88 by Mr Garaikoetxea Urriza Concerning Relations with Latin America

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Bearing in mind that in the area of external relations one of the priorities of the Spanish Presidency will be relations between the European Community and Latin America, can the Foreign Ministers say what steps the Community will take to help to bring about economic and political stability in Latin America, particularly in Central America?

What economic contribution can the Community make to providing appropriate assistance for the solution of the problems besetting the Latin American continent?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: First I welcome the resolution on the political situation in South America adopted by the Parliament at last January's part-session;¹ the Community and its Member States fully agree that this is a particularly opportune moment to strengthen relations with the countries of Latin America as a whole in the light of a series of promising events which have drawn both regions nearer together, particularly the establishment of democratic regimes and the putting into operation of regional integration zones.

Following the decision of the Council and of the representatives of the Member States' Governments on [22] June 1987 in Luxembourg,² the Twelve have opened a dialogue with the Group of Eight, the fourth meeting of which is planned for April in Granada.

The Spanish Presidency, with the support of its partners, is hoping to make a success of this meeting which will promote above all a better mutual understanding of the respective positions and lead to a strengthening of solidarity between the regions. This strengthening must be accompanied by an improvement in assessment and would be encouraged by a better coordination of the resources made available both by the Community and by the Member States bilaterally.

As regards Central America in particular I must emphasize the unyielding support of the Community and its Member States for the process of peace and democratization in this part of the world. The Twelve are not satisfied with the appreciation of their role as expressed by the Presidents of the countries of Central America in the Esquipulas II document. They propose to continue their sustained and concerted action so that the objectives set may be achieved and the commitments entered into by the leaders of the Central American countries may be fulfilled in their entirety.

In Hamburg during the fourth ministerial meeting, San José IV, held with the Central American and Contadora countries, we formally declared that peace, democracy and development are inseparable. In this respect we are glad to note that this year for the first time Community aid of all types has exceeded 100 million ECU. Further the Community and its Member States have declared themselves ready to make a special contribution to the realization of the economic cooperation plan for Central America adopted by the United Nations, the text of which was unanimously supported by the Twelve.

The fifth ministerial meeting, San José V, in Honduras in a fortnight's time, will no doubt lend us the opportunity to examine all existing possibilities for the Community and its Member States to reaffirm their determined support for peace, democracy, respect for human rights and economic, social and cultural development in Central America.

Finally, following the meeting of the Foreign Ministers in Political Cooperation, held yesterday in Madrid, I can add that the ministers agreed to examine all possible ways of improving cooperation, particularly with Central America, so that the instruments made available for this cooperation by the Community organizations may be better used. This is particularly important at the moment following recent events in Central America.

Mr Garaikoetxea Urriza (ARC): My sincere thanks to the President for his explanations, especially in the midst of this battery of questions with which he is bombarded. I am sorry to be repetitive, but I cannot resist the temptation to put a very specific question in view of the recent agreement of the five Central American Heads of State proposing a commission to monitor security questions with Spain and Germany as members together with other countries and organizations.

Can he give us any information on the specific ideas which they may have in that context — above all as regards Nicaragua and El Salvador — about the peace process, the ending of the war in Nicaragua or bringing the elections forward?

Mr Solbes Mira: Of course I could only give a purely personal opinion at the moment, not having enough facts to make an appropriate assessment. I think such an assessment would be

premature and might rather lead us astray than allow us to draw conclusions. The subject is to be analysed by European political cooperation and we shall be able to judge in the future. When we have discussed matters with our partners we shall be able to inform Parliament of the final result which we hope may be obtained from these undoubted improvements.

Mr McMahon (S): Would the Commission care to provide additional information, and enlighten the House as to the Community's involvement in the plan for Central American integration which was very extensively reported in *La Nacion* in Costa Rica during the most recent meeting of the delegation from this Parliament and the representatives of the Latin American Parliament? Could the President-in-Office give us some information as to the extent of Community involvement in this scheme?

Mr Solbes Mira: The Commission's intention to support the intra-Central-American trade expansion plan is very interesting. The Central American countries have submitted this plan to us. The Commission's favourable opinion will help us to make progress in discussing it. The Council is dealing with this subject and I hope we shall be able to take some steps forward before the next meeting which will take place in San Pedro de Sula between the Community and the Central American countries.

Mr Cervera Cardona (NI): The foreign affairs aspect of the Spanish Presidency has been one of the topics most frequently discussed in the past few weeks, including of course the Latin-American aspect, which is regarded as the great missing factor in Spain's Treaty of Accession to the Communities.

I should like to know whether the Spanish Presidency has any plan for carrying out multi-annual programmes with the subcontinent for technological development and promoting the creation of joint ventures or for tariff preferences from the European Community for the whole of Latin America.

Mr Solbes Mira: I appreciate the Honourable Member's point, but I do not agree with him. I do not think that Latin America is the great missing factor in Spain's Treaty of Accession to the Community, since it is the first document in which Latin America is introduced into one of the texts on which this Community is founded.

Since then important work has been done in drawing the Community closer to Latin America, but in my capacity as President I can only tell you now that the Spanish Presidency has no specific plan since any proposal for action on the subject of Community powers is a matter for the Commission.

¹ OJ No C 47 of 20 February 1989, pp. 28-32.

² EPC Bulletin, Doc. 87/227.

89/058. Question No H-886/88 by Mr Selva Concerning the Repression of the Demonstrations in Memory of Jan Palach

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What have the Foreign Ministers done, or what do they intend to do, following the brutal suppression of the demonstrations in Prague in memory of the sacrifice of Jan Palach?

More specifically, do the Foreign Ministers not think it appropriate to make normal relations between a Comecon country, such as Czechoslovakia and the EEC, and between the EEC and Comecon, dependent upon a rigorous respect for fundamental human rights, including of course the right of citizens to meet peacefully, in accordance with the Helsinki Accords and the agreements arising therefrom, reaffirmed at the last meeting in Vienna of the Conference on Security and Cooperation in Europe (CSCE)?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The incidents mentioned by the Honourable Member in his question are matters of concern to the Twelve. We are always calling attention to the human rights agreements signed by Czechoslovakia within the context of the CSCE. Some Member States have also done so bilaterally.

The Presidency would also point out that in the past the Twelve have made representations on the question of human rights in Czechoslovakia.

Mr Selva (PPE): Mr President, even though your reply was very brief, I thank you, and I should like to ask you two further questions.

Is the Council of Foreign Ministers aware that on 21 February the writer, Havel, will be tried for having placed flowers on the spot where Jan Palach was put to death?

Is the Council of Foreign Ministers meeting in Political Cooperation aware that the Czechoslovakian parliament has approved and strengthened repressive legislation in regard to public demonstrations?

Mr Solbes Mira: Very briefly too, I can say that the Ministers meeting in the framework of Political Cooperation are aware of this and have expressed their concern.

Mr Zournatzis (DR): I would like to ask a supplementary to Mr Selva's very well-considered question. What moral right do the Community and its organs have to concern themselves with the suppression of human rights in a third country like Czechoslovakia, when we ourselves do not set an example of respect for fundamental human rights in the Community's Member States, where there are still political prisoners, or to put the same question in biblical terms: Why do we see the mote in our brother's eye when we ignore the beam in our own?

Mr Solbes Mira: I did not exactly hear your question. Of course there is a moral concern about human rights both inside and outside the Community. Internally of course I am not fully conversant with all the Community's actions. Externally it may be said that it is a matter of permanent concern and activity on the part of the various Member States of the Community.

89/059. Question No H-889/88 by Mr Moorhouse Concerning Chemical Weapons

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Is any action taken to ascertain whether any person or persons based within the European Community is/are assisting the Iraqi or Libyan Governments in the production of chemical products for use in war? If so, what further action is proposed?

Answer:

The Community's position on chemical weapons is well known. At the recent Paris Conference on Chemical Weapons,¹ the Twelve again expressed an opinion (as did the European Parliament in its resolution of 19 January²) in favour of the speedy conclusion of a global, comprehensive and verifiable agreement, banning the development, production, stockpiling and use of chemical weapons and calling for their destruction.

In particular, they are in favour of measures to prevent the proliferation of chemical weapons and the voluntary limitation of exports of materials for their manufacture until an agreement completely banning chemical weapons has been concluded.

In addition the Twelve are exchanging views and information on this subject.

¹ Conference on the Prohibition of Chemical Weapons, Paris, 7-11 January 1989.

² Resolution on the Proliferation of Chemical Weapons, *OJ* No C 47 of 20 February 1989, pp. 130-131.

89/060. Question No H-901/88 by Mr Kolokotronis Concerning Amnesty International and Human Rights in Turkey

Date of Issue: 15 February 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

In its recent report Amnesty International describes progress in human rights in Turkey as disheartening. It also stresses that the Turkish Government has taken no genuine steps to improve the appalling human rights situation in the country.

In the context of EC-Turkish relations, how do the Foreign Ministers meeting in Political Cooperation view the Turkish Government's lack of progress in restoring democracy?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: As indicated in answers to previous questions, the Twelve are closely following the process of democratization in Turkey and have made known very clearly to the Turkish Government their long-standing concern about violations of human rights and hope that Turkey will comply with the commitments freely entered into within the framework of the conventions of Human Rights of the United Nations and of the Council of Europe.

Mr Kolokotronis (S): I have before me the text of the report by Amnesty International. We are talking here about massive contravention of human rights. Indeed, the text speaks of thousands of detainees, etc. Is all this compatible with what Turkey is claiming, or with what we ourselves say about progress towards democratization, and is it compatible with a trend towards normalization of relations with the EEC?

Mr Solbes Mira: Of course the Council follows with great interest the various reports about developments in these matters in Turkey. Along with these negative factors we also consider progress in other fields although the situation remains very serious, for example the fact that the article of the penal code laying down severe prison sentences for certain political activities is still in force. In any case I can assure the Honourable Member that the various representations made on behalf of the victims of Turkey's democratic shortcomings will continue and be intensified so as to encourage any activity which will enable democracy to bloom in Turkey.

89/061. Question No H-903/88 by Ms Quin Concerning Political Prisoners in Iran

Date of Issue: 15 February 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

When did the Foreign Ministers last discuss the situation of political prisoners in Iran?

Were any representations made by the Community at the reported executions in Iran of:

Fatemeh (Simin) Modares;

Kiomars Zarshenas;

Sa'eed Azarang;

Faramarz Sufi;

Anoushiravan Ebrahimi;

Anoushiravan Lotfi?

Answer:

As they have stated before this Parliament on previous occasions, the Twelve follow closely and constantly the human rights situation in Iran. They are aware of reports on increasing numbers of executions. In various recent bilateral contacts they have expressed their concern to the Iranian authorities.

The Twelve have unanimously supported the appeals of the international community to Iran as expressed in the resolution on Iran adopted by the 43rd UN General Assembly. They particularly support the demand that the UN Special Representative for Human Rights should be allowed to visit the country and to examine the allegations.

89/062. Question No H-912/88 by Mr Graziani Concerning the Detention of the Chilean Mountaineer Karin Eitel Villar

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Do the Foreign Ministers meeting in Political Cooperation intend to ask the Chilean Government to:

- put an immediate end to the solitary confinement of the Chilean mountaineer, Karin Eitel Villar, a tireless champion of human rights;
- give specific guarantees as to her physical and mental well-being, which appear to be at serious risk, and, above all, to allow international humanitarian organizations to visit her in prison;
- guarantee an immediate public trial, open to international observers, which would respect the rights of the defence?

Answer:

The Honourable Member is well aware of the Twelve's position on human rights and fundamental freedoms as well as their attachment to the respect for these universal values.

The Twelve have on numerous occasions urged the Chilean Government to take the necessary steps to ensure the full respect for the rights of the Chilean people.

The Presidency would like to thank the Honourable Member for the information he has supplied in connection with this particular case.

89/063. Question No H-920/88 by Mr Ephremidis Concerning the Cyprus Question

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Can the Foreign Ministers meeting in Political Cooperation confirm that the representatives of France, Italy, the United Kingdom and Germany held a meeting on the Cyprus question and, if so, at what level and in which context was this meeting held?

Do the Ministers agree that such a meeting constitutes a clear infringement of Article 30 of the Single European Act, given that the Cyprus question is an issue in which the institutional bodies of the European Community have been repeatedly involved, and that it differentiates between Member States in the decision-making process?

Answer:

On the Cyprus question the Twelve have for a long time had a common position, which has been made clear to the European Parliament on numerous occasions and which was reiterated by the European Council in Rhodes. This position has also been voiced within the competent international bodies, most recently in the speech by the Greek Presidency on behalf of the Twelve to the UN General Assembly.

89/064. Question No H-923/88 by Ms Dury Concerning the Belgian Hostages in the Middle East

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

At its January part-session the European Parliament adopted a resolution appealing to European solidarity and diplomacy to find a solution to the fate of the Belgian hostages held in the Middle East.¹

Has this appeal been taken up by the Foreign Ministers meeting in Political Cooperation and have any steps been taken to resolve the issue?

Answer:

The Twelve are aware of the resolution of the European Parliament. They have repeatedly condemned the holding of hostages and appealed for the immediate release of all of them. They give their full support to the efforts of individual partners undertaken to free the hostages and reaffirm their principles of no concessions under duress to terrorists or their sponsors.

¹ Resolution on Belgian hostages in Lebanon, *OJ* No C 47 of 20 February 1989, pp. 131-132.

89/065. Question No H-926/88 by Mr Piquet Concerning the Respect for Human Rights in Iran

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

In its resolution of December 1988¹ the European Parliament requested the Community Foreign Ministers to 'raise these issues with the Iranian Government and unite their efforts to save the lives of political detainees in Iran by exerting strong pressure on the Iranian Government'.

The Iranian Government is carrying out mass executions of hundreds of thousands of political opponents and torturing and ill-treating political detainees.

What practical measures do the Foreign Ministers intend to take in response to this urgent request by the European Parliament?

Answer:

The Twelve are also aware of paragraph 7 of the European Parliament's resolution of 15 December 1988. As already stated in the answer to Ms Quin's question (H-903/88),² the Twelve follow closely and constantly the human rights situation in Iran. In the course of bilateral contacts they have accordingly expressed their concern to the Iranian authorities and intend to do so again in the future.

They give their full support to the appeals directed to the Iranian Government by the international community, especially in the resolutions of the United Nations, and they share the concern of the European Parliament.

The Twelve intend to continue their efforts to help improve the human rights situation in Iran.

¹ Resolution on Iran, *OJ* No C 12 of 16 January 1989, pp. 148-149.

² *EPC Bulletin*, Doc. 89/061.

89/066. Question No H-928/88 by Mr Robles Piquer Concerning Political Prisoners in Nicaragua

Date of Issue: 15 February 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

The Foreign Ministers replied to my Oral Question H-721/88¹ (ultimately tabled in written form) with banalities which testify to their admirably fine sentiments.

Would they be kind enough to reply in more precise terms, and confirm or deny reports from many of their embassies in Nicaragua that that country is holding thousands of political prisoners, as claimed in a document issued by the Nicaraguan Human Rights Association based in Costa Rica?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: In its answer to Oral Question H-721/88 the Presidency did not wish to give figures, which are so often a matter of controversy, without informing the Honourable Member and the European Parliament of the representations it has made to the Central American Governments to urge them to take all steps to enable the peoples of the region to enjoy full political liberties. The Twelve have brought their concern to the attention of the Government of Nicaragua, which for its part has accepted that a study should be carried out by the Inter-American Commission of Human Rights to decide case by case the status of the various prisoners.

Mr Robles Piquer (ED): In my last question I stressed with some irony that the answer was full of banalities testifying to the Foreign Ministers' admirably fine sentiments. I therefore asked for details. This very morning the Nicaraguan Government announced that it would release three thousand political prisoners, which means that my question made full sense since the Nicaraguan Human Rights Association, based in Costa Rica, states that there are more than five thousand political prisoners. My question was — and still is — whether the Council, which can consult the Community embassies in Managua, can confirm this high figure, since although they are releasing three thousand prisoners there must still be more than two thousand left.

Mr Solbes Mira: The Twelve have never reached a single objective estimate of the figures. There are difficulties of all kinds in reaching agreement on this point. Moreover the Twelve have always thought that it was much more important to press the Nicaraguan authorities about these

prisoners' conditions rather than to assess their numbers. I think the Council's approach is still well-founded and that it is more important to give greater attention to the latter point than to the former.

¹ *EPC Bulletin*, Doc. 88/520.

89/067. Statement Concerning the Declaration Adopted by the Five Central American Presidents at the Summit Meeting in El Salvador

Date of Issue: 16 February 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve welcome the declaration adopted by the five Central American Presidents after the summit meeting in El Salvador on 14 February.

They consider it an important step forward in the process of full implementation of the Esquipulas Agreements. They particularly welcome the announcement by the Nicaraguan Government of its decision to call for free and general elections within one year, with the presence of international observers in the context of a programme of measures conducive to national reconciliation. They equally wish to stress the importance of the agreement to elaborate a joint plan for demobilization and voluntary resettlement and repatriation of the members of the Nicaraguan resistance and their families.

They also note the Presidents' appeal to all sectors, and particularly to insurgent movements and irregular forces acting in the area to join the constitutional political processes in their respective countries, as well as their call to all sectors of Salvadorian society to participate in the forthcoming elections.

The Community and its Member States note the appeal to the European Community contained in the declaration concerning the programme for economic integration in the Central American isthmus. They look forward to discussing in the coming meeting of San Pedro Sula the concrete forms of their economic and political contribution to the peace process in the area.

89/068. Statement on the Iranian Threats Against Mr Rushdie and his Publishers

Date of Issue: 20 February 1989
Place of Issue: Brussels
Country of Presidency: Spain
Source of Document: Foreign Ministers
Status of Document: Declaration

The Ministers of Foreign Affairs of the twelve Member States of the European Community, meeting in Brussels on 20 February, discussed the Iranian threats and incitement to murder against novelist Salman Rushdie and his publishers, now repeated despite the apology made by the author on 18 February.

The Foreign Ministers view these threats with the gravest concern. They condemn this incitement to murder as an unacceptable violation of the most elementary principles and obligations that govern relations among sovereign States. They underline that such behaviour is contrary to the Charter of the United Nations.

They believe that fundamental principles are at stake. They reaffirm that the Twelve have the fullest respect for the religious feelings of all peoples. They remain fully committed to the

principles of freedom of thought and expression within their territories. They will ensure protection of the life and properties of their citizens. In no case will they accept attempts to violate these basic rights.

The Twelve express their continuing interest in developing normal constructive relations with the Islamic Republic of Iran, but if Iran shares this desire, it has to declare its respect for international obligations and renounce the use or the threatened use of violence.

Meanwhile the Foreign Ministers of the Twelve decided to simultaneously recall their Heads of Mission in Teheran for consultations and to suspend exchanges of high-level official visits.

The Iranian authorities will be informed of the above in the hope that the universal values of tolerance, freedom and respect for international law will prevail. The Twelve look to the Iranian authorities to protect the life and safety of all Community citizens in their country.

89/069. Statement at the Forty-Fifth Session of the United Nations Commission on Human Rights

Date of Issue: 22 February 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Statement in International Forum

Mr Fernández Ordoñez: Allow me, Mr Chairman, to start by expressing the pride the Twelve feel in having you presiding over our work. It is not an easy task to be the successor to Ambassador Sene, whose wisdom and talent were once again patent during the last session. We wish you success in the conducting of the current session, and we ask you to extend our best wishes to the rest of the officers of the 45th Session of the Commission on Human Rights.

Mr Chairman, since this is the first time that the twelve Member States of the European Community address the Human Rights Commission through a single voice, allow me to recall before this important body of the United Nations that respect for human rights is one of the cornerstones upon which European cooperation has been built over the past thirty years.

The recognition of the inalienable rights and the essential dignity inherent to the human condition is deeply rooted in our European heritage. From our Greek and early Christian thinkers, medieval humanists and modern reformers, we share a rich and varied moral, intellectual and legal tradition, of which the 200-year-old *Déclaration des Droits de l'Homme et du Citoyen* — that the French Prime Minister so eloquently recalled only a few days ago before this forum — is one of the most significant examples.

As we laid down in the 1986 Brussels Ministerial Statement¹ and have reaffirmed on many different occasions since then, the Twelve are deeply committed to the respect, protection and further promotion of human rights and fundamental freedoms, in the context of the principles of parliamentary democracy and the rule of law. It is in line with this tradition and this commitment that I take the floor before you today.

Mr Chairman, last December the international community commemorated the 40th anniversary of the Universal Declaration of Human Rights. The Twelve then reconfirmed that recognition of the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace.

As the then Presidency of the Twelve stated before the General Assembly of the United Nations on that occasion, respect for human rights has become a moral, a normative and a political imperative. Governments that choose to violate fundamental rights and freedoms erode their legitimacy. We thus consider the defence and promotion of universally accepted human rights as the duty of the world community and of every nation. We are also of the view that the catalogue of rights included in the Universal Declaration of 1948 is an indivisible whole and cannot be subject to hierarchization, selectivity or ideological evaluation.

Consequently, the Twelve attach essential importance to the respect of human rights and fundamental freedoms in their relations with other countries. Moreover, it is our firm conviction that raising human rights issues and expressing concern for violations of internationally recognized rights cannot be considered interferences in internal affairs. As the International Court of Justice has pointed out, 'The principles and rules related to fundamental rights of the human being represent obligations for governments towards the international community as a whole'.

We do not, however, set ourselves as examples or believe human rights protection has no flaws within the Twelve. In addition to the binding international human rights instruments of the United Nations, we adhere to the strict Council of Europe legal binding conventions. Frequently, there are cases brought against us before the European Human Rights Commission and the European Court of Human Rights in Strasbourg.

Mr Chairman, the Twelve consider that a great deal of progress has been achieved on the route towards full recognition of human rights in the last 40 years, due in large measure to the efforts of the United Nations. Old disputes — about Article 2(7) of the Charter, for example — have been shelved. Decolonization and the enshrinement of the right of peoples to self-determination have changed the face of the world. A new awareness of each person's rights as an individual and as a member of a political and cultural community is present today in every corner of our planet. A new solidarity among peoples is also a major new development. At the same time we experience a widespread growth of non-governmental organizations concerned with human rights, a good number of which contribute highly to the work of this Commission. Governments engaged in human rights abuses have to confront the fact that individuals have acquired substantial rights under international law.

More specifically, the Twelve observe that the fight for human rights has made progress in different areas of the world during the last decade. In several continents, among them Latin America, political regimes based on the omnipotence of the State, with near total disregard for the individual, have been replaced by elected governments aware of their obligations concerning human rights. The Twelve welcome this development which must be irreversible, in spite of the problems some of these countries face in the implementation of effective guarantees for the protection of those rights and the full democratization of their State apparatus and society.

The Twelve also follow closely the changes that can be observed in the human rights concepts and the trends towards improved respect for human rights in some, although regrettably not all, Eastern European countries. These changes facilitated the adoption only a few weeks ago, in Vienna, of a CSCE concluding document, a development of great potential significance, which provides the 35 participating States with more precise criteria to implement and monitor a genuine respect for fundamental human rights. It would be highly desirable if similar developments as those occurring in various degrees in Hungary, the Soviet Union and Poland were to take place in other countries in that region as well.

The Twelve would like to stress that human rights are not only a European or Western concern. Human rights are universal and the unacceptable limitations or qualifications that some governments choose to impose upon them, in defiance of international law can have no moral, philosophical, ideological or cultural basis.

Mr Chairman, but systematic violations of human rights continue to be the rule in many areas of the world. In the last months, we have all greeted with enthusiasm scores of positive events relating to cease-fire agreements, troop withdrawals and disarmament progress. This improved international climate should foster increased concern over human rights violations and a new determination to end them. The effective implementation of accepted standards is now one of the strongest challenges the international community has to face. The Twelve consider that this Commission on Human Rights plays a central role within the system developed during the last 44 years by the United Nations for this purpose.

The codification of universally accepted norms in which the Commission has been involved is one of the most significant achievements of the United Nations. Starting with the 1966

Covenants, a comprehensive conventional framework has been developed, aimed at securing an even stronger commitment by the State parties in protecting fundamental rights and abolishing the most hateful practices. We call upon all States that have not yet done so, to become party to both Covenants, and stress the importance of making the procedure of their specific monitoring bodies as effective as possible. But even for those States not being party to any human rights Convention, compliance with human rights and fundamental freedoms as embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, and as reflected by international customary law, is nevertheless a universal obligation.

The normative body of international human rights law elaborated by this Commission will have a welcome and much-needed addition when, hopefully during the present 45th session, the International Convention of the Rights of the Child and the second Optional Protocol of the Covenant on Civil and Political Rights on the Abolition of the Death Penalty will be finished. Other instruments like the Declaration on Human Rights Defenders have also reached a mature stage. We consider there should be norms — operative and effective ones — where the need is felt, but keeping in mind that our objective is the eradication of abuses and the effective implementation of standards, not the norms themselves.

This Commission also plays an unprecedented role in the channelling of world concern over human rights abuses and, in fact, articulates the moral and legal obligation on human rights. With the help of the many non-governmental organizations active in this field, it has become a forum for denunciation of human rights violations before an ever-increasing audience. And over the years, it has likewise developed various mechanisms for the process of inquiry and investigation of alleged human rights violations that have gained acceptance as fundamental tools for the improvement of respect for human rights in many countries.

In our view, it should now strive to become more efficient in the task of effectively promoting and implementing accepted human rights standards throughout the world. Improving established mechanisms should now be our main objective. In this connection, we support the efforts towards rationalization of the work of the Commission, and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, starting with those aimed at speeding up the procedures. We also believe that the United Nations should assign a growing part of the budget to human rights activities, particularly to the Human Rights Centre. In this connection, the Twelve support that the treaty monitoring bodies should have sufficient financial resources to perform their important tasks. The United Nations and its member States have a common responsibility in this respect.

The Twelve were happy to hear on the opening day of the present session — conveyed, Mr Chairman, by your own authorized voice — that the financial difficulties that human rights activities at the United Nations have undergone in the past years will soon be over. We support the plans of Under-Secretary Martenson to foster human rights activities, and, in particular, the timely campaign launched this year to raise the level of human rights consciousness throughout the world.

In this context, allow me to refer in particular to three of those mechanisms of this Commission which, in our opinion, have proved to be of particular relevance to the effort of effectively implementing accepted human rights standards: Special Rapporteurs, the mechanism instituted by ECOSOC Resolution 1503, and the Advisory Services.

The Twelve are particularly attached to the institution of Special Rapporteur or Special Representative. In our view, it has proved to be a key instrument complementary to the other mechanisms available to the Commission and to the system of supervision and control of the Human Rights Treaty monitoring bodies. One means of promoting and supervising the implementation of human rights must not exclude another. We deem that the institution of the Special Rapporteur should be further strengthened through a reinforcement of the material and moral means at its disposal.

'Thematic' rapporteurs, though the most recent institution of the Commission, have proved to be very useful in contributing to the awareness of governments and public opinion to human

rights questions by providing a shivering panorama of the extent to which such unlawful practices as torture, enforced or involuntary disappearances, summary executions or religious intolerance are spread.

We welcome the decision of ECOSOC to extend to two years the mandate of thematic rapporteurs. We also appreciate a better disposition of governments to cooperate with them. On the other hand, the mentioning of a specific country situation by a thematic rapporteur within his mandate should not be interpreted as though there were grave and mass violations taking place in that country.

In regard to country rapporteurs, the Twelve consider that the appointment of a rapporteur to investigate a particular situation should be based on objective reasons and avoiding geographical selectivity. They should be nominated without any political considerations when a serious, massive and continued violation of human rights is thought to be taking place in a particular country. The country rapporteur should not allow the degree of cooperation offered by the governments concerned to influence unduly his conclusions. We believe that both at his work in the Centre for Human Rights and — especially — on his trips to the country under examination, the country rapporteur needs to be adequately assisted and protected by the Organization of the United Nations.

The second relevant mechanism to which the Twelve attach particular importance is the confidential procedure established by ECOSOC Resolution 1503. It has proved an effective means of inquiry into alleged violations at the initiative of individuals or non-governmental organizations that would have been otherwise difficult to investigate. As with the rapporteur system, the Twelve believe there is room for improvement. This procedure implies, by its very nature, a willingness to cooperate with the Commission on the part of government concerned. Shouldn't cases concerning non-cooperating governments, such as that of Albania, be dealt with in public?

As to the Advisory Services, we consider them important as a potential preventive mechanism as well as a way to assist countries in the transitional process to democracy and the rule of law, but it does not seem advisable that this Commission resorts to the Advisory Services as a way of avoiding responsibilities in the cases of serious or systematic violations.

We express our support to Under-Secretary Martenson's intention of reinforcing Advisory Services at the Human Rights Commission.

Mr Chairman, from a more general point of view, the Twelve deplore the politicization which has often undermined the work of the Commission and of the Sub-Commission. The strengthening of the degree of technical competence in the approaches and analysis, the clear differentiation between the expression of genuine concern for human rights in a given country and any forum of political or ideological confrontation is, in the opinion of the Twelve, essential for the sound development of the work and for the prestige of the Commission and what it represents. *A sensu contrario*, we find it disturbing that in some occasions, the investigation of alleged and well-documented human rights violations should be made impossible by reactions of geographical or ideological solidarity.

Some years ago, the Commission was accused of 'selectivity'. It is still obvious that there are many human rights violations, in some cases very serious, that for some reason or another this Commission has never had the chance to consider. The Twelve understand that, although the spirit of cooperation and understanding must always preside over the work of the Commission, the seeking of a consensus solution to all problems raised should not become an objective that may thwart our main function of striving for universal implementation of internationally accepted norms on human rights.

Mr Chairman, an overview of the agenda for the 45th session reveals the tenacious persistence of hateful practices and abuses on the life and dignity of men that the efforts of the international community have not yet been able to eradicate. The Twelve reject and condemn the persistence of the system of apartheid. I shall not enumerate here the frequent diplomatic *démarches* and public statements made by the Twelve in the last months in denunciation of the constant

violations of human rights in South Africa. The Twelve continue their common policy towards the dismantling of the system of apartheid through peaceful means and have repeatedly indicated to the authorities in Pretoria that persistence of violations of human rights and fundamental freedoms will further severely strain the relations between the Twelve and South Africa.

We believe that the Human Rights Commission is pre-eminently the forum to deal with specific human rights violations. It does so under many different agenda items. We would not wish to go into detail on this, but would refer to the statement of the Twelve in the Third Committee of the General Assembly last November.² In that statement the Twelve dealt extensively with specific human rights violations. We follow the human rights situation in Cyprus and East Timor with interest. We would like to see a solution to the problems there.

We continue to be concerned about the human rights situation in those countries where this Commission has appointed a Special Rapporteur or a Special Representative — Iran, Afghanistan, Chile and El Salvador. In the case of Iran, we are especially concerned by recent reports about the increase of indiscriminate executions, particularly of political prisoners opposed to the regime, and the arbitrary detentions and persecution of minorities. The offer from the Iranian authorities to cooperate with the Special Representative is a positive development. However this cooperation has to be complete and should include a full response to the numerous and serious allegations of human rights violations as well as visits to the country to enable *in situ* investigations.

At its last session, this Commission decided to accept the invitation of the Cuban Government to establish a visiting mission to Cuba in order to verify certain allegations of human rights violations. The Twelve appreciate the cooperation lent by the Cuban Government to the mission. The Twelve await with interest the imminent release of the report and look forward to a thorough discussion.

The Twelve have repeatedly stated at the United Nations their position on the human rights situation in the occupied territories, which has seriously deteriorated in the past fourteen months, with the unnecessary loss of life and human rights abuses that the repression of the Palestinian uprising has brought about. The Twelve reiterate that the Fourth Geneva Convention is applicable in this case. We hope that the opportunities arising for an over-all political solution will lead to the convening of an international conference to find a just and lasting solution based on the right of Palestinians to self-determination with all that this implies, and the right of all States in the region, including Israel, to exist within secure and recognized boundaries.

¹ *EPC Bulletin*, Doc. 86/230.

² *EPC Bulletin*, Doc. 88/452.

89/070. Statement Concerning the Maghreb Summit

Date of Issue: 23 February 1989
 Place of Issue: Madrid
 Country of Presidency: Spain
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve express their satisfaction at the second summit of States of the Maghreb held in Marrakesh, and they welcome the conclusions adopted as a result of the meeting.

The treaty establishing the Maghreb Arab Union, signed by the Heads of State, is welcomed by the European Community and its Member States, who have always had the greatest interest in this neighbouring region and who have encouraged any effort towards strengthening inter-Maghreb cooperation and stability.

The Twelve believe that this historical step for the people of the Maghreb will permit a mutually advantageous development of relations between the Community, its Member States and the Maghreb. In this regard, the Community could envisage complementing the construction of the Maghreb Arab Union by cooperation on matters of mutual interest.

The Twelve hope that the inter-Maghreb cooperation can also facilitate the efforts undertaken by the Secretary-General of the United Nations and his Special Representative, as well as by the parties concerned, to open the way for a just and lasting settlement to the Western Sahara Conflict.

89/071. Statement Concerning Press Censorship in South Africa

Date of Issue: 24 February 1989
Place of Issue: Madrid
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve have repeatedly expressed to the South African Government their concern for the press censorship prevailing in South Africa. The suspension for three months of the newspapers *Grassroots* and *New Era*, in spite of the *démarche* by the Twelve carried out last 9 February, means an act which seriously erodes the freedom of expression, and which does not contribute to the improvement of the present situation.

89/072. Statement at the Ministerial Conference of San Pedro Sula on the Political Dialogue Between the Countries of Central America, the European Community and its Member States and the Countries of the Contadora Group

Date of Issue: 27 February 1989
Place of Issue: San Pedro Sula, Honduras
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Statement in International Forum

Mr Fernández Ordóñez [Unofficial translation from Spanish]: We have all met today in a country, Honduras, which has been and is a symbol of Central American unity, as reflected in Morazan's ideal, that still indelibly marks the soul, the feeling of solidarity and the idea — perhaps Utopian, perhaps possible — of every project for integration. It is equally appropriate to recall that the National Constituent Assembly of the Central American Confederation, which was to give shape to the United Provinces of Central America, based on the ancient Captaincy-General of Guatemala, was to lay down the total abolition of slavery on 24 April 1824. It thereby set itself ahead of many European and American countries, reluctant to put an end to something that so deeply affected human freedom.

We are now coming up to the Fifth Ministerial Conference on the political dialogue and economic cooperation among Central America, the European Community and its Member States and the countries of the Contadora Group. That means that we have gone through five San José conferences. There is a structure for the Europe-Central America dialogue, a structure for economic cooperation between Europe and Central America. We have established a significant measure of economic contacts. Europe today has a role in Central America that would have been hard to imagine only a few years ago. The logical consequence is that we must take advantage of this context of dialogue and cooperation established between the two regions.

It is right to direct one's attention to the ground we have covered, and recognize what has been accomplished. But it is not enough.

The structure of contacts that has been created might be more efficient.

What we have achieved is no more than a beginning, and a stimulus towards the path lying before us, along which new problems will arise, which we shall have to face.

Nor should we forget that this process of *rapprochement* among our peoples is not a matter of chance. It responds to the profound nature of the historical and cultural links between Europe and Central America. The distance, the mutual ignorance, of the past were not normal: we are now returning to the desired level of communication among our peoples.

We aspire to a new framework of relationships in which the solutions to economic problems, the importance of which is basic and fundamental, is not an end in itself, but instead the means, the instrument, to secure more integrated, more human relationships, with more solidarity and less dependency. This presupposes the absence of impositions of any sort whatever in the dialogue between the Central American countries and the European countries.

In this sense, it is always good to recall the fundamental ideas of the cooperation agreement between the Community and the countries of the Central American isthmus, which entered into force on 1 March 1987. The following considerations may be derived from its preamble:

1. The negative effects that the world economic situation has brought about in the Central American area.
2. The political will to establish a new structure of economic dialogue and integrated development.
3. The importance of Central American regional integration as a basic condition for development, stability and, I would add, for peace.
4. The desirability of establishing between the two regions the widest possible economic cooperation, not excluding a priori any area whatever, and taking the specific features of each Central American country into account.
5. The expression of the democratic values that can strengthen these relationships, to the fore among them respect for the fundamental rights of the person, later brought together in the Esquipulas II Agreements.

We cannot forget that Central America has in the last ten years gone through perhaps the worst crisis in its history since the break-up of the United Provinces. At this moment there is a real possibility of coming out of this crisis. The problems of the past should show us the enormous human and material cost of the chances for peace that have been lost. Over these ten years, many opportunities have been missed. The consequence has been the continuation of the conflict that has gone on bleeding Central America.

But there is still a window for peace. Perhaps some of the problems of Central America are not so insoluble. Perhaps by considering them with a certain statesmanlike view and, as the cooperation agreement mentioned earlier states, with a vision of the general interests of the region and of each country, the needful flexibility and political vision to arrive at agreements can be secured.

It is interesting to note that the successive San José conferences have been bound up with advances in the peace process and in integration in the region.

San José I in San José de Costa Rica in September 1984 was preceded by the setting up of the Contadora Group, the Cancun declaration and the first version of the Contadora Act. The signature of the cooperation agreement between the two regions coincided with San José II in Luxembourg in November 1985. The Esquipulas I declaration and the fourth and last version of the Contadora Act came before the Guatemala meeting, San José III, in February 1987. In January 1986, entry of Spain and Portugal into the European Community brought a stimulus to relations between the two regions. The Arias Plan and the historic agreements of 7 August 1987, better known as Esquipulas II, and the Alajuela summit of presidents, decisively influenced the

Hamburg meeting, San José IV, at which the ministers of the Twelve firmly supported the Guatemala process. By then the cooperation agreement signed in Luxembourg had already entered into force.

We are living through a particularly delicate situation in Central America, in which a multitude of national and regional events are occurring which may accelerate a constructive process and open up channels of understanding and dialogue leading to peace. There is a generalized consensus among the protagonists, inside and outside the area, that the most suitable solution, and perhaps the only one, for the Central American conflict continues to be the complete fulfilment of the 1987 Guatemala agreements.

Accordingly, we are now seeing a resurgence of Central American political will, manifested tangibly in the following facts:

- the meeting of the five Central American Foreign Ministers with the Secretary-General of the United Nations on the 8th of last month, at which the Central American Ministers of Foreign Affairs reached an agreement on the topic of verification in security matters. Additionally, at the meeting of the Esquipulas Executive Committee on the 9th, the Foreign Ministers publicly expressed the desire to meet the commitments of Esquipulas II;
- greater flexibility in negotiating positions in the area makes possible more thorough dialogue, which allows one to cherish the hope that democratic elections may be held in all the countries in a not too remote future.

For all these reasons, I wish to stress the importance of the agreements the Central American presidents reached at the El Salvador summit a few days ago:

1. The commitment taken on by Nicaragua to hold free general elections not later than February 1990 by guaranteeing the free operation of the communications media and the setting up of a supreme electoral council with balanced participation by opposition political parties.
2. The commitment by the Central American presidents to work out in a period of not more than 80 days a joint plan for de-mobilization, repatriation or voluntary relocation in Nicaragua and third countries of the members of the Nicaraguan Resistance and their families, with previous freeing of prisoners, with a view to contributing towards creating the conditions for putting the aforesaid plan in practice.
3. The call on all sectors, in particular in the insurrectionary movements and irregular forces operating in the area, to join with the constitutional political process in each country, and the call on all Salvadorian sectors to take part in the forthcoming elections.
4. The plea made for support of economic integration in the Central American isthmus.

Full application of the commitments reached in Esquipulas in the spirit of this El Salvador declaration may be the future key to successfully coping with the Central American crisis.

For this, it is not enough to reach these agreements; they must be complied with. This compliance must be in good faith, displaying the necessary political will and essential mutual trust. The international community is waiting for Central America. Central America now has a historic opportunity to give the image of a set of countries capable of arriving by themselves at political solutions to their problems, capable of setting up a real process of pacification, capable of dialogue among themselves without reservations, capable of affirming a process of democratization, capable of sustained social progress in favour of greater political stability. If they do so, their international image will be profoundly transformed. It will no longer be that of a weak region, incapable of holding back the river of blood, of injustice, that has been flowing through it all these years.

In all of this process, Europe is aware of its responsibilities and wishes to act in accordance with them. Central America must know that this endeavour towards democratization and pacification will enjoy full European support. This support may logically be fuller and give more effective results the more advance there is in this twofold process towards peace and democracy.

What is Europe bringing to Central America? It is not bringing interference, it is not bringing manipulation. It is bringing only an old idea: that of respect.

But allow me to recall here what I have already said on other occasions: our clear commitment to political support for democracy in Latin America and for solution to the Central American conflict does not correspond to the level of our economic support.

There has none the less been some progress in this area.

We have embarked on a series of specific actions to meet the requests made of us by the Central American countries, directly and through international bodies. This is part of a context of progressive definition of a specific cooperation policy.

As from the budget year in course, the Community will devote a specific chapter to cooperation with Latin America, the most substantial effort in which will concentrate on Central America.

From 1984 to date, we have almost tripled the figure of Community cooperation in Central America, amounting in 1988 to 135 million dollars.

At bilateral level, in 1988 cooperation programmes financed by the Member States exceeded another 350 million dollars.

In 1989, if our forecasts are fulfilled, there will also be a substantial advance in aid from the Twelve to this region.

Commercial exchanges between our two regions, however, are not producing the satisfactory results that might be hoped for by Central America. Unfortunately, a stagnation and even a reduction in traditional flows from Central America to the European Community is coming about.

Various negative factors have operated, among which might be mentioned the fall in international prices for raw materials and for some essential products exported by Central America, particularly coffee and bananas, and the depreciation of the dollar.

The Community would have hoped that the efforts to diversify Central American exports would have given positive results already. However, it must be stated that this has not been the case.

Utilization of the general system of preferences has not brought the benefits that might have been desired. An effort is called for on the part of all.

This effort must not consist solely in extending the list of concessions, but above all and especially in improving utilization of the preference system, since it is hard to include in the system products which may constitute conflicting exports. Through improvement to exporting techniques, through better utilization, ultimately, of generalized preferences, favourable prospects for Central American exports may be arrived at.

The Community has certainly sought to improve the system, and in 1989 made a new cut in the tariff applying to exports of coffee, which though it might by some be regarded as modest, represents more than 10% of the total.

In the context of the Uruguay Round, and as tangible proof of our desire to contribute to its success, we have made an offer to include in the generalized preference system, from January this year, an additional list of tropical products which should help to improve export prospects for countries in the Central American isthmus.

Moreover, going beyond the obligations in the Acts of Accession by Spain and Portugal to the Community, the arrangements applying to coffee have been extended to cocoa beans in the Spanish market.

The Community is prepared to support Central American efforts to emerge from underdevelopment and poverty. We wish to confirm that we shall collaborate with the countries of the Central American isthmus in defining a detailed plan for relaunching intra-zonal trade as the first essential step towards changing the direction of economic development in the region, along the lines of the call by the Central American presidents.

The Community cannot embark on carrying out a project of such scale without first going through a necessary detailed process of definition and concretization of its technical and economic aspects. But all of you may be assured that this process is under way, and will be completed at an early date. Right from this year, particular efforts will be made to complete it.

The Community has the intention to provide financial support to preparation of the work of the international conference on Central American refugees, to be held in Guatemala this May. Additionally, we shall continue to finance refugee resettlement programmes as we have done so far, both at Community level and that of the Member States.

We are particularly aware of the seriousness of the problem of external debt for countries in the region. It perhaps constitutes the greatest obstacle we have to face if we wish to emerge from the circle of poverty.

The debt question has so far been approached with criteria and recipes that have not solved this worrying situation. César Vallejo's touching words about the enormous quantity of money it costs to be poor are very topical. But everything changes, and ideas change too. We know that the problem of external debt is not exclusively one of the debtor countries, but is universal in nature. I would almost say that it forms part of the philosophical framework of human rights. These countries have the human and social right to an open dialogue and to urgent, coordinated action by the creditor countries. External debt is one of the major pivots of the North-South dialogue, and we shall not escape the problems by pronouncing them solved when we know they are not.

I hope that in a very short time-frame we shall be in a position to deal with this issue not just with words but with deeds. There is increasing awareness that security, social stability, peace and development can come about through overcoming inequality, imbalances, and, let us say it categorically, through solving the question of debt.

I wish also to confirm the Community's decision to give financial support to the efforts towards creation of a Central American parliament, and to all the efforts that may lead to the relaunching of what could and ought to be the Central American Common Market.

The financing of projects of regional scope, like Trifinio or the project for settlements along the frontier between Panama and Costa Rica, are proof of the common will to promote this regional development.

If the European Community can teach anything, it is just this: how to overcome conflicts and confrontations through economic integration and political dialogue.

What is Europe looking for in Central America? Simply a response to a moral question. We are twelve countries with ancient links with this part of the world. These links are derived from our common historical and cultural heritage, constructed on the foundation of certain values that characterize our community of peoples and are the values we defend: respect for dignity, for human life, for the rule of law; political freedoms, the creation of juster societies; in relations among States, respect for sovereignty and for territorial integrity, for the right of all peoples to choose their economic, political and social models freely. What Europe is seeking is to help Central America to gain these objectives, which are not easy, but are those that define our common heritage, our identities. The historical evolution of our peoples, of our countries, will be judged by the extent to which we manage to come closer to them.

It is not a simple task, but there is no other one possible. It requires, on the part of Central America, day-to-day courage and determination. It requires, on the part of Europe, understanding and generosity. I am sure that neither of us will lack either of those. I am sure that where now we are speaking of responsibility and effort, we may also start to speak of hope.

89/073. Joint Political Declaration of the San Pedro Sula Ministerial Conference on Political Dialogue and Economic Cooperation Between the Countries of Central America, the European Community and its Member States and the Countries of the Contadora Group, Held on 27-28 February 1989

Date of Issue: 28 February 1989

Place of Issue: San Pedro Sula, Honduras

Country of Presidency: Spain

Source of Document: The Twelve with other actors

Status of Document: Declaration

1. The fifth Ministerial Conference between the countries of Central America, the European Community and its Member States and the countries of the Contadora Group on the political dialogue, and the economic cooperation between the European Community and the countries of the Central American isthmus, inaugurated in Costa Rica in 1984 and thereafter pursued at annual meetings, was held in San Pedro Sula, Honduras, on 27–28 February 1989.

2. Those taking part in the Conference were:

For Central America

HE Mr Rodrigo Madrigal Nieto (Costa Rica),
Minister for Foreign Affairs
HE Dr Ricardo Acevedo Peralta (El Salvador),
Minister for Foreign Affairs
HE Mr Ariel Rivera Irias (Guatemala),
Vice-Minister for Foreign Affairs
HE Mr Carlos Lopez Contreras (Honduras),
Secretary for Foreign Affairs
HE Mr Miguel D'Escoto Brockmann (Nicaragua),
Minister for Foreign Affairs

For the European Community

HE Mr Francisco Fernández Ordóñez (Spain),
Minister for Foreign Affairs
HE Ms Edwige Avice (France),
Delegate Minister for Foreign Affairs
HE Mr Sean Calleary, TD (Ireland),
Minister of State for Foreign Affairs
HE Ms Susanna Agnelli (Italy),
Secretary of State for Foreign Affairs
HE Mr Robert Goebbels (Luxembourg),
State Secretary for Foreign Affairs and Cooperation
HE Mr H.A.L. Vijverberg (Netherlands),
Roving Ambassador
HE Mr José Manuel Durao Barroso (Portugal),
State Secretary for Foreign Affairs and Cooperation
HE Mr Timothy Eggar, MP (United Kingdom),
Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs
HE Mr Léo Tindemans (Belgium),
Minister for External Relations
HE Mr K.E. Tygesen (Denmark),
State Secretary
HE Ms Irmgard Adam-Schwaetzer (Federal Republic of Germany),
Minister of State
HE Mr Theodoros Pangalos (Greece),
Alternate Minister for Foreign Affairs

Mr Abel Matutes (Commission of the European Communities),
Member of the Commission

For the Contadora countries

HE Mr Julio Londoño Paredes (Colombia),
Minister for Foreign Affairs

HE Mr Fernando Solana (Mexico),
Secretary for External Relations

HE Mr José Maria Cabrera (Panama),
Vice-Minister for Foreign Affairs

HE Mr Horacio Arteaga (Venezuela),
Vice-Minister for Foreign Affairs

*For the Permanent Secretariat of the General Treaty on Central American Economic Integration
– SCAEI*

Mr Marco Antonio Villamar Contreras,
Secretary-General

3. The participants had, in the context of the long-established dialogue and cooperation between the two regions, a thorough examination of all issues of mutual interest. Particular attention was focused on the current situation in Central America and on the positive evolution of the peace process. They stressed with great satisfaction that the conference in San Pedro Sula was taking place at a particularly promising moment, when the Central American Presidents have agreed to make renewed and sustained efforts in order to deepen the process of dialogue and negotiation, so as to permit the achievement of lasting peace, genuine pluralist and participatory democratic processes, respect for international law, stability and social and economic development in the region.

In this connection, the participants recalled the commitment by the five Presidents to proceed, without delay, to the accomplishment of the important undertakings of the Esquipulas II Agreement and those of the Alajuela and El Salvador Declarations.

4. The Ministers of the European Community and of the Contadora Group reaffirmed their Governments' commitment and willingness to continue actively supporting the efforts deployed by the Central American countries in the framework of the Guatemala process and restated the importance of intensifying economic cooperation between the European Community and Central America, aimed at strengthening the economic integration of the region and supporting its economic development and social progress in the interests of greater political stability.

The European Community and its Member States agreed to respond favourably, in accordance with the terms set out in the Conference's economic declaration, to the request addressed to them by the five Central American Presidents at the El Salvador Summit meeting with regard to the programme for restructuring, reactivation and reinforcement of the process for the economic integration of the region.

The Ministers of the Contadora Group stressed that the economic support of the international community was indispensable in the new stage of the peace process and, in this regard, they engaged the support of their Governments.

5. The Ministers of Central America and of the European Community expressed their appreciation to the Permanent Mechanism on Political Consultation and Concertation for its continuous concern in relation with the crisis in Central America and its repeated disposition to support and participate in programmes for the economic recovery of the region, as stated by the

Heads of State of the Group of Eight at their summit meetings in Acapulco and Punta del Este. In this connection, they urged the member States of the mechanism to pursue their efforts in favour of cooperation towards the region.

6. The Ministers of the European Community and of the Contadora Group considered it highly encouraging that, in spite of the difficulties and obstacles encountered, the Central American Governments are determined to consolidate and to deepen the progress so far achieved and to pursue, in a spirit of dialogue and cooperation, their efforts in favour of peace, democracy, security and economic and social development.

7. The Ministers agreed that the best existing option to achieve a durable solution to the Central American crisis is full compliance with the Esquipulas Agreements. At the same time they underlined the need to respect international law, the UN Charter and the Charter of the Organization of American States.

8. The Ministers reaffirmed their commitment to the principle of the full participation of peoples in genuinely democratic political processes.

They also stressed the importance of democratic, genuine and pluralist processes involving the promotion of social justice, respect for human rights, sovereignty, the territorial integrity of States and the right of all peoples freely and without external interference of any kind to determine their economic, political and social model.

9. The Ministers also considered that, in accordance with the Esquipulas Agreements, active encouragement should be given to an internal dialogue aimed, through national reconciliation, at establishing or improving genuine pluralist democracy involving the promotion of social justice and guaranteeing full and effective respect for all human rights, for civil and political liberties, and for economic, social and cultural rights.

In this connection, the Ministers of the European Community and of the Contadora Group strongly urged all parties to reach agreements on a cessation of hostilities in the States of the region that at present suffer from actions by irregular or insurgent groups, through the necessary measures in order to achieve an effective cease-fire, within the constitutional framework, in accordance with the provisions of the Esquipulas II Agreement.

Furthermore, the participants urged all sectors and the insurgent movements and irregular forces operating in the area to join in the constitutional political processes of their respective countries. They also appealed to all Salvadorian sectors to participate in the forthcoming elections.

10. The participants welcomed and supported the readiness displayed by the President of El Salvador, José Napoleón Duarte, contained in his proposal of 26 February 1989 to meet the FMLN in the presence of the political parties, in order to contribute to the effort to achieve a definitive peace in that country, in response to the agreements of Oaxtepec of 21 February. These efforts are in the framework of the commitment contained in the Esquipulas II Agreements to carry out all necessary actions to achieve an effective cease-fire within the constitutional framework.

11. The Ministers recognized that the heavy burden that the external debt service represents for the countries of the area has a negative impact on their political, economic and social development. They reiterated that all parties concerned should contribute to the solution of this problem. They agreed that greater international cooperation and better access to international markets for products originating in the Central American isthmus would be beneficial and would have positive effects both on the economic, social and cultural field and on the political stability of the region.

12. The participants expressed their great satisfaction at the highly important results of the fourth summit meeting held in El Salvador on 13 and 14 February, at which the unswerving will of the five Central American Presidents to direct their efforts, without further delay, towards the establishment of stable and lasting peace in the region had been made clear.

They stressed the determination of the Presidents to take the necessary decisions to make the peace process effective, on the understanding that the undertakings entered into within the framework of the Esquipulas II Agreement and of the Alajuela Declaration constituted a single and indivisible whole.

They underlined the importance of the readiness expressed and the measures set out by the Nicaraguan Government in the El Salvador Declaration to develop a process of democratization and national reconciliation within the framework of the Esquipulas II Agreements, which includes *inter alia* the holding of elections not later than 25 February 1990. In this context, the Ministers of the European Community and of the Contadora Group supported the appeal by the Central American Presidents that the political parties in Nicaragua participate in the electoral process.

They also recalled with satisfaction the undertaking of the five Central American Presidents to elaborate, within 90 days, a joint plan for the voluntary demobilization, repatriation or resettlement of members of the Nicaraguan resistance and their families.

13. The Ministers also expressed satisfaction at the significant talks of the Executive Commission, which will enable the establishment of effective mechanisms for the verification, control and follow-up of the commitments entered into in the Esquipulas II Agreement.

They expressed their satisfaction at the request addressed to the Secretary-General of the United Nations for the establishment of the mechanism for the *in situ* verification of undertakings to prevent the use of the national territory for the perpetration of acts of aggression against other States and to cease the aid to irregular forces or to insurgent movements. They stressed the decision of the Presidents to entrust the Executive Commission with the immediate convening of the technical meetings to this end, in accordance with the discussions held in New York with the UN Secretary-General.

They especially emphasized that two Members of the European Community, Spain and the Federal Republic of Germany, had been chosen — together with Canada, a Latin American representation and with the cooperation of the Secretary-General of the OAS — to participate in the mechanism.

In this connection the Ministers of the European Community reiterated the willingness of their countries to respond positively, to the best of their ability, if formally invited by all the Central American Governments to participate in such a mechanism.

The Ministers of the European Community and of the Contadora Group also welcomed the decision of the Central American Presidents to reaffirm the powers of the national reconciliation committees in order to enable them to continue developing their specific functions in the framework of the Guatemala process and the Alajuela Declaration.

14. The Ministers reiterated their conviction that it was essential for all countries with links to and interests in the region to make a genuine contribution towards creating the necessary conditions for peace and democracy to be firmly established and economic development secured in Central America.

In this regard, they firmly reiterated the request contained in point 5 of the Esquipulas II Agreement that regional or extra-regional governments which openly or covertly aid the irregular forces or insurgent movements in the area immediately cease that aid, apart from humanitarian assistance which contributes to further the objectives set out by the Central American Presidents in the El Salvador Declaration.

They also stressed the importance of the commitment to prevent the use of their own territory by persons, organizations or groups whose aim is to destabilize the governments of the Central American countries.

They equally underlined the urgency of achieving concrete agreements in the negotiations on security, verification, control and arms limitation in the framework of the Guatemala Agreement.

15. The participants agreed on the suitability of concluding the ratification procedure of the constituent treaty of the Central American Parliament, so as to permit the holding of direct elections as foreseen in this document.

In this connection, they reiterated that these elections must be conducted freely and fairly, in the presence of international observers, on the basis of the Constituent Treaty of the Central American Parliament and in conformity with Article 4 of the Esquipulas II Agreement. This process will encourage a true ideological pluralism and guarantee the broadest participation by all political parties, thus contributing to the strengthening of the democratic process in the countries concerned, consolidating peace and promoting regional integration in Central America.

16. The European Community and the Contadora Group renewed their pledge to lend their full support to the establishment and functioning of the Central American Parliament. In this respect, the Ministers of the Community referred to the commitment of the European Parliament to cooperate in the establishment and functioning of the Central American Parliament.

17. The participants agreed that the acute socio-economic problems of Central America, which have been further aggravated due to natural disasters, are cause for serious concern.

In this connection, the Ministers of the European Community and of the Contadora Group reaffirmed their willingness to reinforce their cooperation with the countries of the region and to assist them with specific actions in their endeavour to obtain rapid and sustained growth.

The Ministers of the European Community equally reaffirmed their intention to contribute to the achievement of the goals and objectives of the Special Plan of Economic Cooperation for Central America as a way of assisting the efforts being made under the Esquipulas II Agreement.

18. The Ministers stressed the importance of fully supporting the International Conference on Central American Refugees, which will take place in Guatemala, in May 1989. In this respect, the European side announced its decision to participate in this conference.

19. The Ministers welcomed with satisfaction the decision of the Central American Presidents to set up the Central American Environment and Development Committee as a regional cooperation mechanism for the optimum and rational use of the area's natural resources, for pollution control and for the establishment of ecological balance.

20. The Ministers also expressed their satisfaction at the decisions by the Central American Presidents to entrust the Executive Commission with the drafting of a regional cooperation agreement for the elimination of drug trafficking.

21. The participants in the San Pedro Sula Conference expressed satisfaction at the results of their dialogue and they decided to meet next year in Europe in accordance with the alternation rule.

22. The Ministers expressed their gratitude to the President of the Republic of Honduras, HE Mr José Azcona Hoyo, at whose invitation the conference had been convened. They also thanked the people and the Government of Honduras as well as the municipality of San Pedro Sula for their excellent hospitality and expressed their appreciation for the perfect organization of the conference.

89/074. Report to the United Nations Special Committee on Peace-Keeping Operations Concerning the Comprehensive Review of the Whole Question of Peace-Keeping Operations in All Their Aspects

Date of Issue: 28 February 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: The Twelve

Status of Document: Statement in International Forum

Peace-keeping operations, which represent one of the outstanding achievements of the United Nations, have witnessed throughout 1988 a renewed impulse that seems to mark an important

new departure for the peace-keeping efforts of the Organization. An improved international political climate, a positive change of attitude by some member States towards peace-keeping, the progress towards the solution of various regional conflicts involving the dispatching of observers, better expectations for the solution of other regional conflicts and, last but not least, the awarding of the Nobel peace prize to United Nations peace-keeping forces are elements that have helped to stimulate a collective reflection on the increased use of peace-keeping operations as part of a viable system of international peace and security and on the possibilities to improve its efficiency. At the same time, the magnitude of various foreseeable peace-keeping operations has underlined the need for a sound financial basis and for increased cost-effectiveness. In sum, the role that peace-keeping can play in contributing to international peace and security is receiving wider recognition and, consequently, the institutional, operational and financial arrangements for peace-keeping are receiving increased attention.

A fundamental part in this new momentum of peace-keeping should be attributed to the new atmosphere in international relations and to the role the Security Council as a consequence has been able to play, in close cooperation with the Secretary-General, in promoting solutions to regional conflicts. In view of the responsibilities entrusted to the Security Council in the United Nations Charter, the political and financial support of its Members is essential for the success of any peace-keeping operations.

In the effort to improve the effectiveness of peace-keeping operations, a careful balance should be kept between the appropriateness of setting rules and devising mechanisms of general applicability to peace-keeping operations and the need to build on what has been part of the recipe for success, namely a pragmatic case-by-case approach with a degree of improvisation. The creative adaptation of general principles to each specific situation has been one of the main assets for the success of past operations and it should be duly taken into account when contemplating possible modifications of existing theory and practice.

The Twelve reaffirm their political and financial commitment to the United Nations peace-keeping operations. They stress the need to enhance at all stages their efficiency and cost-effectiveness. They also underline that these operations are not a substitute for peace or for the search for a political settlement to the underlying conflict. The Twelve consider that, although experience has shown that no one can foresee how long they might be required, peace-keeping operations are a provisional arrangement to be seen within the broader context of the search for a permanent, peaceful, political settlement of a dispute.

The evolving situation in an interdependent and multi-polar world offers the prospect of a broader role for the United Nations and increased recourse to peace-keeping operations. Flexibility and pragmatism continue to be of essence in order to cope with the varying nature of each specific situation. However, for the success of such operations it is in every case necessary to have the consent of the State in whose territory the operation is carried out, the cooperation of the parties to the conflict, the consistent support of the Security Council, a clear and practicable mandate, the readiness of Member States both to volunteer military and civilian personnel and to ensure adequate financial arrangements.

Peace-keeping operations can be used to palliate regional problems and also to prevent or preclude emerging conflicts. It should be noted that the 'Declaration on the prevention and removal of disputes and situations which may threaten international peace and security and on the role of the United Nations in this field' approved by Resolution 43/51, encourages the Security Council, the General Assembly and the Secretary-General, within their respective areas of competence, to pursue the preventive function of the United Nations. In this context, peace-keeping operations may have a contribution to make together with other appropriate forms of United Nations presence already in use, such as fact-finding or good-offices missions.

It is the Security Council which has the primary responsibility in the decision-making process of the fundamental issues concerning peace-keeping. At the same time, the General Assembly and its subsidiary bodies have an important role to play. The Special Committee on Peace-keeping Operations should fulfil its mandate to work towards the completion of agreed

guidelines that would govern the conduct of peace-keeping operations of the United Nations, including ways of overcoming the financial difficulties they face. Moreover, the General Assembly should also benefit from the role of the Advisory Committee on Administrative and Budgetary Questions as the competent expert body for the detailed scrutiny of cost estimates, including for peace-keeping operations.

Practical steps could facilitate the planning process of peace-keeping operations, and among them:

- member States could notify the Secretary-General of their willingness in principle to participate in peace-keeping operations by contributing on request military and civilian personnel, supplies, equipment or services;
- interested member States could exchange experience with a view to facilitating the training of military and civilian personnel for peace-keeping operations.

The United Nations could elaborate guidelines for operating procedures and staff duties for the use of peace-keeping military and civilian personnel.

Although most recent peace-keeping operations have assured the rights of its participating members through less formal arrangements between the United Nations and the host country, consideration should be given to the appropriateness of establishing common standards for the Status of Forces Agreements to be applied to peace-keeping operations.

In accordance with the mandate and the requirements of each peace-keeping operation, and taking into account the specific circumstances of each case, the operational measures to be adopted should seek to achieve maximum efficiency. The following could contribute to this end:

- possible use of smaller-scale observer-type operations to perform certain tasks, thus reducing the requirement for full-fledged military units in appropriate cases;
- possible greater reliance on provision of local staff and facilities and other logistic support by countries more directly concerned and by parties to the conflict themselves;
- maximum use, whenever possible and appropriate, of international competitive bidding for procurement.

The possible larger use of aircraft, including helicopters, to improve cost-effectiveness in monitoring extensive areas needs to be examined carefully. The same applies to the possibility of coordinating among various peace-keeping operations the purchasing, pooling and maintaining of standardized equipment, currently under study by the Secretariat.

The Twelve — who collectively pay currently some 30 per cent of the assessed contributions for peace-keeping operations — are convinced that such operations need a sound and stable financial basis. At a time when the cost of peace-keeping operations may equal or exceed the amount of the regular budget it is essential that the Organization retains the ability to secure continuing cooperation of troop-contributing countries on as wide as possible a geographical basis.

Financing of peace-keeping operations is the collective responsibility of all member States and all must demonstrate the necessary political will to meet their responsibility regardless of the method used for funding each operation. This implies, *inter alia*, that all must pay their assessed contributions promptly and in full. Because a number of member States have failed to do so, troop-contributors have in effect been obliged to bear a substantial proportion of the costs of the operations. It is the Twelve's conviction that costs related to peace-keeping operations are to be regarded as mandatory expenses, unless decided otherwise by the Secretary-General, to be borne by all members of the United Nations. This applies whether the costs are included in the regular budget or financed through special accounts designated for that purpose.

Voluntary contributions are welcome and should be encouraged. Their acceptance should be at the discretion of the Secretary-General. Guidelines for their receipt and treatment should be further developed. In this regard, Resolution 43/230, on financing of the United Nations Iran-Iraq Military Observer Group (UNIIMOG), sets out a procedure that could be used in the

future. The Twelve look forward to the Secretary-General's study on the treatment of voluntary contributions in kind. In our view the value of such contributions is not to be offset against the payment of assessed contributions by the donor.

The viability of the United Nations to conduct peace-keeping operations depends not only on the financial situation of the special accounts and the amount of voluntary contributions but also on the over-all financial health of the Organization, which itself largely depends on the political will of member States. In this respect, recent developments offer some encouragement.

Countries that benefit most from peace-keeping operations and are financially in a position to do so should be encouraged to contribute substantially more than their regular share.

In the interest of cost-effectiveness and sound management and in order to maintain member States' confidence in the financial arrangements for peace-keeping operations, the Twelve believe that:

- financial estimates for each operation should include adequate information to justify the expenditure proposed;
- the budgetary procedures and the financial regulations and rules should be strictly observed. In this regard, particular importance should be attached to the respective roles of the Advisory Committee on Administrative and Budgetary Questions and the Board of Auditors.

The Twelve await the results of the analysis of the problems involved in starting up peace-keeping operations and of their possible solutions, requested from the Secretary-General. They believe that the Working Capital Fund of the Organization could serve this purpose if it were not used to cover obligations of the United Nations arising from the non-payment of assessed contributions of member States. A strict fulfilment of member States' obligations under Article 17 of the Charter would, apart from solving the financial crisis of the Organization, lead also to replenishment of the Working Capital Fund at the current level or more if the General Assembly so decides.

Peace-keeping operations, as a practice borne of necessity and evolved over the years, have become one of the main instruments for the achievement of the purposes set out in the Charter of the United Nations. The support of the Twelve for the Secretary-General, in fulfilling his responsibilities in the conduct, management and direction of peace-keeping operations, and the Twelve's political and financial commitment to them have been over the years clear, consistent and unequivocal, and will continue to be so.

89/075. Statement at the Opening of the Vienna Talks [Abstracts]

Date of Issue: 7 March 1989

Place of Issue: Vienna, Austria

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Statement in International Forum

[...]Mr Chairman, allow me to end up my intervention with some considerations on behalf of the twelve Member States of the European Community.

The negotiations in Vienna are part of our comprehensive efforts to further progress in all areas of the CSCE process. Allow me to refer to the declaration of the European Council in Rhodes where the Twelve expressed their determination to strive for full respect for all the provisions of the Helsinki Final Act and other CSCE documents. Full respect for human rights and fundamental freedoms, as well as free circulation of people and ideas will help us to achieve more open societies.

The efforts to reach agreement as part of a balanced result of the CSCE follow-up meeting recently closed on a mandate for the negotiation on conventional armed forces in Europe, and on negotiations regarding confidence- and security-building measures on the basis of the Madrid

mandate, have had the consistent support of the Twelve during this meeting. The agreements reached provide the opportunity to achieve, in the framework of the CSCE process, the objectives of security that we all seek for, namely, a stable and secure balance of forces at lower levels, as well as the building of confidence through greater openness and transparency.

The agreements which have allowed the opening of these two sets of negotiations on military security are of special importance. Positive results in both of them should vastly contribute to the existence of a climate of mutual confidence. We, the Twelve, hope that they will allow concrete steps to be taken towards the stability of conventional forces at lower levels, as well as the reinforcement of military transparency and confidence- and security-building measures. The adoption of measures that contribute to greater openness and transparency helps to prevent mistrust, misperceptions and miscalculations of the intentions and military capabilities of others.

In this respect, the Twelve consider that the results achieved at the Stockholm Conference and the encouraging experience gained so far with the implementation of the Stockholm Document have contributed significantly to improve confidence and mutual trust in Europe. What we now need is an enhanced system of such measures aimed at promoting more openness and transparency in the military field.

Mr Chairman, the Twelve consider that the negotiations starting on Thursday have a historical importance for the future of Europe. Therefore, we shall spare no efforts to achieve the final success of these negotiations.

**89/076. Question No 1842/88 by Mr Vandemeulebroucke (ARC-B)
Concerning Joint Embassies Abroad**

Date of Issue: 7 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 9 January 1989

At the 52nd Franco-German summit meeting of 3 and 4 November 1988, it was decided to set up two joint embassies, one in Mongolia and another in a country to be determined.

Are the Foreign Ministers meeting in European political cooperation considering Community arrangements in this field?

Answer:

The Honourable Member is well aware that the Missions of the Twelve and the Commission Delegations in third countries have established close cooperation both on political issues and other problems. Broadly speaking, the Missions of the Twelve and the Commission Delegations inform foreign governments and the media of third countries of what is happening in Europe.

The Twelve endeavour to strengthen and improve that cooperation, and the decision taken at the Franco-German summit, albeit national in character, falls within that context.

As regards the Honourable Member's specific question, the Presidency would like to inform him that there are no plans at this juncture to draw up Community rules on the matter.

**89/077. Question No 1891/88 by Mr Perinat Elio (ED-E)
Concerning a Community International Peace-Keeping Force**

Date of Issue: 7 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 10 January 1989

The proposal by Honduras that an international peace-keeping force be established along its border with Nicaragua in order to guarantee border security raises the question of the role of the European Community as such in the present situation in Central America.

Do the Ministers not think that the Community should take the necessary steps to enable the Community as a political body to send an international peace-keeping force, under the European flag, wherever and whenever it was needed?

Answer:

The Honourable Member is doubtless conversant with the provisions laid down in Article 30 of the Single European Act, stipulating that the High Contracting Parties are ready to coordinate their positions more closely on the political and economic aspects of security. Thus, military or defence matters remain outside our sphere of activity.

Moreover, the Twelve consider that the role of the United Nations and its peace-keeping forces should be strengthened.

As regards the peace process in Central America, the Presidency would remind the Honourable Member that the Twelve have on many occasions reaffirmed their will to contribute, as far as they are able, to the verification, control and monitoring tasks entrusted to the Executive Committee if all Central American States were so to request.

89/078. Question No 2062/88 by Mr Deprez and Mr Hermann (PPE-B) Concerning Human Rights in Romania, in Particular the Situation of Ms Doina Cornea

Date of Issue: 7 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 27 January 1989

Since Nicolai Ceaucescu came to power on 9 December 1967, the general situation in Romania has been steadily deteriorating. In addition to the increasingly difficult economic and social conditions under which the people live, human rights are being violated to an ever increasing extent in Romania.

For example, the rural 'rationalization programme' has led to the enforced displacement of hundreds of thousands of country people.

In addition, the large Hungarian and German minorities in Romania are denied the right freely to participate in the cultural life of the community, which constitutes a violation of Article 27 of the Universal Declaration of Human Rights.

The situation of the many other Romanian citizens calling for the application of the Universal Declaration of Human Rights in their country is not better. For example, Ms Doina Cornea, who lives in the town of Clui, has been placed under house arrest and subjected to harassment and discriminatory treatment by the Romanian authorities simply because she is demanding for herself and her compatriots the right to freedom of opinion and expression under Article 19 of the Universal Declaration of Human Rights.

What measures do the Foreign Ministers meeting in European political cooperation intend to take with a view to ensuring that Romania finally respects in full the terms of the Declaration of Human Rights, of which it is a signatory?

Answer:

The Twelve share the concern of the Honourable Member regarding the human rights situation in Romania. They made representations on several occasions last year, of which the Parliament was informed, notably in the replies to Questions Nos H-664/88,¹ H-596/88,² 867/88,³ H-98/88,⁴ H-93/88,⁵ H-929/87,⁶ 2883/87.⁷

The Twelve are seriously concerned by Ms Cornea's situation. Some Member States have raised her case bilaterally with the Romanian authorities, but to date unsatisfactory replies have been given. The Twelve have resolved to make further determined representations to the Romanian authorities.

¹ *EPC Bulletin*, Doc. 88/516.

² *EPC Bulletin*, Doc. 88/427.

² *EPC Bulletin*, Doc. 88/361.

² *EPC Bulletin*, Doc. 88/165.

² *EPC Bulletin*, Doc. 88/118.

² *EPC Bulletin*, Doc. 88/069.

² *EPC Bulletin*, Doc. 88/374.

89/079. Statement at the Occasion of the Establishment of the Arab Cooperation Council

Date of Issue: 14 March 1989

Place of Issue: Madrid

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Message

The Community and its Member States welcome the establishment of the Arab Cooperation Council by Egypt, Iraq, Jordan, and the Arab Republic of Yemen.

They trust that the process of economic integration thus initiated and which is open to other Arab countries, will encourage the social and economic development in the Middle East as well as peace in the region.

In this regard, the Community could envisage complementing this effort of regional integration by cooperation on matters of mutual interest.

89/080. Questions No O-145/88, O-159/88 and O-160/88 by Mr Poettering and Others Concerning Security Policy Under the Spanish Presidency, and Debate on Security and European Arms Exports¹

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Questions

Question No O-145/88:

How, in the view of the Spanish Presidency, can it be ensured that, in accordance with the provisions of Title III, Article 30(4), of the Single European Act, improvements in regard to the exchange of views and information between the EPC and the European Parliament also apply in the sphere of security policy? Does the Presidency intend to take account of the wishes of the Political Affairs Committee on strengthening relations between the European Parliament and the EPC as expressed by Lord Plumb to Mr Ordóñez, President-in-Office of the EPC, and Mr Solbes, the Spanish Foreign Minister, in November?

Will it also take account of the proposals contained in Parliament's resolutions of 17 June 1988² and 27 October 1988³ (Docs. A2-86/88 and A2-176/88)?

Question No O-159/88:

In the provisions on European cooperation in the sphere of foreign policy (Title III of the Single European Act) the Contracting Parties confirm their determination to coordinate their positions on security. Strengthened cooperation on the economic aspects of security is becoming increasingly important, particularly in the light of the establishment of the common internal market and the Community powers in the fields of technological and industrial policy laid down in the Single Act.

In view of the above, what action will the Foreign Ministers meeting in European political cooperation under the Spanish presidency take to place the European armaments industries on a more efficient and rational basis by strengthened cooperation within the European Community?

Question No O-160/88:

Have the Foreign Ministers considered the proposals of President Gorbachev of the Soviet Union announced to the UN General Assembly for cuts of 500 000 men in the USSR's armed forces and the withdrawal of forces from the Warsaw Pact countries?

Have they examined the implications of this proposal, and what conclusions do they draw from it in respect of the Atlantic Alliance's strategy?

Mr Solbes Mira, President-in-Office of the Council and of the Foreign Ministers: Mr President, ladies and gentlemen, I should first like to stress the importance of this debate from the point of view of the Presidency-in-Office. The two reports submitted to Parliament⁴ introduce matters of great interest for a wide-ranging and difficult discussion which has already begun in the Council and on which the Commission has already put forward certain views but on which unfortunately Political Cooperation has still not been able to reach concrete results.

The Commission has underlined the importance of research topics and of course we agree that we must continue to move forward here. We are aware that there is some incongruity in the use of certain products either for defence or for other purposes and we must arrive at a solution on those specific problems.

At the level of Political Cooperation I can only say that this subject is one of great interest. The various matters included in this debate, which the Council has followed in full detail, will be considered in an effort to go further into the various points on which it is possible to reach conclusions.

From the strictly Community point of view we are faced with certain specific questions, particularly arms production. Mr Bangemann has stressed the importance of several relevant matters at present under discussion. The basic problem is not only research, that is, the contribution which new projects may make to research, but also the question of the protection which Europe ought to have against third countries. And here there are two schools of thought: on the one hand there are those countries which think that we must make maximum defence cuts for budgetary reasons and consequently not have too much frontier protection, and on the other hand those other countries which feel that a certain frontier protection is in any case appropriate to encourage Europe's own technology.

There is to be a discussion on these two aspects from which we hope to obtain results in the future, although from the Council's point of view it is clear that Article 223 of the Treaty of Rome must be interpreted as providing possibilities for national action for defence or in support of defence matters.

There is therefore very little more that I can add to this debate at present. I should simply like to stress once more that for our part we shall consider the different points raised in this Assembly and I think they will help to go further where possible into the various aspects now being discussed in Political Cooperation.

¹ *OJ* No 2-376 of 14 March 1989, pp. 4-17.

² Resolution on the role of European Parliament in the Single European Act, *OJ* No C 187 of 18 July 1988, pp. 233-236.

² Resolution on the results obtained from implementation of the Single Act, *OJ* No C 309 of 5 December 1988, pp. 93-97.

³ Doc. A 2-410/88 by Mr Penders on the security of Western Europe and Doc. A-398/88 by Mr Ford on European arms exports.

89/081. Question No H-821/88 by Mr Arbeloa Muru Concerning a Common Document on the Countries of Eastern Europe

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

When are the Twelve going to draw up an over-all document on relations between the Community and the countries of Eastern Europe? One great opportunity was lost after the Reykjavik Summit, despite the political will shown by the Commission President. Do we not have another such opportunity now?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: I would remind the Honourable Member that at the European Council in Rhodes in December 1988 the Twelve adopted a declaration on the international role of the European Community,¹ in which they reaffirmed the Community's determination to act in the renewed hope of overcoming the divisions in our continent and of promoting Western values and the concept of security common to the Member States, and set out the four objectives which the European Community and its Member States pursue in their relations with the countries of the East. Those objectives are:

- strict observance of the provisions of the Helsinki Final Act and the further steps in that direction by the Conference on Security and Cooperation in Europe;
- secondly, the establishment of a secure and stable balance of conventional forces in Europe at a lower level and improved mutual confidence;
- thirdly, the promotion of the cause of human rights and fundamental freedoms, free movement of peoples and ideas and the creation of more open societies and the promotion of cultural and human exchanges between East and West;
- finally, a political dialogue with the countries of Eastern Europe in continuing cooperation which will take account of the specific situation in each country so as to make use of the existing economic possibilities to benefit both parties.

In addition the declaration stresses that the European Community and the Twelve are determined to apply fully the provisions of the Single European Act in order to strengthen their solidarity, the coordination of the political and economic aspects of security, consistency between Community external policies and the policies agreed within the framework of European political cooperation and in order to arrive speedily at common positions and concerted actions.

In this spirit the Presidency, in presenting its programme at Strasbourg on 17 January, stated that efforts would be made to put into practice the action programme approved at the European Council in Rhodes. This was the start of the political dialogue with the Soviet Union on the occasion of the meeting between the President of the Council and Mr Shevardnadze at the closing session of the Vienna Conference.

The Twelve hope that this dialogue will not be restricted to the Soviet Union and might be extended also to other Eastern countries.

At Vienna and on the occasion of the inauguration of talks on stability in conventional weapons and confidence-building measures the Presidency-in-Office held an initial meeting in the framework of Political Cooperation with the Foreign Ministers of Poland, Hungary and Bulgaria.

¹ *EPC Bulletin*, Doc. 88/490.

89/082. Question No H-933/88 by Mr Iversen Concerning the United Nations Code of Conduct in Respect of South Africa

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

During his speech to the European Parliament on 17 January 1989, Foreign Minister Fernández Ordóñez spoke of the problems of apartheid, and said: 'Our common aim is that apartheid should be eliminated. The means at our disposal, although obviously of use, are insufficient'. In view of this and his remark that the provisions of the Code of Conduct for EEC undertakings should be broadened, will the Foreign Ministers meeting in Political Cooperation indicate the specific steps the Spanish Presidency will be taking over the next six months?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: I am grateful to the Honourable Member for this opportunity to inform Parliament of the Code of Conduct for Community undertakings with branches in South Africa.

The code is a significant instrument of the policy of the Twelve to endeavour to eliminate apartheid by peaceful means. The Twelve attach great importance to its contribution to the abolition of segregation in places of work. They are considering at present within the framework of Political Cooperation the most effective way of achieving those aims.

Very recently, at their meeting on 14 February in Madrid, the Foreign Ministers of the Twelve had occasion to consider the code in detail and approved the Eighth Consolidated Report on its application. That report, which covers the period between 1 July 1986 and 30 June 1987, analyses reports of the activities of 247 undertakings employing more than 97 000 black workers.

At their meeting the Ministers made a statement on this subject and were glad to record a number of conclusions which I am happy to pass on to you.

First, the reports received show that the undertakings have strengthened their policy of promoting and improving relations between workers and employers.

Secondly, the undertakings accept the principle of equal pay for equal work irrespective of race. In specific terms, the application of the code has led to an improvement in pay and the granting of a whole series of fringe benefits.

Thirdly, I should like to say that numerous undertakings are continuing to encourage training and advancement for black workers. Some undertakings have made fresh progress in encouraging branches which engage black workers.

In addition, the Ministers have encouraged European undertakings to continue their efforts to improve conditions for black workers and have emphasized that they are determined to promote the application of the code for that purpose.

Finally, I should like to tell you that, in pursuance of the decision adopted by the Ministers on 14 February, the Presidency has sent a copy of the Eighth Consolidated Report to the European Parliament and to the Economic and Social Committee.

Mr Iversen (COM): I thank you for the answer. But it comes as something of a surprise. One almost gets the impression that the Council of Ministers is seeking to replace what would really be most effective on the question of South Africa, namely the sanctions policy, with a development of the Code-of-Conduct policy. We know that the Community countries are doing more and more trade with South Africa. That is shown by the latest figures. Does the President-in-Office think that the Community would rather give up the sanctions policy and come out into the open with the policy really being pursued, against a background of increased trade with South Africa, and instead concentrate on the Code-of-Conduct policy? Is that what the Council of Ministers is preparing to do? If so, I think it should say in all honesty that it has accepted the policy of apartheid, that it does not want to do anything about it and merely wants to see whether improvements can be brought about in South Africa. In my opinion that is an utterly deplorable development. But I would very much like to get an answer as to whether that is actually the Council's position.

Mr Solbes Mira: I think the Honourable Member is drawing a hasty conclusion in implying that there is a change in the policy of the Twelve with regard to South Africa. The Foreign Ministers are making an analysis of the policy of the Twelve towards South Africa on a more comprehensive basis. Present measures will continue in force, but that does not prevent an evaluation of the Code on the basis of results. That is what the Presidency has tried to do in presenting this report.

89/083. Question No H-948/88 by Mr Fitzgerald Concerning the Smuggling of Vehicles Across the Zaire-Zambia Border

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Is the Council of Foreign Ministers meeting in Political Cooperation aware of the widespread theft of vehicles and other goods from missionary groups in Zambia, notably the Society of Missionaries of Africa, the stolen goods then being smuggled across the nearby Zaire border? Will it make urgent representations to the Zaire authorities to tighten up on border security, arrest those responsible and return stolen vehicles to Zambia?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: I must tell the Honourable Member that the question he raises has not been dealt with in Political Cooperation and I cannot therefore give him an answer.

Mr Fitzgerald (RDE): I am sorry that I cannot thank the President-in-Office for that reply. I was informed during the last part-session that my question would be taken at the next part-session in order to get more information on this subject. Obviously, no such information is forthcoming. I would like to ask the President-in-Office first of all if he or his Council have any commitment to genuine development aid? Would he not agree with me that no group in society is supplying more financial, social and charitable help to the Third World than are those missionary groups and because of that, surely he should at least endeavour to find out for me the specific details of this problem which is well known and has long been known in the region to which I refer?

Mr Solbes Mira: I can say in addition that the Spanish Government will try, through the usual diplomatic channels, to obtain an appropriate evaluation of the facts to which the Honourable Member refers. Without any doubt the organizations concerned are taking the appropriate steps to recover the property they have lost. Of course we shall raise this matter at the ordinary meetings of Political Cooperation to see whether there is any additional information.

89/084. Question No H-970/88 by Mr Garriga Polledo Concerning Violence in Sport

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Given the persistent problem of violence in sport, particularly among the spectators, and the preventive measures taken by some of the Member States, do not the Foreign Ministers meeting in Political Cooperation consider that the time has come to adopt genuinely effective measures and to take account of the resolutions adopted by Parliament?

Do the Foreign Ministers meeting in Political Cooperation have the necessary competence and the political will to achieve this?

When can practical decisions be expected in this area?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: Unfortunately I must tell the Honourable Member that this question does not come within the powers of European political cooperation either. However, I can say that both the Presidency and the other Member States share Parliament's anxieties, which are recognized and have also been analysed by other national parliaments. However, in view of the nature of these acts, which affect the Member States themselves, it is not a matter due to be considered by European political cooperation.

Mr Garriga Polledo (ED): Our view is that, since there is the political will to deal with violence at sports events, this is the time to show it, by adopting uniform security and emergency measures wherever possible and taking steps to secure cross-frontier cooperation and the exchange of information about the most common acts of violence. We believe that as long as we do not realize this political cooperation the problem of security at sports events will get worse, particularly in those countries where such security is already too lax. I should like to know whether the Presidency of the Council agrees.

Mr Solbes Mira: The Honourable Member is raising a rather more ambitious and far-reaching question, namely that of control of movements of persons for reason of security. This is a matter of concern to the Member States and particularly to the Presidency. At the Rhodes Council it was agreed to appoint a number of national coordinators to analyse the problem of the elimination of frontiers as regards free movement of persons.

Of course in this field an analysis is being made of the various difficulties which may arise and the possible solutions both at Community and intergovernmental level. I note the problem raised by the Honourable Member in case it can be analysed in this context.

Mr Stewart (S): The President-in-Office must be aware of the present ban on English football clubs in Europe. Does he not consider that this is unlawful and contrary to the Community's competition policy? Football is big business, and the ban to which I refer is therefore a barrier to business exchanges within Europe. Would the President-in-Office not agree that that runs contrary to the Community's competition policy?

Mr Solbes Mira: I think that the problem of a ban by a body which is entitled to impose it is something which should be respected by the various States which have accepted its authority. The Honourable Member is raising an additional problem of a wider scope: whether this is a matter for Community law. In principle I think it is not. But if the Honourable Member thinks that a solution of this type would be contrary to some of the essential principles of the Treaty of Rome, of course there are very simple means of resolving this problem through the Community Court.

Ms Ewing (RDE): May I ask the Council how they think a citizens' Europe is going to be achieved if the President-in-Office can blandly say that such horrific outbreaks of violence are simply outside the remit of the Council? Does that mean they will never put it on their agenda,

never look at something that has been of great concern to citizens? Will they not look at all the evidence of the parliamentary hearing which I chaired and which recommended that the Scottish practice, which has proved successful, of banning alcohol in the grounds, outside it and in vehicles leading to it should be adopted by the other Member States?

Mr Solbes Mira: I think that the answer to the point raised by the Honourable Member was implicit in my first answer. I said that the Spanish Presidency had set up a working party on both a Community and an intergovernmental basis for the purpose of analysing the problems which might arise in the event of elimination of intra-Community frontiers in 1992.

Of course the subject may be a Community one or an intergovernmental one. In either case it will be analysed by that committee. I therefore think there will be no difficulty in analysing the various problems raised in this particular field and, where appropriate, consideration will be given to whether the solution may come through intergovernmental cooperation between the Member States.

Mr McMahon (S): The President-in-Office mentioned Community law. Is the President-in-Office aware that in the United Kingdom there are currently proposals aimed at contravening Community law relative to the free movement of individuals in that the government is proposing that people wishing to attend soccer matches should carry passes? What advice would he therefore give to those of us who are concerned about this breach of human rights and Community law, which is an infringement of the right to free movement of individuals in the United Kingdom?

Mr Solbes Mira: I say once again that I do not think it is for this Presidency, particularly in the framework of Political Cooperation, to decide whether certain internal measures of a Member State are or are not contrary to Community legislation. I stated that there were procedures for determining the position. It is not for this Presidency to assess whether certain actions are or are not contrary to Community law; only the Court of Justice can do so.

89/085. Question No H-984/88 by Mr Stewart Concerning Michael German, Killed in a Road Accident in Spain While on Holiday

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Michael German was killed in a road accident on the Callella—Barcelona road in the early hours of Friday 19 August 1988. He was hospitalized in the King of Spain Hospital in Barcelona and pronounced dead on Sunday 21 August 1988.

I have repeatedly raised this issue in plenary with the President and even with the Spanish Foreign Minister to get some information as to the accident report, but to no avail.

The boy's family have received no statement at all from the Spanish Government regarding the accident or the lead up of the injuries resulting in the death of Michael.

I would request the Ministers meeting in Political Cooperation for the information of the police report and the hospital report on the case to be forwarded to his parents.

I believe that in the interests of human rights his family is entitled to this information from the Spanish authorities.

Mr Solbes Mira, President-in-Office of the Foreign Ministers: This question is not within the powers of European political cooperation. However, I can tell the Honourable Member personally that he will shortly receive an official report from the Spanish Government on the case referred to, although the matter is still subject to the jurisdiction of the Spanish courts.

Mr Stewart (S): I thank the President-in-Office for his answers and would appreciate an early reply. I have been attempting to get an answer from the Spanish authorities for the last six months.

Mr Seligman (ED): I would ask the President-in-Office for a piece of information. Does the Spanish Government compensate for criminal injury?

Mr Solbes Mira: I shall answer very briefly: in Spain compensation is fixed by the courts.

89/086. Question No H-1018/88 by Mr Hutton Concerning the Wounding of a Community Citizen in Tibet

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What representations have been made by the Foreign Ministers meeting in Political Cooperation to the Government of the People's Republic of China following the wounding of a European Community citizen when Chinese security forces opened fire without warning on unarmed demonstrators in Lhasa, Tibet, marking the 40th anniversary of the United Nations Declaration on Human Rights?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The situation in Tibet, both past and present, is being followed closely by the Twelve, whose position in the matter of human rights is well known to the Chinese authorities. After the incidents in Tibet certain Member States made representations on an individual basis to the Government of the People's Republic of China on this specific subject.

Mr Hutton (ED): May I ask the President-in-Office to clarify his answer. Is he saying that the Member States meeting in Political Cooperation have not made a combined protest to the Government of the People's Republic of China over the wounding of a Community citizen a month ago and now over the imposition of martial law in Tibet? Could he say if it is the intention, if Foreign Ministers meeting in Political Cooperation have not done so, to make such an approach to the Chinese jointly rather than leaving it to individual Member States to make their own individual approaches?

Mr Solbes Mira: It is true that, as the Honourable Member has said, in this case representations have been made at national level. It was not felt appropriate at that time to take action at Community level. However, as the Honourable Member knows, and as has already been mentioned, the problem of Tibet has not been solved.

At the moment the Twelve are studying the recent incidents in Lhasa, and we hope to be able to arrive at a common position on the subject, in which case, of course, any action will be at the level of the twelve Member States and not at individual national level.

89/087. Question No H-1031/88 by Ms Ewing Concerning the Record Opium Harvest in Burma

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

The Burmese Government has lifted its ban on the cultivation of opium in the Shan area of the Golden Triangle. This year's crop of raw opium — estimated at 2 000 tonnes — would be enough to supply the American market with heroin for a decade.

Will the Foreign Ministers meeting in Political Cooperation examine the problem and issue a statement urging the Burmese Government to reintroduce its ban on opium cultivation?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Twelve are following very closely all developments in Burma. As regards the drugs problem, it is understood that the ban on opium cultivation in the Shan area has not been lifted. However, the Twelve are concerned at the information indicating that opium production in Burma has increased.

In general the Twelve have undertaken on various occasions, jointly and bilaterally, to play an active part in the fight against the illicit production of drugs and drug trafficking throughout the world. In fact we are convinced that the problem goes beyond all frontiers and must therefore be treated on an international scale.

In this respect the Twelve, jointly or individually, are sparing no effort to strengthen cooperation within the United Nations and other organizations with a view to controlling the illicit use of drugs.

Ms Ewing (RDE): I don't feel that I got an answer to my specific question as to whether the Foreign Ministers meeting in Political Cooperation will issue a statement urging the Burmese Government to reintroduce its ban, because it is quite clear that inducements have been offered to farmers who are going bankrupt to go back to cultivating opium and that the quantities are frankly such as to upset all our efforts to combat drugs. Is the President-in-Office going to make direct representations to the Burmese Government?

Mr Solbes Mira: I note the specific case highlighted by the Honourable Member. We shall raise this specific point in Political Cooperation with a view to deciding whether it is possible to adopt a common position on the matter.

Mr Pearce (ED): I wonder if the President-in-Office would accept that his answer really adds up to the fact that the Twelve are doing nothing. Would he not accept that what he should have said is that diplomatic pressure, possibly economic pressures and all sorts of other pressures ought to be applied? Has he not heard of the burning desire amongst our citizens for a little less talk and for the beginnings of some action by the Twelve to stamp out the scourge?

Mr Solbes Mira: I think the Presidency is actually doing something in this case. We are not talking about long speeches. I have said that the matter will be raised in Political Cooperation to consider whether it is appropriate to take action at Community level. But that does not mean that the question is not a matter for anxiety, and of course each of the Member States is taking action of its own.

89/088. Question No H-1048/88 by Sir James Scott-Hopkins Concerning Turkey

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Are the Foreign Ministers aware of the Turkish Government's use of its penal code to justify the treatment of individuals in ways not acceptable in EEC countries?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Turkish Government is required to ensure that the practices deriving from the penal code are in accord with the human rights requirements laid down under international law. The Twelve are following the human rights situation in Turkey very closely and have made known to the Turkish Government the importance they attach to human rights.

Sir James Scott-Hopkins (ED): Without going into the details, will the President-in-Office accept the fact that some of the things done under the penal code are quite unacceptable in the

Community? Will he undertake, together with his colleagues, to approach the Turkish Government to see whether there should not be changes in their penal code? As things stand at the moment it really is quite horrendous.

Mr Solbes Mira: I recognize that certain articles of the penal code impose serious restrictions on political liberties. On more than one occasion specific representations have been made with regard to Turkish citizens affected by those measures, which we regard as unacceptable.

Mr Zournatzis (DR): I appreciate the Minister's interest in the application of the penal code in Turkey, which is a country without membership of the Community. However, I would like to ask what interest the Minister shows in the application of the penal code in one of the Community's own Member States, Greece, where for exactly fifteen years there have been political detainees in our prisons, five of whom indeed have already died. Because the penal code did not supply good reason to imprison them, the Greek State had recourse to a simple resolution in parliament. From that day to this, we have had a multitude of legal protests both inside and outside Greece about this clear contravention of the principles of the penal code, which is in line with the penal codes of the other countries but is not applied in our case.

Mr Solbes Mira: It is not for the President-in-Office of Political Cooperation to arrive at a judgment on any action taken by a Member State.

89/089. Question No H-1052/88 by Mr Mavros Concerning the Turkish Position on the Kurdish Question

Date of Issue: 14 March 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Mr Aktsoy, a Turkish Member of Parliament, has been expelled from his party because at a recent meeting of the EEC—Turkey Joint Parliamentary Committee he dared to refer to certain aspects of the Kurdish problem in Turkey: this is a provocative act which the European Parliament regards as quite unacceptable. Will the Foreign Ministers say how they view this incident and what representations they intend to make to the Turkish Government so that 'the basic human rights of members of the Kurdish minority living in Turkey' are recognized in accordance with paragraph 17 of the European Parliament's resolution of 15 September 1988 on the resumption of the EEC/Turkey Association (Walter report, Doc. A 2-141/88)?¹

Mr Solbes Mira, President-in-Office of the Foreign Ministers: As the Presidency has indicated on various occasions, the Twelve are following closely the process of democratization in Turkey. On the subject of human rights the Twelve have expressed their anxiety to the Turkish authorities, who are fully aware of our views on this matter.

The problem raised by the Honourable Member has not, however, been specifically dealt with in Political Cooperation.

Mr Filinis (COM): I thank the Minister for his answer. As a supplementary, I would like to ask one question. The disqualification of Mr Aktsoy and the cancellation of his participation in the EEC—Turkey Joint Parliamentary Committee have, as is known, given rise to public and unanimous expressions of concern by the representatives of the European Parliament on the Joint Committee. I would like to ask the Minister whether he himself, and the other Ministers meeting in Political Cooperation, also share this concern of the European Parliament?

Mr Solbes Mira: As regards the specific point raised, the Council has nothing to say since the question concerns an internal decision by a political party in a third country, on which it is not for the Council to express a view.

Mr Taylor (DR): Would the President-in-Office not agree that a political party in any democracy has the right to remove one of its representatives from a delegation if that representative does not express the political position of the party that he is expected to represent?

Mr Solbes Mira: I think it is not for the Presidency of Political Cooperation or for Political Cooperation itself to judge what the rules of various political parties should be. That is something that is for the political parties themselves to define.

Mr Newens (S): Does not the fact that a Member was removed prove that there is some reason to be deeply concerned about the situation of the Kurds in Turkey? In view of this position, can we have an assurance that more attention will be given to this particular aspect of the situation in Turkey? Can we have some sort of assurance that the human rights of the Kurdish people of Turkey to pursue their own culture will be recognized?

Mr Solbes Mira: I said in my first answer that the protection of human rights in Turkey, as in other countries, is a matter of permanent concern to the Community countries in the framework of political cooperation. I also stated that the Twelve have expressed their concern to the Turkish authorities, who are fully aware of the views of the Twelve in this matter.

Of course the policy applied until now will continue to be the future policy of the Twelve on this subject.

¹ OJ No C 262 of 10 October 1988, pp. 126-130.

89/090. Question No H-869/88 by Mr Pérez Royá Concerning Political Cooperation with Latin America

Date of Issue: 15 March 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

Can the President-in-Office of the Council state whether the Foreign Ministers have taken or will take during the first half of 1989 decisions to institutionalize political dialogue with the Latin American countries and to establish machinery for political consultation, in order to promote peace in the areas which are the scene of conflict and to encourage democracy and social progress by means of economic cooperation?

Answer:

The Twelve have established a very close dialogue with the countries of Latin America. The Community and the Member States have institutionalized political and economic talks with the five countries of Central America in the framework of the San José conferences, which have already shown their worth. The most recent meeting in San Pedro Sula was the fifth in the series and resulted in a new step being taken in cooperation with the Central American countries and in a strengthening of the peace process.

The Community and the Member States have also begun informal talks with the countries of the Rio Group. Three meetings have been held, two in New York in conjunction with the UN General Assembly and one in Hamburg during the San José IV meeting. The next meeting between the Twelve and the Group of Eight will be held in Granada on 15 April.

89/091. Question No H-955/88 by Mr Alavanos Concerning the Updating of NATO's Short-Range Missiles

Date of Issue: 15 March 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

How do the Foreign Ministers meeting in Political Cooperation view the fact that the United States Defence Secretary, at a recent NATO meeting in Munich, gave instructions to update NATO's short-range missiles, despite the Soviet Union's peace initiatives and what measures do they intend to take in response?

Answer:

As the Honourable Member is aware, Article 30 of Title III of the Single Act imposes limitations on the coordination of the Twelve in the field of security. Since the question does not concern the political and economic aspects of security, it is not a subject for discussion in the context of European political cooperation.

89/092. Question No H-957/88 by Mr Dessylas Concerning the Violation of the Geneva Agreements on Afghanistan

Date of Issue: 15 March 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

How do the Foreign Ministers meeting in Political Cooperation intend to react to the fact that, at the very time when Soviet forces are withdrawing from Afghanistan, the armed opposition and Pakistani forces are violating the Geneva agreements by stepping up the shelling of towns, and government circles in Washington say that they are waiting for a government of Muslim guerillas?

Answer:

First of all, I would like to refer to the resolution approved by this Parliament on 16 February concerning the situation in Afghanistan.¹ The resolution reveals a remarkable similarity in the views of both the European Parliament and the Twelve on the desirable evolution of the situation in this country.

In their declaration of 14 February 1989, the Twelve called for the establishment of an independent, non-aligned Afghanistan under democratic government, fully representative and formed through a genuine act of self-determination. A political settlement must ensure respect for human rights and the voluntary return of refugees in safety and honour. The Twelve are willing to contribute to a multilateral aid effort in support of economic reconstruction under such a settlement.

The Twelve believe that pending elections political authority in Kabul should be broadly based and representative of, and acceptable to, all sides. The Twelve have appealed to all parties concerned in the conflict to take steps to bring a comprehensive settlement within reach.

To this end, the Twelve fully support the efforts of the Secretary-General of the United Nations to facilitate in intra-Afghan dialogue and to bring to an end the long ordeal of the civilian population of Afghanistan.

¹ OJ No C 69 of 20 March 1989, pp. 123-124.

89/093. Question No H-998/88 by Ms Castle Concerning Kashmir

Date of Issue: 15 March 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

When is the last time the Foreign Ministers meeting in Political Cooperation discussed the question of self-determination in Kashmir and will they urge the Indian Government to honour the resolutions of the UN Security Council on Kashmir of 1948? In view of Amnesty International's Review of Human Rights Violations of August 1988, will they also make representations to India suggesting that it review the Jammu and Kashmir Public Safety Act 1978, which permits detention for up to a year without trial for people engaging in alleged 'anti-national activities', in particular the new section 10 A incorporated into this Act in 1987 which permits detention for 'prejudicial activities', removes existing constitutional safeguards and infringes fundamental rights guaranteed in the Indian constitution?

Answer:

The position of the Twelve on questions of human rights is well known to the Government of India. The question of self-determination in Kashmir has not recently been discussed within the framework of European political cooperation.

89/094. Question No H-1004/88 by Ms Dury Concerning PLO Representation in the Member States

Date of Issue: 15 March 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

What is the status of the PLO's diplomatic representation in the Member States? Do the Foreign Ministers meeting in Political Cooperation propose to harmonize the status of the PLO's diplomatic representation at the highest level?

Answer:

The PLO has established information and liaison offices in several Member States, where their status in the various capitals ranges widely from full diplomatic status to purely private status without any diplomatic privileges.

The question of harmonizing the level of diplomatic representation is linked to that of recognition of a Palestinian State. As outlined in the answer to Question No H-726/88¹ (by Mr Dessylas), the question of the recognition of a Palestinian State has legal and political implications which have not been discussed in the framework of Political Cooperation.

¹ *EPC Bulletin*, Doc. 88/512.

89/095. Question No H-1034/88 by Mr Ford Concerning Human Rights in Turkey

Date of Issue: 15 March 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

Have the Foreign Ministers meeting in Political Cooperation discussed the case of Ilker Demir, held in custody in Metris Military Prison, Istanbul, now since 3 April 1984? Concern for his reportedly failing health is increasing, and if therefore his case has not been considered can this now be done; if it has already been brought to the Foreign Ministers' attention, what did they decide?

Answer:

The Twelve follow the human rights situation in Turkey with close attention. The Turkish Government has been made aware of the long-standing concern of the Twelve that the rights of individuals should be fully respected in Turkey in accordance with the commitments Turkey has accepted under the human rights instruments of the United Nations and the Council of Europe. The case to which the question refers is not the object of a specific discussion within the framework of European political cooperation.

89/096. Question No H-1057/88 by Mr Ephremidis Concerning Acts of Violence by Parliamentary Organizations in Colombia

Date of Issue: 15 March 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

Will the Foreign Ministers meeting in Political Cooperation say what specific measures they intend to take in response to the slaughter of a large number of persons by paramilitary organizations at the Town Hall in Segovia, the last in a series of such incidents in Colombia?

Answer:

The Twelve have always expressed their unequivocal rejection of all acts of violence and of human rights violations, wherever they occur and whoever commits them. They are concerned about the human rights situation, in particular the escalation of violence, in Colombia. The Twelve support the policy of the Colombian Government aimed at reducing the prevailing level of violence in that country. The specific case raised by the Honourable Member has not, however, been discussed within the framework of European political cooperation.

89/097. Statement Concerning Lebanon

Date of Issue: 20 March 1989
 Place of Issue: Brussels
 Country of Presidency: Spain
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve, gravely concerned by the recent deterioration of the situation in Lebanon, which has resulted in a large number of civilian victims, reiterate their support for the national unity, integrity, full sovereignty and independence of Lebanon without the presence of any non-Lebanese forces.

They call on the parties involved in the latest outbreaks of fighting to avoid any action which might further heighten the tension.

The Twelve also declare their support for the appeal launched by the Chairman of the Arab League Committee of Six for an end to these confrontations, so that that committee can continue its efforts to find a solution to the Lebanese crisis. They stress the importance of the role played by UNIFIL and they reiterate their support for it.

89/098. Statement Concerning Sudan

Date of Issue: 21 March 1989
 Place of Issue: Madrid
 Country of Presidency: Spain
 Source of Document: The Twelve
 Status of Document: Declaration

The Twelve express their deep concern with the present situation in Sudan.

The persistence of this situation, unless it is soon alleviated, will aggravate the suffering of the population of the southern regions, which, due to the lack of food, will be exposed to calamities similar to those suffered last year. The resumption of flights for distribution of food aid in the south relieves the needs of part of the population and is a useful action on the part of the Community, the States, persons and organizations involved.

The Community and its Member States are convinced that a cease-fire is necessary to facilitate an adequate programme of assistance and an effective large-scale distribution of food aid before the coming rainy season, with a view to preventing the death of thousands of persons in that area. A cease-fire which guarantees the humanitarian assistance, in conditions of restored internal stability, by the Sudanese authorities in conjunction with the UN agencies, the World Food Programme, the International Committee of the Red Cross and other non-governmental organizations in the area presently at war, is essential to assure the distribution of the necessary aid and the beginning of the resettlement of the many persons displaced.

They urgently call upon the parties to the conflict to cease immediately their hostilities, to open negotiations for peace and to engage in a genuine process of national reconciliation which will lead to a definitive end to the conflict and the beginning of reconstruction.

89/099. Statement Concerning Tibet

Date of Issue: 21 March 1989
 Place of Issue: Brussels
 Country of Presidency: Spain
 Source of Document: The Twelve
 Status of Document: Press statement, press release

The ambassadors of the Troika in Beijing have carried out a *démarche* on behalf of the Twelve at the Chinese Ministry of Foreign Affairs concerning the situation in Tibet in the context of the commitments of the Chinese authorities to ensure full respect for human rights.

89/100. Statement at the Occasion of the International Day for the Elimination of Racial Discrimination, 21 March 1989

Date of Issue: 21 March 1989
Place of Issue: New York
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Message

In my capacity as Minister for Foreign Affairs of the country that currently exercises the Presidency of the European Community and on behalf of its twelve Member States, I have the honour to convey to you the following message on the occasion of the International Day for the Elimination of Racial Discrimination, which marks the anniversary of the Sharpeville massacre.

The Twelve have always supported efforts to eliminate all forms of racial discrimination. They regard racial discrimination as an intolerable violation of basic human rights and totally incompatible with the relevant principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights. It runs counter to the principles of the dignity and equality inherent in all human beings.

The governments and people of the twelve Member States of the European Community continue to express their resolute opposition to any form of discrimination whether based on race, colour, national or ethnic origin. Such manifestations of racism must be eliminated, as called for in the International Convention on the Elimination of All Forms of Racial Discrimination. In this respect, the Twelve are deeply concerned that in spite of the efforts of the international community, the odious practice of racial discrimination continues in many parts of the world. The consensus achieved by the international community concerning the Second Decade to Combat Racism and Racial Discrimination is a positive sign that the Members of the United Nations are deeply involved in their stance against racism, racial discrimination.

Twenty-nine years after the Sharpeville massacre, the international community is still faced with apartheid, the most abhorrent example of racial discrimination. Apartheid is an institutionalized system of State racism which deprives the majority of the people of South Africa of their inalienable civil, political, economic and cultural rights, by denying them freedom of political expression and genuine participation in the exercise of power. The Twelve unequivocally condemn this immoral system and have repeatedly called for its abolition.

The Twelve have expressed to the South African authorities their concern at the unacceptable situation which has resulted from the policy of apartheid and the repressive measures which have continuously been applied against the great majority of the population to maintain it. One year has elapsed and once again there has not been any substantial move towards the abolition of apartheid. The arbitrary imprisonment and detention not just of adults, but also of children, the maltreatment and torture inflicted on a number of detainees, add to the misery which apartheid has already brought to the daily lives of the South African people. We once again condemn these practices and call for the release of all who are imprisoned or otherwise deprived of their freedom because of their opposition to apartheid.

The continuation of the state of emergency has made the prospects for peaceful change more difficult. Reforms introduced so far are too little and too few. The Twelve call on the South African Government to take urgent measures leading to the abolition of apartheid in the shortest possible time, in order to finally allow all South Africans, whatever their colour, to live in a new and democratic society.

In February last year the South African Government prohibited the activities of seventeen different South African organizations which peacefully opposed apartheid. Since then, restrictions have been imposed on the activities of at least sixteen more anti-apartheid organizations, thereby ignoring the continual condemnation by the international community. These restrictions underline Pretoria's lack of political will to commit itself to any real change. We once again urge the South African Government most strongly to repeal them without delay.

Although the present situation in South Africa is of great concern, the Twelve nevertheless consider it is still possible and necessary to achieve the urgent abolition of apartheid by peaceful means. It is our view that this is possible only if there is a true desire to end the spiral of violence and repression. A framework must be found in which dialogue, regardless of colour, politics or religion, is the common ground for change. Only broad-based negotiations, involving the genuine representation of all sectors of the South African population can bring the violence to an end and allow South Africans to live together in peace.

This dialogue, which the Twelve have constantly supported, continues to represent an unattainable goal as long as black leaders remain imprisoned or detained and the African National Congress, the Pan-African Congress of Azania and other political parties and anti-apartheid organizations are proscribed. The immediate and unconditional release of Nelson Mandela and all other political prisoners, along with the lifting of the ban of political parties and the re-establishment of the press freedom could considerably improve the tense climate in South Africa and would be a true step toward a genuine national dialogue.

The objective of the Member States of the European Community is the complete dismantling of apartheid and the establishment of a free and democratic society in which all South Africans will enjoy equal rights. To this end, they reaffirm their commitment to the strict adherence to the mandatory arms embargo against South Africa. They are also committed to the EEC Code of Conduct for their companies operating in South Africa as a valid and effective instrument in the quest for equal rights for black workers and the elimination of all forms of racial discrimination.

The Community and its Member States will continue to implement their programmes of assistance to the victims of apartheid and to promote economic cooperation with the Southern African Development Coordination Conference (SADCC) and its nine member States. Furthermore, restrictive measures appropriate to the situation will continue to be imposed against South Africa in order to promote the necessary fundamental changes.

On the occasion of this important commemoration, the Twelve wish to take this opportunity to reaffirm their determination to pursue their policy aimed at the complete and peaceful elimination of apartheid in South Africa and all forms of racial discrimination.

89/101. Statement at the Occasion of Pakistan's National Day

Date of Issue: 27 March 1989
Place of Issue: Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Message

On the occasion of the national day of Pakistan, the twelve Member States of the European Communities send their warmest congratulations to the Government and people of Pakistan.

The Twelve welcome the progress made by Pakistan in the process of democratization under President Ghulam Ishaq Khan and Prime Minister Benazir Bhutto, thus meeting the aspirations of its people for constitutional democracy, respect for human rights and stable foreign relations based on peace, security and development for all nations in the region.

89/102. Statement Concerning Romania's Refusal to Comply with the Provisions of the Vienna Concluding Document Concerning the Mechanism of the Human Dimension

Date of Issue: 28 March 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Press statement, press release

The ambassador of the Presidency in Bucharest, on behalf of the twelve Member States of the European Community, has made a *démarche* to the Romanian authorities, requesting information about the situation of 24 Romanian citizens, signatories of a letter to President Ceaucescu, appealing against the Romanian Government's decision to continue with the destruction of villages under the 'systematization project'.

The Romanian Government did not accept the *note verbale* of the Presidency, and refused to provide the requested information under Point 1 of the mechanism of the Human Dimension contained in the Concluding Document of the Vienna follow-up meeting of the CSCE, contending that the *démarche* was an interference into internal affairs. Furthermore, the Romanian Minister for Foreign Affairs also stated that their compliance with CSCE commitments has to be in accordance with internal legislation and their political system.

CSCE documents clearly state the obligation of all participating States to ensure that internal laws and regulations are in conformity with CSCE provisions and international obligations.

89/103. Statement Concerning Lebanon

Date of Issue: 30 March 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve are deeply concerned by the steady deterioration of the situation in Beirut in the last few days, in particular by the continuing bombardment which is resulting in a very high number of victims among the civil population as well as in widespread destruction in the capital. They reiterate the terms of their statement of 20 March. Out of humanitarian concern, they launch a new appeal to the forces involved in the conflict to put an end to confrontation and to permit the emergence of a peaceful solution to the current crisis.

The Twelve join in the recent cease-fire appeal made by the Arab League and urge all parties concerned to observe it strictly.

89/104. Question No 465/88 by Mr Robles Piquer (ED-E) Concerning the Reinforcement of the European Position on Nuclear Non-Proliferation

Date of Issue: 4 April 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Written Parliamentary Question of 17 June 1988

Can the Ministers state what action, both bilateral and multilateral, they intend to take to consolidate a European policy on nuclear non-proliferation?

Can they give details of the information received from the International Atomic Energy Agency (IAEA) on the causes and consequences of the recent closure by Taiwan of installations which might have been used to obtain plutonium?

Can they also state their opinion on the implications of the US-Japan agreement on cooperation in the nuclear energy field signed on 4 November 1987, which was the subject of a recent debate in the US Senate?

Answer:

1. The Twelve have long recognized the vital importance of vigilant and appropriate action against the risks of nuclear proliferation. They have for many years practised a coherent and consolidated policy in this field and have so made an important contribution to preventing proliferation. They have in particular supported the work of the IAEA, which stated in its latest annual report: 'In 1987, as in the previous years, the Secretariat, in carrying out the safeguards obligations of the Agency did not detect any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material — or the misuse of facilities, equipment or non-nuclear material subject to safeguards under certain agreements — for the manufacture of any nuclear weapon, or for any other military purpose, or for the manufacture of any other nuclear explosive device, or for purposes unknown.'

Nevertheless, nuclear non-proliferation remains a pressing concern and urgent priority of the Twelve. They are therefore thoroughly analysing the present situation and examining possible steps aimed at widening the acceptance of a satisfactory non-proliferation regime.

2. The specific case mentioned has not been discussed by the Twelve.

3. Concerning the agreement between the United States and Japan, the Honourable Parliamentarian is kindly requested to refer to the answers given to Oral Question No H-495/88¹ of Mr Ford in September 1988 and to Written Question No 1617/88² by Ms Ewing.

¹ *EPC Bulletin*, Doc. 88/266.

² *EPC Bulletin*, Doc. 89/008.

89/105. Question No 542/88 by Ms Lizin (S-B) Concerning the Assassination of Abou Jihad

Date of Issue: 4 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 20 June 1988

Have the Twelve adopted a position on this assassination?

Do they consider that the Israeli reactions to this assassination evince any desire to make progress towards an international conference?

What conclusions have they drawn?

Answer:

As the Honourable Member of the Parliament is well aware, the Twelve strongly and unequivocally condemn all forms of terrorism. In this context, Member States have individually expressed, in various forms, their rejection of this assassination.

The position of the Twelve concerning the Middle East and the international conference is well known. The Honourable Parliamentarian may wish to refer to the answers given to numerous Oral Questions, the inauguration speech of the Spanish Presidency before the European Parliament and recent discussions with the Political Affairs Committee of the European Parliament.

89/106. Statement Concerning the Outcome of the Round Table in Poland

Date of Issue: 6 April 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve welcome the outcome of the round table in Poland. They hope that the results of these negotiations will permit the adoption of measures to promote pluralism and democratic reform and to ensure political and social stability as well as the economic recovery of the country.

The Community and its Member States look to the rapid conclusion of negotiations on a trade and cooperation agreement that will permit the fruitful further development of relations between the Community and Poland.

89/107. Statement Concerning the Events in the North of Namibia

Date of Issue: 6 April 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve, deeply concerned over recent events in northern Namibia in violation of Resolutions 435 and 632 of the Security Council and of the agreements between the parties concerned, underline the necessity that the process leading to independence should not be endangered by these actions, which they consider of grave significance.

They condemn, in the light of information furnished by the Secretary-General of the United Nations to the Security Council, any interruption of this process and reiterate their unqualified support for the Secretary-General of the United Nations, for his Special Representative, and for UNTAG, in which the majority of the Member States of the Community are direct participants.

The Twelve appeal to the sense of responsibility of all parties concerned, who should respect scrupulously all the agreements and the relevant resolutions of the Security Council of the United Nations so as to avoid any action which could threaten the peaceful transition of Namibia to independence.

89/108. Statement at the Fifteenth Session of the United Nations Committee on Trans-National Corporations Concerning Accounting and Reporting¹

Date of Issue: 7 April 1989
Place of Issue: New York
Country of Presidency: Spain
Source of Document: Spanish Delegation to the UN
Status of Document: Statement in International Forum

On behalf of the European Community and its Member States I can extend a general welcome to the work of the ISAR Group at its Seventh Session last month. From the report of the Working Group it appears that agreement was reached on the items of objectives and concepts underlying financial statements, information of directors and accounting for inflation and changing prices and market and historical values of assets and liability, and accounting for pension costs.

As to ways and means of improving education, research and practical training in the field of accounting and reporting, particularly in Africa, we sympathize with the idea of a survey to assess the needs in the various African countries as a necessary first step before further consideration can be given to possible means of improving the situation.

In order to enhance the effect of the work accomplished by the Group it seems indeed appropriate to issue the report on objectives and concepts underlying financial statements as a companion publication to the brochure containing the conclusions of the Group on accounting and reporting by trans-national corporations.

Similarly, work on the promotional brochure should be completed for it to be made available to all institutions and organizations interested in the work of the Group.

The international survey of financial statements of trans-national corporations and other enterprises submitted to the Group left scope for essential improvements. Such a survey can only be useful if it truly reflects the situation in member States. Publication of this survey cannot take place before a new revision by the Group at its Eighth Session.

¹ Agenda Item 6.

89/109. Statement at the Fifteenth Session of the United Nations Committee on Trans-National Corporations Concerning Activities of Trans-National Corporations in South Africa and Namibia

Date of Issue: 11 April 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

With regard to item 7 of the agenda I should like to make the following statement on behalf of the twelve Member States of the European Community.

The basic lines of the joint policy of our governments *vis-à-vis* South Africa have been brought forward at previous sessions of the Commission. The complete abolition of the repulsive system of apartheid has been and remains the objective of the policy of the Twelve.

The measures adopted by the Community and its Member States in 1985 and 1986 to sustain this policy, which were listed in our statement during the last session of this Commission in 1988, have remained in force and their implementation continues to be reviewed.

To date the importation of gold coins has come to a complete stop and the import of iron and steel has continued to decline whilst contracts in these areas are steadily running out. The measure calling for suspension of new investment required in some of our Member States the adoption of new laws to that effect, and the results are likely to cumulate noticeably as such laws are put in place.

The existence of the EC Code of Conduct for companies of the European Community with subsidiaries, branches or representations in South Africa, adopted in 1977 and revised and strengthened in 1985, is also well known to the Commission.

The Ministers for Foreign Affairs of the Twelve in February of this year approved the eighth Synthesis Report on the application of the Code of Conduct. The report covers the period from 1 July 1986 to 30 June 1987 and analyses reports on their activities by 247 companies with more than 97 000 black employees. It also takes into account the annual report by representatives of the Twelve in Pretoria on implementation of the code.

The period under review was one of increased union growth and activity despite the restrictions of the South African Government's emergency powers. There was severe labour

unrest. The economic climate remained difficult and an inflation rate of around 17% led to a decline in average wages in real terms.

The report notes in particular:

- (a) that the reports received indicate a consolidation of company policy to promote and improve relations between the employers and workers;
- (b) that the companies accept the principle of equal pay for equal work regardless of race. In concrete terms, the implementation of the code led to an improvement in wages, and a wide range of fringe benefits were made available by companies;
- (c) that many companies continue to promote development in the training and the advancement of black employees;
- (d) that a number of companies further contributed to the encouragement of black businesses.

The Twelve believe that the measures taken by European companies to abolish segregation at the workplace have contributed to furthering their policy aimed at achieving the dismantlement of apartheid by peaceful means. They encourage European companies to pursue further their efforts to improve the conditions of black employees. Conscious of the fact that observance of the Code by European companies sets an example for South African companies, they underline in this context their determination to promote the implementation of the Code to this end. At the same time, the Twelve call once again on the South African Government to take the necessary steps to remove all racial discrimination.

89/110. Question No H-927/88 by Mr Arbeloa Muru Concerning the Jewish Settlements in the Occupied Territories

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What view do the Foreign Ministers take of the Jewish settlements in the occupied territories? What has been their attitude hitherto? What measures do they plan to take, now and in the future?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The position of the Twelve regarding Israeli settlements in the occupied territories is well known, and will continue to form the basis for its policy. In the 1980 Greece Declaration we stated that we considered the Israeli settlements to be illegal and contrary to international law. The Foreign Ministers have repeatedly called upon the Israeli Government to put an end to these settlements. In their declarations of 14 September 1987 and 8 February 1988¹ the Twelve expressed their grave concern at the continuation of this policy by Israel, and deplored the diversion of resources to illegal settlements. We also reiterated our conviction that progress towards a just, comprehensive and lasting peace in the region depends on the creation of a climate of confidence between the parties in conflict. We believe that the establishment of new settlements and an increase in the number of settlers in the existing settlements constitute a serious threat to prospects for peace, and we have therefore called upon the Israeli Government to put an end to this illegal policy.

Mr Arbeloa Muru (S): I am very pleased with your reply. But have the Ministers considered introducing any sanctions, or any threat of sanctions, if systematic violations of the Geneva Accords continue?

Mr Solbes Mira: The Foreign Ministers have not discussed this specific point. Evidently, we are following the developments in Israel, but the matter has never been raised in the terms in which you put it.

Mr Marshall (ED): Are the Foreign Ministers meeting in Political Cooperation not aware that the town of Hebron has a long and distinguished Jewish history? Why should Jewish settlers be prevented from going to a town where their forebears once lived?

Mr Solbes Mira: The subject of settlements could be discussed at great length. Obviously, your position is perfectly tenable with regard to certain types of settlement, but not to those in territories whose status is presently being discussed by Israel and other authorities.

The basic problem is thus the consistency of the Community's position; and I think that the Community's position has always been the same. Reference was made to it in the 1980 Venice Declaration, and also — the most recent statement by the Twelve on the subject — in the 1988 Bonn Ministerial Declaration.

¹ *EPC Bulletin*, Docs 87/312 and 88/036.

89/111. Question No H-1063/88 by Mr Seligman Concerning the Turkish Penal Code

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What assurance has been received from the Turkish Government that the Turkish penal code will be revised to provide effective safeguards against torture, immediate access for those arrested to lawyers and relatives and prompt fair trial under acceptable conditions?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: In the first place, I must point out that Article 17 of the Turkish Constitution specifically lays down that no one shall be subjected to torture or ill-treatment.

The Turkish Government has undertaken to ensure that the application of its penal code is in accordance with the human rights standards laid down in the Turkish Constitution and in the international agreements that Turkey has signed; and I should like to stress that point. The Twelve have on a number of occasions drawn the attention of the Turkish authorities to the importance they attach to this specific issue.

Mr Hutton (ED): I would like to thank the President-in-Office for his answer, and ask him if he agrees that until Turkey actually changes the application as against the wording of its penal code, it will not be possible for the Community to make progress towards closer association between Turkey and the Community, and perhaps even eventual membership?

Mr Solbes Mira: With regard to the possible accession of Turkey to the Community, the matter is being submitted to the usual procedures, and is thus awaiting a report by the Commission. It would obviously be premature to prejudge the position at the moment. As for the evolution of the association, this will obviously depend on the adoption of a unanimous position by Member States. Be that as it may, I can assure you that the existence of facts of this type is a matter of considerable concern to some Member States of the Community.

Mr Morris (S): Are the Foreign Ministers meeting in Political Cooperation aware of Amnesty International's lists of deaths of prisoners in Turkish gaols as a direct result of torture and continued ill-treatment? What action do the Foreign Ministers intend to take about the Amnesty International report? Lastly, will the Foreign Minister assure this House that they will not support Turkey's application to join the EEC until it proves that it has released all political and religious prisoners, and has returned to a civilized form of behaviour?

Mr Solbes Mira: Of course I feel that this is neither the time nor the place to answer your second question. As for the first, I can tell you that the Foreign Ministers meeting in Political

Cooperation follow with the closest interest and in the greatest detail all available information on respect for human rights in the world, and consequently, in Turkey. And, of course, in so far as it is regarded as appropriate to embark on some debate or some measure, the appropriate steps will be taken.

Mr Dessylas (COM): Mr President-in-Office, on Sunday the Turkish political refugee, Grezer Koutsaf, who has been living in Switzerland, returned to Turkey. He was arrested at Istanbul airport by State Security, and despite the statement by the Istanbul prosecutor that there are no charges outstanding against him, he is still being held, nobody knows where, and has not been allowed to meet his parents and other relatives or even his lawyers.

Will you be making any specific representations to the Turkish authorities concerning this case?

Mr Solbes Mira: I note the information you have given us. We shall convey it to the Foreign Ministers meeting in Political Cooperation and, as I said before, the appropriate decision will be taken.

89/112. Question No H-1065/88 by Ms Ewing and Question No H-22/89 by Mr Newton Dunn Concerning Human Rights in Romania

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Questions

Question No H-1065/88:

There is evidence to suggest that 23 people are being harassed by the Romanian authorities because of their protests against the Government's proposed destruction of hundreds of villages.

This action by the authorities is in contravention of the human rights commitments that Romania entered into when it signed the concluding document of the Vienna Conference on Security and Cooperation in Europe a month ago.

Will the Foreign Ministers meeting in European political cooperation invoke the Helsinki Accords on human rights to intercede on behalf of these 23 people and put pressure on the Romanian Government to respect the conclusions of the Vienna Conference?

Question No H-22/89:

In the light of the reply to my Oral Question No H-802/88 and the statement by the Romanian Foreign Minister at the conclusion of the Vienna Conference on European Cooperation and Security, indicating the complete indifference of the Romanian authorities to their recently signed international treaty commitments, will the Spanish Presidency, in order to pursue its policy in the matter, promote action by the United Nations with the particular objective of establishing regional autonomy for the minorities in Transylvania and the general objective of greater respect for the basic rights of Romanian citizens, in accordance with Romania's solemn obligation arising from the Final Act of the Conference on European Cooperation and Security?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Twelve are following the situation in Romania with the utmost concern, particularly the situation as regards human rights. We have affirmed as much on a number of occasions, particularly in the replies to Questions Nos H-802/88, H- 596/88 and H-664/88¹ by Mr Newton Dunn. We also took note of the recent resolution on the question, adopted by Parliament on 16 March 1989. We share Parliament's concern regarding the recent events.

The Twelve have taken various steps, both bilaterally and jointly, *vis-à-vis* the Romanian Government. These steps include the following:

1. On 9 February the Romanian ambassador in Madrid was summoned to the Spanish Ministry of Foreign Affairs, following a request by the Political Affairs Committee of this Parliament.
2. On 14 February the Spanish ambassador in Bucharest was received by the Director-General for Europe of the Romanian Ministry of Foreign Affairs, in connection with the same matter.
3. On 20 March the Spanish ambassador in Bucharest made another approach, invoking the first point of the mechanism contained in the Vienna Final Document on the matter.
4. On 28 March the Presidency issued a press communiqué concerning the Romanian refusal to comply with the provisions of the Vienna Final Document with regard to the human rights mechanism.

In all these measures the Twelve have stressed the fact that all the States participating in the Conference on Security and Cooperation in Europe adopted the Final Document by consensus, and that in consequence we hope that the Romanian authorities will comply with the undertakings to which they freely committed themselves.

We have had recourse to the human rights mechanism provided for in the Vienna Final Document, and have officially requested information on the situation of the persons to whom you refer in your question.

In that context, the Presidency, with the agreement of its members, is envisaging the possibility of applying the third point of the mechanism contained in the Vienna Final Document. The Twelve will follow the matter closely and will continue to make their disapproval known to the Romanian authorities, who have become isolated within the international community, as is shown by the recent vote in the United Nations Commission on Human Rights.

The bilateral and joint measures *vis-à-vis* the Romanian Government to which we have referred have above all stressed the need to comply with those commitments that were freely undertaken. Evidently, it only remains for me to add that, as the Presidency, we are ready to persevere with the necessary actions despite the attitude of the Romanian authorities.

Ms Ewing (RDE): I thank the President-in-Office for such a detailed answer, and for giving us a good insight into all the steps that are being taken. This is reassuring. Could I just put on record that not only Ghandi regarded the village as the essential centre of stable rural society, but it is regarded as such by the Community and its policies. This destruction of villages must be one of the worst tragedies in our continent of Europe. I wonder whether, following today's Question Time, a letter could be sent again about the 23 people in question?

Mr Solbes Mira: I can only add that the so-called 'systematization' is a matter of enormous concern to the Community. It has not been allowed to rest, and we note the specific point raised about possible additional measures concerning those 23 persons, and shall consider whether such measures would be appropriate.

Mr Newton Dunn (ED): Ms Ewing was happy with her reply. I am extremely disappointed with mine. There was no reply. I put a specific question to the President-in-Office of the Foreign Ministers. I said 'are you willing to promote action by the United Nations to help the Hungarian minority'? In your general reply, you neither mentioned the United Nations nor the Hungarians. Would you, please, now give a proper reply?

Mr Solbes Mira: The Community took the view that the mechanism contained in the Vienna Final Document is binding on the 35 participating States, and is therefore to be preferred to action in the United Nations. Consequently, we did not think it necessary to approach the United Nations in order to deal with matters on which agreement had already been reached among a smaller group of countries, and one with greater obligations than those existing within the United Nations framework. For that reason we thought it more appropriate to exhaust the CSCE procedure, rather than to turn to the United Nations, which we considered would be less effective.

Mr Marshall (ED): Would the President-in-Office of the Foreign Ministers not agree that what is going on in Romania is little better than genocide? Would he mind reminding the Romanian authorities that so long as they cheat on their signature on the international agreements they have accepted in respect of human rights, so long as they cheat on their citizens, their signature on any international agreement, any international document, will be considered by this Community as quite worthless?

Mr Solbes Mira: I can see the logic of your position, but perhaps the opposite logic may be more correct. Is it better to say to the Romanians that we do not mind if they do not comply with agreements they have signed, and that consequently the rest of us do not feel bound to comply with our obligations; or, on the contrary, is it more logical to ask the Romanians to comply with the agreements they have signed?

We have chosen the second option, which we consider more effective. Perhaps the other option would be more intellectually satisfying, but it would also be less effective.

¹ Cf. *EPC Bulletin*, Docs 89/021, 88/427 and 88/516.

89/113. Question No H-2/89 by Mr Desama Concerning Human Rights Violations in Bulgaria

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

In 1970 the Bulgarian Government ratified the International Covenant on Civil and Political Rights, Article 27 of which states that: 'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language'.

In defiance of these provisions the Bulgarian Government embarked some years ago on the forced assimilation of the Turkish and Gypsy minorities resident on their territory, even resorting to the imprisonment without trial of non-violent opponents of this policy.

What measures will the Foreign Ministers take to end this practice, secure the release of those imprisoned and ensure that the Bulgarian Government complies with the Human Rights Convention?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Twelve have always taken a firm stand on universal respect for human rights, including the rights of minorities. Special attention has also been given to the human rights situation in Bulgaria. In our contacts with the Bulgarian authorities, as with all States participating in the CSCE, we have made it quite clear that we expect governments to fulfil the undertakings to which they freely committed themselves in the Vienna Final Document and in previous agreements.

Furthermore, it is clear that other countries outside the Community are maintaining direct contacts on this matter. I am referring to the contacts between Bulgaria and Turkey which, under the terms of the Belgrade Protocol signed on 23 February 1988, established a joint committee to deal with these matters and thereby promote human rights cooperation between the two countries.

Mr Zournatzis (DR): The rigour with which the Commission and the Council have always insisted that our neighbours put their house in order in the matter of human rights is something I have always admired. But now I return again to my usual supplementary to the Minister concerning one of our own countries – not his country, but Greece. Admittedly, violations in

Greece have none of the enormity to be found in certain other countries, but they are occurring none the less. It is not hundreds of thousands of people who are affected but just a few, getting on for ten, people who are being held as political prisoners, not forgetting the others, of course, who have already died in gaol. What does the Minister intend to do about this before his term of office runs out in June?

Mr Solbes Mira: The Presidency of the Ministers meeting in Political Cooperation does not envisage any action of that kind.

Mr Desama (S): I just wanted to ask you, Mr President-in-Office, whether you are clearly aware of a particular aspect of the Bulgarian situation which is that Gypsies and Turks are being 'Bulgarized' by force. The Government compels them to change their identity and this makes the work of organizations such as Amnesty International extremely difficult when it comes to finding missing persons and stepping in to defend them.

Independently of the over-all reply you gave me, I can but encourage the Council to go further in the defence of human rights in countries who wish to draw closer to us. They should be aware of this particular element of the situation and prepared to work on the Bulgarian authorities. That fact should be noted.

Mr Solbes Mira: I take note of the information you have put before us. The Foreign Ministers are aware of the problems you have raised, and the matter will be thoroughly looked into at the appropriate time.

89/114. Question No H-12/89 by Mr Hutton Concerning Martial Law in Tibet

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What representations have the Foreign Ministers meeting in Political Cooperation made to the Government of the People's Republic of China following the imposition of martial law in Tibet on 7 March 1989.¹

Mr Solbes Mira, President-in-Office of the Foreign Ministers: I can inform you that the Twelve have taken thorough note of the resolution on Tibet adopted by this Parliament on 16 March 1989. The ambassadors of the Community Troika in Beijing have made an approach, on behalf of the Twelve, to the Chinese Ministry of Foreign Affairs regarding the situation in Tibet.

As stated in the press communiqué issued by the Presidency on 21 March, the approach concerned the commitments by the Chinese authorities to guarantee full respect for human rights.

Mr Hutton (ED): I would like to thank the President-in-Office very much indeed for his answer and for the approaches which the Twelve have made, and ask him if he believes that the European Community Foreign Ministers could offer their mediation to bring about the discussions, which the European Parliament's resolution called for, between the Government of the People's Republic of China and His Holiness the Dalai Lama, the exiled Tibetan leader, on fair terms without conditions?

Mr Solbes Mira: This matter has been extensively debated, and you are fully aware of the nature of this question. Consequently, and pursuant to the Community's usual tactics, it was considered far more useful to make an external approach to the Chinese authorities than to offer our mediation, the outcome of which seemed less promising.

¹ OJ No C 96 of 17 April 1989, pp. 140-141.

89/115. Question No H-33/89 by Mr Dessylas Concerning the Abolition of Conventional Weapons

Date of Issue: 11 April 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

In view of the constructive nature of the first round of the Vienna talks on the abolition of conventional weapons in Europe, how do the Foreign Ministers meeting in European political cooperation intend to contribute to the successful conclusion of these talks?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: In his statement made in Vienna on 15 March, at the opening of the negotiations on conventional weapons in Europe and confidence-building measures, the President-in-Office of the Foreign Ministers meeting in European political cooperation clearly stated the position of the Twelve. The Presidency placed on record the continued support of the Twelve, during the Vienna follow-up conference, for the efforts to reach agreement on a negotiating mandate on conventional forces in Europe, and on talks on confidence-building and security measures.

The Presidency also emphasized that these agreements provide an opportunity to achieve, within the CSCE process, the security objectives we are all pursuing, namely, a stable balance of forces, providing security at lower levels, and greater confidence brought about through increased openness and transparency.

The Presidency expressed the wish to see a successful conclusion to the two series of negotiations, which should make a great contribution to a climate of mutual confidence.

Lastly, the Presidency indicated that the Twelve see these negotiations as having historic importance for the future of Europe, and that they will spare no effort to ensure that they reach a successful conclusion.

Mr Dessylas (COM): I thank the President-in-Office for his reply. I would like to ask him what specific steps the Twelve meeting in Political Cooperation intend to take in response to the recent bold proposals by Mikhail Gorbachev for substantial reductions in conventional weapons in Europe to the minimum necessary for defence?

Mr Solbes Mira: I think that the Community's position on the fundamental issue is well known: there is clear support for reducing arms to the lowest possible level, always provided certain conditions are fulfilled. In that regard, the matter is of course being studied in the context of European political cooperation, and action will be taken accordingly on the basis of the decisions adopted by the Ministers responsible for European cooperation.

89/116. Question No H-35/89 by Mr Ephremidis Concerning the Arrest and Maltreatment of Greek Cypriot Women in Occupied Cyprus

Date of Issue: 11 April 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

What is the position of the Foreign Ministers meeting in European political cooperation concerning the arrest and maltreatment by the Denktash regime of Greek Cypriot women and of a photo-journalist who were taking part in a peaceful march in the occupied sector of Cyprus in the areas of Athna and Limpia?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Twelve regret that the continuing partition of the Republic of Cyprus is giving rise to events such as those to which you refer. Regarding this, we once again reaffirm our unshakeable position on the need for a rapid, comprehensive, fair and negotiated solution to the problem, in accordance with the principles set forth in the conclusions of the Rhodes European Council of 2 and 3 December 1988.¹ We also support the good offices and mediation of the Secretary-General of the United Nations with a view to resolving the present situation in Cyprus.

Mr Dessylas (COM): Does not the President-in-Office agree that the maltreatment of women by the Denktash pseudo-State totally contravenes the principles of international law and runs counter to the resolutions of the United Nations concerning an international conference on the Cyprus question and to the declarations of this Community itself?

What specific steps does the Spanish Presidency intend to take to promote an international conference on the Cyprus issue and the immediate withdrawal of the occupation army?

Mr Solbes Mira: Of course, this is not just the position of the Spanish Presidency. The position of the Twelve is quite clear: any type of violence is to be condemned. With regard to the second point, the Spanish Presidency fully supports this conference, and we shall do our utmost, within the framework of Political Cooperation, to ensure that it proceeds.

¹ *EPC Bulletin*, Docs 88/487, 88/488 and 88/489.

89/117. Question No H-37/89 by Mr Alavanos Concerning the Destruction of the Amazonian Biotope and of the Way of Life of the Amazonian Indians

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What measures will the Foreign Ministers meeting in European political cooperation take to prevent the Brazilian Government from proceeding with the destruction of the Amazonian biotope which is threatening the survival of the Guayaquil Indians and will have repercussions on the environment on a planetary scale?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: The Community and its Member States are aware of the questions you raise, both regarding the fate of the Guayaquil Indians, and as regards the consequences of the Brazilian scheme on a planetary scale.

The Community and its Member States hope that the Government of Brazil, in the exercise of its sovereignty and having regard to the country's legitimate development needs, will not overlook the social and ecological aspects of the issue.

We trust that the international community will lend its full support to securing a decision by the Brazilian Government to that effect.

Mr Dessylas (COM): I am not satisfied with the President-in-Office's reply. I would like to ask him what specific actions the Twelve intend to take in the framework of the international organizations to condemn the Brazilian Government for its criminal destruction of the environment? Do the Twelve have any plans to institute economic sanctions against the Brazilian Government for failure to implement the international conventions on environmental protection?

Mr Solbes Mira: This is a highly sensitive matter, in view of the implications of every kind involved — environmental issues, human rights issues, and so forth.

It is certain that, at bilateral level, each Member State of the Community is making approaches to halt the continuing destruction of the Amazonian biotope, but it is no less certain

that a more thorough study is now being made at Community level of the effects of these actions. We hope soon to have information on the possible threats to the environment from actions of this kind — and not just in Brazil. Once we have fuller information, we will be able to take some specific decision.

89/118. Question No H-54/89 by Mr Gutiérrez Díaz Concerning EPC's Position on United States Aid to the Nicaraguan Contras

Date of Issue: 11 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Some sections of the media have said that Mr Francisco Fernández Ordóñez, during his recent visit to the United States to meet President Bush in his capacity as President-in-Office of the EC Council of Ministers, described the US administration's decision to continue aid to the Contras to the tune of 50 million US dollars, thus enabling them to remain in Honduras, as 'acceptable'.

What is the position of the Foreign Ministers in this matter?

Have the Foreign Ministers taken into account the fact that this measure is directly contrary to the Esquipulas Accords?

Mr Solbes Mira, President-in-Office of the Foreign Ministers: As was announced at the ministerial meeting in San Pedro Sula, the Twelve reaffirm their conviction that it is essential for all countries with links or interests in the region to make a real contribution to bringing about the conditions necessary to establish peace and democracy on a firm basis, and to secure economic and social development in Central America.

With regard to humanitarian aid, during his visit to the United States Mr Fernández Ordóñez confined himself to confirming the position of the Twelve established at the San Pedro Sula ministerial meeting, section 14 of which states that the Ministers firmly reiterated the request contained in point 5 of the Esquipulas II Accord, that governments within and outside the region which openly or covertly provide aid to the irregular forces or insurgent movements in the area should immediately cut off all such aid other than humanitarian aid which contributes to the objectives announced by the Central American Presidents in the El Salvador Declaration.

Mr Gutiérrez Díaz (COM): Thank you, Mr President-in-Office, for your reply. It seems to me to be a diplomatic rather than a political reply, and I must therefore insist on my question. Do you not consider that the most genuine form of humanitarian aid would be some contribution to the fulfilment of the agreements concluded between the five Central American Presidents in El Salvador, with a view to re-integrating the Contras into normal civilian life? Consequently, is not this so-called aid from the United States in fact a means of maintaining the Contras as an unacceptable instrument of pressure, and of interfering with the internal affairs of independent Honduras?

Mr Solbes Mira: I do not think that your position and the one I have just expressed are so very far apart. The Twelve have never welcomed this aid, and when we have spoken of aid we have had in mind aid with a very specific purpose: the demobilization and repatriation, or, failing that, relocation and assistance needed for the voluntary re-integration into normal life of former members of the irregular forces or insurgent movements.

89/119. Question No H-934/88 by Mr Iversen Concerning Export Refunds on the Sale of Beef to South Africa

Date of Issue: 12 April 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

In the light of paragraph 4 (22) of the Court of Auditors' report contained in OJ C 316 of 12 December 1988, will the Foreign Ministers meeting in European political cooperation state why these high export refunds are made on the sale of beef hindquarters to South Africa, and do they not consider that this support is undermining the policy of sanctions against South Africa?

Answer:

The Honourable Member is reminded that export refunds on the sale of beef are not included among the restrictive measures *vis-à-vis* South Africa agreed by the Twelve on 10 September 1985 and 16 September 1986.

89/120. Question No H-1064/88 by Mr Cervera Cardona Concerning the Fifth San José Conference (San Pedro Sula)

Date of Issue: 12 April 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

What was the level of attendance by the European Community Foreign Ministers (in particular by nationality) at the above meeting held on 27 and 28 February 1989? What political significance should be attached to their attendance at this meeting?

Answer:

The Community and its Member States were represented at ministerial level at the meeting in San Pedro Sula. Five ministers and deputy ministers, the Member of the Commission, six secretaries of State and an ambassador-at-large were present. Several ministers, contrary to their desire, were unable to attend the meeting because of other commitments.

Let it be said that the ministerial conference was a success and the outcome represents the formal expression of the political will of the Community and its Member States to pursue with their Central American partners the political dialogue and economic cooperation designed to establish peace and democracy and to ensure the economic and social development of the region.

89/121. Question No H-1070/88 by Mr Ford Concerning the North Korea Nuclear Reprocessing Plant at Yongbyon

Date of Issue: 12 April 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

Are the Foreign Ministers aware of this plant under construction, and have any representations been made to the North Koreans that such a plant gives rise to suspicions that they are engaged in early steps towards the production of nuclear weapons?

Answer:

The Twelve are aware of the construction of this plant, which apparently has not been finished. Since 1985, North Korea is a party to the Non-Proliferation Treaty. Negotiations on a NPT-type safeguards-agreement between the International Atomic Energy Agency and North Korea are at present going on. Once this agreement is concluded all North Korea's present and future nuclear installations will be put under IAEA full-scope safeguards.

89/122. Question No H-1079/88 by Mr Filinis Concerning the Expulsion of a Turkish Member of Parliament from his Party

Date of Issue: 12 April 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

During the first meeting of the EEC—Turkey Joint Parliamentary Committee Mr Ibrahim Aktsoy, a member of the Turkish social-democratic party, referred to the persecution of the Kurdish minority in Turkey.

As a result, Mr Aktsoy was expelled from his party for two years and his membership of the Joint Parliamentary Committee was annulled.

Do the Foreign Ministers meeting in Political Cooperation share the anxiety unanimously expressed by the European Parliament delegation in the Joint Committee in view of this unparalleled violation of freedom of expression and, if so, what measures do they intend to take to help ensure that the Turkish authorities respect basic democratic rights?

Answer:

As has been indicated in replies to previous questions, the Twelve are following closely the process of democratization in Turkey. However, the specific issue to which the question refers, concerning the position of Mr Aktsoy within his party, has not been discussed in the framework of European political cooperation.

89/123. Question No H-1081/88 by Mr Griffiths Concerning Rights of Access by Relatives and Lawyers to Prisoners in Turkey

Date of Issue: 12 April 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

Will the Foreign Ministers meeting in Political Cooperation make representations to the Turkish Government to introduce rights of access by relatives and lawyers to prisoners, whether charged or not, along similar lines to those rights enshrined in law in the Member States of the European Community?

Answer:

The Twelve have conveyed to the Turkish authorities their abiding concern that the United Nations and Council of Europe Conventions on Human Rights to which Turkey has acceded should be fully respected.

89/124. Question No H-3/89 by Mr Wurtz Concerning a Draft Law on the Press in Turkey

Date of Issue: 12 April 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

Are the Foreign Ministers aware of the draft law being drawn up in Ankara introducing even stiffer penalties against journalists performing their professional duties? Do they not feel that representations should be made to the Turkish authorities on this subject as a matter of urgency?

Answer:

The Twelve closely follow the human rights situation in Turkey. As they have stated in replies to other questions, they have made clear to the Turkish authorities their concern that Turkey should respect the international human rights standards which it is committed to upholding under the international conventions to which Turkey has subscribed.

89/125. Question No H-24/89 by Mr Pearce on Laundering Drug Money

Date of Issue: 12 April 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

Do the Ministers meeting in European political cooperation deplore the fact that a recent report by the Drug Enforcement Agency names one Community city, Luxembourg, in a list of 18 cities and countries worldwide where the laundering of drug money is particularly rife? If so, what is being done to rectify the situation in Luxembourg?

Answer:

The Honourable Member's question was not referred to by the Foreign Ministers meeting in Political Cooperation.

However, I wish to inform him that the Twelve firmly support measures aimed at improving international coordination of policies to combat drug trafficking and related offences.

They were, for instance, actively involved in the drafting of the United Nations Convention Against Illegal Trade in Drugs and Psychotropic Substances at the Vienna Conference held in November and December 1988.

89/126. Statement Concerning the Term-of-Office of the Spanish Presidency and Concerning the Forthcoming Madrid European Council [Abstracts]¹

Date of Issue: 12 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Report on European Council to the European Parliament; Balance speech before the European Parliament

Mr Gonzales Marquez, President-in-Office of the European Council: Mr President, ladies and gentlemen, the Stuttgart Declaration on European Union introduced the custom whereby the President-in-Office appears before the European Parliament to report the results of the meeting of Heads of State or Government.

During this six-month period, the European elections in June make this impossible since the newly elected Parliament will not meet for several weeks, which will be after the next meeting of the European Council in Madrid.

For this reason, and even at the risk of critical interpretations, given the impending elections, I wished to appear before you in the inhabitual month of April.

There are, however, good reasons for this.

For one thing, we are at the half-way point of the Spanish Presidency and of the process initiated at the European Council meeting in Milan which will take us up to 1992. It is an appropriate time to analyse what has been done and what still remains to be done.

For another, respect and consideration for this House are sufficient reason for the Presidents-in-Office of the European Council to continue to come before you, albeit in circumstances different from those originally foreseen. In my case, the conviction that it is from these seats that Europe is being constructed with generosity and boldness impelled me even more to compare ideas, which we assuredly to a large extent share, on the building of a Europe based on unity, justice and solidarity.

At this time four years ago, when the negotiations on Spanish accession were practically completed, I had the opportunity of expressing my conception of the work of the Community and the future of Europe. At that time I explained that we wished from the outset to take an active role in shaping the future of Europe, regarding the Treaties of Rome and the institutions not so much as a point of arrival but rather as instruments for increasing progress and integration.

The intervening period has strengthened me in that belief. The Single Act, although a minimal expression of compromise in pursuit of European Union, was evidence of the drive and vigour of the Community.

Spain, backed by a very solid political consensus, wishes to participate fully in this project, sharing rather than requesting, talking rather than demanding, and working in a common perspective rather than putting individual interests first. We are convinced that this process of union corresponds to the interests of each and every one of us and also, if I may say so, to necessity.

It is in this spirit that we are assuming our responsibilities during the discharge of the Presidency. The Minister for Foreign Affairs, in his capacity as President of the Council, has already had an opportunity of expounding to you the Community priorities in this first half of the year.

Now, half-way through the Presidency, we can reflect on what has been done and what can be done. As it is not possible to speak about everything, and some people will approach me for not mentioning or dwelling on this or that subject of interest, I would like from the outset to announce that I will focus on certain questions which I consider to be fundamental.

[...] Mr President, the European Community is in the midst of a changing world with clear signs of tension easing between the major powers and cooperation all round, in an endeavour to resolve conflicts which still persist.

At the beginning of the 20th century, solutions to problems depended on decisions taken in Europe. The all too serious warlike confrontations in subsequent decades were to appreciably reduce the decision-making role of Europeans.

The citizens of Europe had to devote their energies to rebuilding their homes amidst the ruin sown by hatred and to burying, together with millions of dead, every trace of irreconcilable enmity.

This has been the great task of the present century and we can be broadly satisfied with the work accomplished. The citizen of Western Europe has learnt to talk to his neighbour, reach understanding and cooperate with him. It is no longer the strength of the powerful but the power of common effort on a basis of solidarity that is needed to build a lasting structure: European Union.

In this way we have restored our reputation in the world and can once more express our views in the knowledge that they will be listened to attentively. The Single Act has enshrined Political Cooperation in the Community as an essential contribution to consolidation of the political identity of Europe through the gradual creation of a European foreign policy.

This is also a fundamental aim of the Spanish Presidency: to make the voice of our citizens, the voice of millions of citizens of Europe, ring out loud and clear in every corner of the world. To achieve this, it intends to ensure the greatest consistency in the whole sphere of foreign relations of the Twelve and of the Community, so that political endeavour goes hand in hand with trade and cooperation. A good example of this concern for cohesion is the adoption of the regulation on the control of exports of chemical products likely to be used in armed conflicts.

We are striving to pass from words to deeds, from statements, albeit important ones, to concrete action, which is probably more effective.

We have the will to continue building a united Europe which is open to international cooperation, a trusty partner in relations with the other industrialized countries and an active factor in solidarity with the developing countries.

To go into this area of activity would take considerable time, so allow me simply to make a few points concerning what has been done and what is going to be done.

Firstly: a new pattern of relations with our immediate European neighbours is beginning to take shape — in particular with the countries of the European Free Trade Association, with a view to establishing a vast European economic area. The recent meeting in Brussels of the Ministers of the two organizations provides good proof of this process. The same approach has prompted a new framework for relations with the Council of Europe.

Secondly: the dialogue with the Soviet Union and the countries of Eastern Europe has been set on a firm basis. The interesting process of change which those countries are experiencing affords hope that the political dialogue and economic cooperation will go ahead.

Current negotiations on the signing of agreements with Poland and Bulgaria, following those already signed with Hungary and Czechoslovakia, and the hoped-for forthcoming opening of negotiations with the Soviet Union are links in a chain which should lead us towards ambitious goals of understanding and cooperation.

Thirdly: Latin America is the area of the developing world whose cultural and historical ties with Europe are closest. We can do much to reinforce its political stability and contribute to its economic development.

The cooperation plan for Central America worked out at the recent meeting in San Pedro Sula is already a good example of a process which would have been unthinkable just a few years ago. There is a window of opportunity for peace in the area, and for that reason there should be an influx of European economic aid, demands for democratic political development and cooperation in order to remove obstacles along the road to peace.

For many countries of Latin America, as for others in Africa and Asia, the fundamental problem for their economies is the, external debt, which is like a millstone crushing all possibilities of economic growth.

We cannot support respect for democratic principles in Latin America whilst at the same time turning a blind eye to the more serious threat to the survival of democracy as it has emerged recently in some of those countries.

What we need are financial and political solutions to the debt problem. The latest North American proposals and the discussions within the International Monetary Fund are beginning to recognize this reality. Europe cannot afford to be left out of this movement: on the contrary, it should be spearheading it.

I am confident that at the Madrid European Council we shall manage, for the first time at this level, to come to an understanding between the Twelve on how to bring about international action in this area.

Fourthly: I should like to mention the valiant efforts being made to speed up the negotiations with the ACP countries and to extend their scope. At the moment the Fourth Lomé Convention is being renegotiated.

This is undoubtedly the Community's most important cooperation package and may well be the most important agreement of its kind even at international level.

Fifthly: under the Spanish Presidency, the Twelve have initiated a series of contacts with all the parties involved in the Middle East conflict, including Israel and the PLO. Our aim here is to contribute to active European involvement in the Middle East at a juncture crucial for the peace process.

We need not look for fresh principles, but seek ways of bringing about conditions under which the various parties are prepared to conduct a dialogue. This presupposes creating a climate of some degree of trust between those parties and endorsing any reasonable alternative enabling such a negotiated settlement to be reached.

The Spanish Presidency has also relaunched the Euro-Arab Dialogue and, as a result, is pleased to note that the main obstacles to it seem to be disappearing.

Sixthly: setting great store by relations with the United States, we are reaffirming the political dialogue and suitably paving the way for a settlement of the trade dispute.

In short, what we are trying to achieve is for the Community to be an instrument of progress and understanding with the outside world, smoothing out frictions if necessary. A fine proof of this effort is furnished by the recent agreements reached within the GATT Uruguay Round on trade in agricultural products.

Ladies and gentlemen, this in broad lines, is the world as perceived by the European citizen. Some progress — but still insufficient — has been made. We have taken over the helm of a ship under full steam, which will follow its normal course when changing hands.

Six months is a short time, but our resolve while holding the Presidency has been, and will be, to ensure that the building of Europe progresses in the right direction, because we have the right philosophy and we know where we are going.

The building of Europe and, in the medium term, the 1992 target are conditional upon an ongoing drive of economic and social cohesion, as a principle which should pervade all Community policies, in accordance with the text of the Single Act.

This involves a single market and convergence of economic policies and solidarity between regions; free movement of capital under conditions that are at the very least comparable; freedom of movement for workers and, simultaneously, adequately harmonized standards to help defend their rights.

This way of thinking helps us to pursue the course set by the Single Act, the one leading to European Union, which must keep on acquiring substance.

Attempting to draw a profile of European Union in this Chamber seems to me a bold venture to undertake, seeing that this House has been most prolific, whenever devising feasible projects to help achieve it.

The Single Act has introduced appreciable improvements in the functioning of the institutions. We all know it was the minimum commitment possible to emerge from the process begun, on these very benches, with the approval of the draft Treaty on European Union, which some of us felt to be highly thought-provoking, valuable and, probably, a model as regards its basic content.

I believe that the spirit which guided Mr Spinelli and those who supported him in this demonstration of loyalty to an idea should continue to guide us, so that we do not lose sight of the goal we have set ourselves. We are at present right to wring everything possible from the Single Act, which is not inconsiderable. We need a strategy combining a sense of the present with a sense of the future.

The application of the Single Act to its logical conclusion will have major institutional repercussions. I feel it would be useful and necessary for the newly elected European Parliament to undertake, together with the other institutions, the necessary thinking and discussions to adjust the Community to the requirements of the twenty-first century.

I am aware that this question is uppermost in your minds. The resolution calling for the creation of a European Union approved in this Chamber in February is, to my mind, a valid instrument pointing in the right direction. We have, therefore, invited your President, Lord Plumb, to meet the Foreign Ministers in Granada in three days' time and to inform them of the European Parliament's thinking.

The next legislature of this Parliament will see the end of the current system of inter-institutional dialogue, either because in some cases the cooperation procedure under the Single Act will in practice already have been accomplished, or because political logic will lead us towards a process of greater sharing of responsibility.

We who govern need Parliament's control but also its stimulus. I hereby encourage you to persevere in your work, consistently and with determination.

Ladies and gentlemen, I shall now conclude my speech and prepare myself to listen to you in my capacity as President of the European Council in order to try and transform into reality whatever possible, so that at the forthcoming meeting in Madrid — to which it gives me pleasure to invite your President, Lord Plumb — we can all bring our aspirations closer to fulfilment.

Let us waste no time in making a joint effort to achieve our common goal: European Union.

¹ Cf. *OJ* No 2-377 of 12 April 1989, pp. 155-173.

89/127. Question No 2419/88 by Ms Ewing (RDE-UK) Concerning Support for United Nations Peace-Keeping Forces

Date of Issue: 14 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 6 March 1989

A recent suggestion by Señor Javier Pérez de Cuéllar that the United Nations peace-keeping forces should be funded by a levy on the international arms trade appears to make sense because many countries have failed to keep up their contribution to the force.

What are the views of the Foreign Ministers meeting in European political cooperation on such an arrangement and do they have any other suggestions on the matter?

Answer:

The Twelve share the concern expressed by the Honourable Member on the financial situation of the UN peace-keeping operations. The Twelve — who collectively pay currently some 30 percent of the assessed contributions for peace-keeping operations — have reaffirmed, on numerous occasions, their political and financial commitment to the UN peace-keeping operations and are convinced that such operations need a sound and stable financial basis.

In this respect and following the invitation by the UN Secretary-General to the Member States of the Organization to submit observations and suggestions on peace-keeping operations, the Twelve have replied proposing a number of measures and practical arrangements which could facilitate the planning process, improve the cost-effectiveness and ensure a sound and stable financial basis for these operations.

They now await the results of the analysis of the study entrusted to the UN Secretary-General by the UNGA Resolution 43/59 on peace-keeping operations.

89/128. Question No 1872/88 by Mr Glinne (S-B) Concerning the Aid from Community Governments to Central American Police Forces

Date of Issue: 14 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 10 January 1989

At a press conference in Brussels in March 1988, Dr Ramon Custodio Lopes, Chairman of Codehuca, the Commission for the Defence of Human Rights in Central America, deplored the fact that the Governments of Belgium, Spain and the Federal Republic of Germany provide assistance to the Guatemalan police. In several Central American countries the police are suspected of not protecting the individual and collective rights of the population and even of collaborating more or less actively with the security forces, sections of the armed forces and the 'death squads' who have long been notorious for their oppressive and cruel practices.

In view of the problems impeding the implementation of the Arias Plan, especially the failure of several of the governments to observe the principle of *habeas corpus*, can the Ministers responsible for European political cooperation state their opinion of the training and supplies of equipment and arms given to Central American police forces, whose actions are suspect?

Answer:

The question put by the Honourable Member comes within the national competence of the Member States and was not dealt with in European political cooperation.

The Presidency would, however, stress that all cooperation between the Member countries and police forces in Central America, as elsewhere, is founded on their desire to help to restructure those forces so that they can introduce democratic methods in carrying out their duties.

The Presidency would assure the Honourable Member that the Twelve are closely monitoring the human rights situation throughout the world and are taking action to ensure that human rights and fundamental freedoms are fully respected and promoted.

**89/129. Question No 1968/88 by Mr Arbeloa Muru (S-E)
Concerning the Legalization of the Lands of the Huaorani in
Ecuador**

Date of Issue: 14 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 19 January 1989

Can the Foreign Ministers meeting in European political cooperation take any steps to induce the Ecuador Government in accordance with the 1983 proposal of the Interinstitutional Committee, to delimit and legalize the lands of the Huaorani, which have been overrun by oil companies, roads and settlers, which has caused the gradual migration of Huaorani families to Peruvian territory?

Answer:

The position of the Twelve on human rights, including the rights of minorities, is well known.

As regards the Huaorani, the Ecuador authorities have set up a Commission in which the various interests are represented and which has been given the task of submitting a report to the President of Ecuador.

The situation to which the Honourable Member's question refers has not been dealt with as such in the framework of European political cooperation.

**89/130. Question No 2124/88 by Mr Arbeloa Muru (S-E)
Concerning Detainees in Paraguay**

Date of Issue: 14 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 27 January 1989

Can the Foreign Ministers meeting in Political Cooperation take up the cause of Victor Barreiro and Luis Galloso who were doing voluntary work for the SEA (Education and Social Action Service) and were detained by officials of the Paraguayan Ministry of the Interior on 18 October 1988?

Can the Ministers inquire after the whereabouts of the equipment and documents belonging to the SEA which were taken away by the above-mentioned officials?

Answer:

The Presidency would inform the Honourable Member that Mr Victor Barreiro and Luis Galloso were released a few days after their arrest.

**89/131. Statement Upon the Death of Ambassador Pedro de
Aristegui in Lebanon**

Date of Issue: 17 April 1989

Place of Issue: Brussels

Country of Presidency: Spain

Source of Document: The Twelve

Status of Document: Declaration

The Twelve, deeply moved by the tragic death of Ambassador Pedro de Aristegui, representative of the Presidency in Beirut, condemn the taking of this innocent life as a result of the indiscriminate bombardment of the civilian population.

The Twelve reiterate with the greatest firmness their appeal to all parties, including Syria, for the establishment of a cease-fire and for an immediate end to shelling.

This tragic event confirms the absolute necessity of a negotiated solution to the Lebanese crisis, as stated repeatedly by the Twelve in their statements on the very grave situation in this Mediterranean country.

The Community and its Member States express their readiness to pursue emergency aid to the Lebanese population without distinction and to relieve the present suffering as rapidly as possible.

89/132. Opening Statement of the London Information Forum (CSCE)

Date of Issue: 18 April 1989

Place of Issue: London

Country of Presidency: Spain

Source of Document: The Twelve

Status of Document: Statement in International Forum

Mr Fernández Ordóñez: Mr Chairman, the twelve Member States of the European Community on behalf of which I have the honour to speak, believe today more than ever before, that the joint project on which all 35 Participating States embarked some 14 years ago, should in a foreseeable future bear fruit by overcoming the division of Europe.

Heads of State and Government of the Twelve at the European Council of Rhodes last December, stated in a formal way the constructive role they intend to play and their hopes for the developments of the CSCE process in overcoming the more than forty years of political division in Europe. The Twelve recognize that events in our region have a significant impact on other parts of the world, giving an additional dimension to the challenges we face.

The Rhodes Declaration reaffirmed the importance of the Helsinki Final Act and the agreements reached at subsequent CSCE meetings. These documents are a guide to the development of inter-European relations. As we contemplate the prospects for progress within the CSCE, we emphasize the necessity of making good the ground already traversed by ensuring full implementation of all existing CSCE commitments.

The Twelve are thinking of today and of tomorrow, and for tomorrow we expect, as one important factor of a lasting peace in Europe, the establishment of a more secure and stable balance of conventional forces in Europe at lower levels, as well as the enhancement of mutual confidence and military transparency.

For tomorrow we also expect a further development of economic and commercial relations between Participating States. We look forward to the development of relations between the European Community and the European Members of the Council for Mutual Economic Assistance, taking into account the specific characteristics of each country and the opportunity available in the fields where it is to our mutual advantage.

But for today, Mr Chairman, we demand full respect for human rights and fundamental freedoms, including the freedoms of thought, conscience, religion or belief, acting in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights and all CSCE documents.

The Information Forum we are attending today, is one among a significant number of meetings convened by the Participating States, the mandates for which can be found in the Annexes to the Vienna Concluding Document.

Leading personalities in the field of information are here to discuss their problems as they see them and voice what they believe to be possible solutions to these problems. Though a certain degree of positive but uneven progress has been achieved, it is still difficult to understand why, in spite of 14 years of government negotiations in the CSCE process, anachronistic but real obstacles still stand in the way of the free circulation of, access to and exchange of information, why working conditions for journalists are still not what they ought to be. Believing that these obstacles have to disappear and that conditions have to improve, they have joined us in this Information Forum of the CSCE.

The Declaration on Principles guiding relations between Participating States and, emerging from these principles, the relations between Participating States and their citizens are considered by all of us to be the basic ground on which to build a free and more stable Europe.

The values contained in the Principles of the Helsinki Final Act and in particular in Principle VII, on Human Rights and Fundamental Freedoms, cannot be ignored today in the faint hope of delivering to uncertain generations some kind of paradise postponed.

Freedom of conscience cannot be a reality without access to all kinds of information and the free choice of sources of information for all individuals, without the free exercise of their right to speak to citizens from other Participating States including foreign journalists. The free movement of people and the free circulation of ideas are pre-requisites to the establishment of open societies, in the absence of which the necessary dialogue leading to mutual confidence is seriously hampered. The right to knowledge is the cornerstone of free and open societies.

In an increasingly interdependent world, brought closer together by the astonishing advances of science and technology, the spirit of enquiry inherent to our civilization is inconceivable without freedom.

Now that understanding and respecting civilizations different from ours reveals itself more necessary than ever, we, the Twelve proclaim the right of individuals and of groups of individuals to ask questions, to receive responses, to gather information and to decide for themselves from a wide-ranging variety of analyses and options.

In an age of instant transmission of words and images there is no room for political barriers to the free flow of information, people and ideas, especially now that technical progress is making fun of barriers that preserve fragmentation.

Unity in diversity has been the aim and allow me to say, the reality of the Twelve's Europe. The Twelve feel upon themselves the responsibility of reaffirming the common features behind the European variety and richness, reinforcing the feeling of belonging to the same continent.

We intend to give a new dimension to our audiovisual heritage through the production and coproduction of programmes and their transfrontier broadcast.

The Community will decisively contribute to the free and wider dissemination of TV programmes in Europe by means of a norm in harmony with the Convention of the Council of Europe about transfrontier TV. It includes the promotion of the TV broadcast of European works and programmes, by which we understand not only those produced in the Community's Member States or in those of the Council of Europe, but also those coming from all European countries which are prepared to sign an agreement with the Community on this matter.

This norm proves the Community's spirit of cooperation and openness guiding our efforts in the audiovisual world.

The Rhodes Declaration I referred to at the beginning of my speech expresses the commitment of the European Council to the promotion of a real European audiovisual environment.

Furthermore, the Community gives its support to the European proposals for a single international standard for High Definition Television [HDTV], the latest European adventure and achievement in the audiovisual world.

HDTV will put an end to the current divorce between cinema and TV, by giving video tapes the same quality as motion picture films and by providing film-makers with a new production technology. Thus, the same high definition product can be used for video and film, significantly reducing existing added costs to the use of both products by both media.

The future adoption of a single international production technology for HDTV as well as the spectacular development of satellite and cable TV— together with its multilingual possibilities — are the technological revolution in the audiovisual world of today, which should lead to the abolition of all kinds of barriers still existing in our countries.

The adoption of this worldwide standard for HDTV serves the purpose of better communications in the world opening the door to hitherto unknown possibilities for cooperation among Participating States, on the basis of a common heritage for an interdependent future.

Media experts and journalists are deeply involved in this revolution, demanding a new set of working conditions and professional standards. Imagine a European televised news services, freely received by all Participating States. An all-American newsreel, satellite broadcast, is already a reality in Europe.

As you all know the CSCE is not institutionalized. It does not have a single permanent organ. Obligations and commitments freely entered into by the adoption of CSCE documents are of a moral and political nature. So, the Conference takes upon itself to review the degree of respect for principles and implementation of provisions contained in the Documents, in order to seek improvement.

I have said it before and I shall say it again. The CSCE process is about individuals and the protection of their rights and fundamental freedoms, which include freedoms of expression and the right to knowledge through their free choice of sources. In this context and while welcoming changes leading to the end of jamming to radio broadcasts from other Participating States, the Twelve regret the attitude of countries which, disregarding the rights and freedoms of their citizens and their own unequivocal commitments, still suppress the exercise of freedom of conscience and belief, freedom of expression and association, freedom of information and turn the free movement of people and the free circulation of ideas into a disconsolate chimera.

We deplore the attitude of one Government that, far from facilitating the free and wider dissemination of information of all kinds, discourages cooperation in the field of information and gives journalists a penance by way of abstruse working conditions, contrary to the letter and the spirit of the CSCE.

We will continue to explore the possibilities for change, there where changes must be brought about if the CSCE process is to keep its credibility alive in all Participating States. New ideas and old provisions will be made explicit in the coming weeks.

Ladies and Gentlemen from the media, this is your opportunity to ask questions, to receive responses, to gather information and to draw your own conclusions. Put declared intentions to a test and inform public opinion of the reality of negotiations between 35 Participating States, and of the opinions expressed. You face the double task of participating and informing public opinion.

With the aim of facilitating the free dialogue you, no doubt, intend to establish, Participating States agreed in the follow-up chapter of the Vienna Concluding Document that maximum use of the possibility of having informal meetings should be made in order to allow for a more spontaneous discussion.

Long before the astonishing stage of scientific research had been reached, in her book *The Divided Sky*, Christa Wolf wrote that 'this huge vault full of hopes, yearnings, loving and mourning', was the first thing to be divided. She was not writing science fiction for tomorrow, unfortunately she was describing today. Wars divided our continent, words and images travelling across the sky can bring it closer together. Thank you, Mr Chairman.

89/133. Statement in the Plenary Session of the United Nations General Assembly on the Question of Palestine¹

Date of Issue: 20 April 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Spottorno: Mr President, I have the honour to speak on behalf of the twelve Member States of the European Community.

The Twelve are closely following developments in the Middle East, a region with which we have important political, historical, economic and cultural ties. Recent declarations of the Twelve have expressed our great concern at the tragic situation in Lebanon and our conviction of the necessity of a negotiated solution to the Lebanese crisis. We take now the opportunity of this resumed Session of the General Assembly, without prejudice to the applicability of Article 12 of the Charter, to express once again our ideas on the question of Palestine.

The Twelve are deeply concerned by the deteriorating situation in the occupied territories, especially in the last sixteen months, against the background of the continuing Israeli occupation and the uprising of the Palestinian population against it. This period has been marked by numerous incidents such as violent demonstrations, armed clashes and shootings, leading to serious injuries and killings. The recent incident in the village of Nahalin during an early morning raid by Israeli security forces where four people were killed and scores injured, some seriously, is the latest example of shootings which have caused the gravest concern. Civilian resistance to the occupation has grown and has undoubtedly been further intensified by the increasing severity and scope of Israeli repressive measures.

The extensive use of various types of ammunition in confronting Palestinian demonstrators has become widespread, causing an alarming increase in deaths and injuries. We reject all recourse to violence from whatever quarter it comes. The circle of violence must be broken. We judge that the level of force employed by the occupation forces has been excessive. The Twelve have repeatedly deeply deplored these actions as well as the recourse to measures of collective punishment such as long-term curfews, harsh economic restrictions, arbitrary arrests or detentions, demolition and sealing of houses, etc. The Twelve have also consistently opposed restrictions of media freedom, the illegal policy of expansions and deportations from the occupied territories, the practice of establishing settlements, in clear violation of international law, and the closure of educational establishments. Recent measures by the occupying power to limit access by worshippers to the Haram Al Sharif also give cause for concern.

Mr President, the provisions of the Fourth Geneva Convention of 1949 are applicable to the occupied territories as the Security Council has confirmed in many resolutions. The most recent ones are Resolutions 605 and 607, which the Twelve unreservedly support. We renew our call on Israel to fulfil its obligations as the occupying power, pending its withdrawal, to ensure the immediate protection of the inhabitants of the occupied territories in compliance with international law and human rights obligations, to lift restrictions on political and economic activities and to put an end to the illegal policy of settlements. The Twelve further reaffirm the importance we attach to freedom of access for all to the Holy Places.

Mr President, the Twelve's views on the principles on which a solution to the Arab—Israeli conflict has to be based are well known and need not be repeated here. Our long-standing contacts with all parties to the conflict are but one expression of our ardent desire to see peace prevail in the Middle East. In the last few months we have been active in pursuing these contacts. We believe that the decisions adopted by the Palestine National Council late last year open new and encouraging prospects for a just, global and lasting solution. The support given by the Twelve to General Assembly Resolution 43/176 reflects our conviction that the solution can only be achieved through an international peace conference, under the auspices of the United Nations, which represents the suitable framework for the necessary negotiations between the parties directly concerned.

We will, for our part, continue our close contacts with all the parties and will do all in our power to play our role fully in the search for such a settlement.

¹ Agenda item 37.

89/134. Message to the President of the Good Offices Committee of the Arab League and to the Secretary-General of the Arab League

Date of Issue: 25 April 1989
Place of Issue: Madrid; Brussels
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Message

I am writing on behalf of the Foreign Ministers of the twelve Member States of the European Community, about the present disastrous situation in Lebanon.

As Your Excellency will know from recent statements, the Twelve are deeply concerned about Lebanon and anxious to help in any way possible in order to relieve the suffering of its people and to bring about a political settlement. In addition to our profound concern at the great loss of life over recent months in Beirut, the Twelve were particularly shocked by the death on 16 April of the Spanish ambassador to Lebanon and members of his family. The indiscriminate shelling of the past few weeks, with its tragic consequences for the local population, has underlined the urgent need for an agreement on an immediate cease-fire and for a solution to the political problems of Lebanon.

The Twelve, who have constantly supported the efforts of the Good Offices Committee of the Arab League, followed with the greatest interest the meetings Your Excellency and the Secretary-General of the Arab League have held with representatives of the parties concerned in the Lebanese conflict. This offers the most promising way to develop the contacts between the Lebanese communities and the other parties concerned in the dispute, which are necessary if a cease-fire is to be attained.

The Twelve consider that the calling, at your initiative, of an extraordinary Council of Ministers of the Arab League in Tunisia can also provide, at the present stage, a useful support and a new momentum to the efforts carried out by your Committee to promote a cease-fire and to assure that it is respected. This would be a necessary condition for the search of a solution to the Lebanese crisis, which constitutes the central purpose of your efforts.

You may be sure of the active interest given by the Community and its Member States to the activities of the Good Offices Committee and of their readiness to make their contribution in whatever way it could be useful, including the pursuit of their emergency humanitarian aid, in order to overcome the current serious situation.

89/135. Statement on the *Démarche* in South Africa

Date of Issue: 25 April 1989
Place of Issue: Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Press statement, press release

On 20 April last, the Ambassador of Spain in South Africa had a meeting with the Deputy Minister of Foreign Affairs, Mr Jakobus Meiring, in the course of which he requested, in the name of the Twelve, the non-renewal in June 1989 of the state of emergency now in force.

89/136. Question No 2401/88 by Mr Piras (PPE-P) and Mr Klepsch (PPE-D) Concerning the EEC Support for the Consolidation of the Peace Process in Southern Africa

Date of Issue: 25 April 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

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

Status of Document: Answer to Written Parliamentary Question of 6 March 1989

Significant progress has been made by the peace process in Southern Africa, since agreements were reached and quadripartite negotiations opened in Geneva on 8 August 1988 and continued when, with the United States acting as mediator, talks were held between Angola, South Africa and Cuba in Brazzaville. Therefore, there is every reason to hope for an early and successful outcome.

The importance of the current moves towards peace, democracy and development in Southern Africa and the continent as a whole is such as to deserve not only the attention of the countries of Europe but also constructive and practical support and solidarity from the Community to help surmount what is still a very difficult problem.

Can the Council therefore say how it intends to contribute to a successful outcome of the current peace process and help consolidate the future peaceful development of the region:

- (a) politically,
- (b) economically?

Answer:

The Twelve have always stood firm in their commitment to independence for Namibia in accordance with the United Nations planned settlement enshrined in Security Council Resolution 435 (1978). They will do everything in their power to facilitate its rapid application and to help restore conditions of peace, stability and dialogue throughout Southern Africa.

The Twelve have always kept close track of the process of negotiations in Southern Africa and they welcomed the important Protocol of Agreement which was signed in Brazzaville on 13 December 1988 by Angola, Cuba and South Africa, with the United States acting as mediator, and which brings independence for Namibia on the basis of Security Council Resolution 435 (1978) closer than ever before. The Twelve also paid tribute to the constructive spirit which the parties brought to the negotiations and to the efforts of all those who helped bring about the remarkable progress which has been made, and expressed their appreciation of and support for the important role and significant efforts of the UN Secretary-General.

The Community has over the past few years supplied substantial assistance to Southern Africa and it intends in future to continue its help for that region in order to promote the continuation and consolidation of the peace process.

Hard on the heels of the agreements on peace in Angola and independence for Namibia signed in New York on 22 December 1988, the Commission and the Member States approved an ECU 60 million programme of joint Community action for Angola in support of its reconstruction programme and agreed that discussions would continue between them on how bilateral aid from the Member States could best be deployed to finance and implement such a programme. From 1979 to 1988 the Community granted Angola some ECU 225 million to finance projects in the field of rural development, fisheries, infrastructure, food aid and emergency aid.

As regards Namibia, the Community and its Member States reiterate their willingness to continue and if necessary increase their aid to the people of Namibia in order to ensure a smooth transition to independence. They also reaffirm their intention of promoting the economic and social development of Namibia by granting it substantial economic aid once it has gained independence, and, in the same spirit, their willingness to accept a request from an independent Namibia to accede to the ACP-EEC Convention.

In addition, the Community and its Member States have already stepped up the programme of aid for the SADCC and the front-line States. Under the Lomé Convention, a total of some ECU 1 500 million is earmarked for the nine member States of the SADCC over the period 1985 to 1990, which makes the Community one of the largest donors. What is more, in view of the importance of the region, its present problems and its development potential, the Commission has recently increased the regional funding made available to the SADCC under Lomé III from ECU 110 to 141 million. The extra money will be devoted chiefly to transport, for projects such as the Lobito corridor and the Limpopo railway, which are designed to reduce dependence on South African ports for the shipment of goods.

The Council would also mention here the special programme of assistance to the victims of apartheid in South Africa and Namibia, which covers some 220 projects in those two countries at a cost of almost ECU 56 million (situation as at the end of 1988), centred mainly on education and training, social and humanitarian aid and legal assistance. This special programme will continue, and ECU 25 million have been set aside for it in 1989.

89/137. Statement before the Second (Social) Committee of the ECOSOC Concerning Narcotic Drugs¹

Date of Issue: 2 May 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Chairman, it is a privilege for me to take the floor on behalf of the European Community and its twelve Member States on item 12 of Agenda entitled 'Narcotic Drugs'.

The adoption on 19 December 1988 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances reflects the unanimous political will of all States to combat and eradicate the abuse of and the illicit trafficking in narcotic drugs throughout the world. The new Convention complements existing international treaties and establishes the appropriate framework for the necessary international cooperation in this area. The encouraging outcome of the Plenipotentiary Conference convened for its adoption constitutes an important step towards the achievement of the common objective of attaining a society where we can all live free from drug abuse and illicit trafficking.

The Convention has already been signed by more than sixty States. Such a high number of signatories in the short time since its adoption illustrates the will of the international community to move ahead in this area. Some provisions of the Convention constitute a landmark in international law because of their innovative nature. Particularly the European Community and its Member States wish to highlight the importance of the articles on the confiscation of assets, extradition, mutual legal assistance and the control of substances used in the illicit manufacture of narcotic drugs and psychotropic substances.

The Member States and the Commission of the European Community played an active role in the Plenipotentiary Conference. The Heads of Government of the Twelve, in the summit held at Rhodes last December, reaffirmed the great importance they attach to international efforts in combating the abuse of narcotic drugs. Eight Member States of the European Community were among the countries which had already signed the Convention on 30 March. Those remaining contemplate doing so soon. As the Convention allows the signature by regional organizations of economic integration, the European Community is studying the possibility of signing the Convention. It is our hope that all States will sign the Convention as soon as possible and that those which have already signed it will soon proceed to ratify it. We look forward to the Convention entering into force in the near future.

However, the signature and entry into force of the Convention will not be effective unless it is followed by its full implementation worldwide. We should explore from now on all ways to

facilitate its implementation. The Twelve totally support draft resolution I on the Convention's implementation contained in the report of the Commission on Narcotic Drugs. We urge all States, to the extent possible, to apply provisionally the measures contained in the Convention pending its entry into force for each of them, and we encourage them to adopt the necessary legislative and administrative measures for such implementation to be as effective as possible.

Mr Chairman, the fight against the illicit cultivation, abuse and trafficking in narcotic drugs requires the adoption and the implementation of different kinds of measures. The Twelve consider that the 'Comprehensive Multidisciplinary Outline' (CMO) adopted by the International Conference on Drug Abuse and Illicit Trafficking (ICDAIT) in 1987 constitutes an important set of tools for the control of narcotic drugs and psychotropic substances through a wide, balanced and multidisciplinary approach. We urge all States and international organizations to take advantage of the recommendations contained in the CMO related to the supply, control of illicit trafficking, reduction of demand and treatment and rehabilitation of drug-addicts.

The main responsibility in this fight rests with the governments concerned, who must devise appropriate strategies and programmes aimed at demand reduction. Nevertheless, the international community is at present aware that the threat inherent in the illicit drug trafficking does not stop short of State boundaries or different social and political systems. This very fact highlights the need for the international coordination of our joint efforts. The illicit trafficking in narcotic drugs is a problem of worldwide dimensions. Its repercussions are not merely of a social and economic nature. Its ramifications connect it with other threats such as illicit arms trafficking and terrorism and require a close and active international cooperation for their solution.

Regional cooperation plays an important role in this context. The Pompidou Group, in the framework of the Council of Europe, is the broadest forum for European cooperation on this issue. This group, composed of nineteen European countries, including the twelve Member States of the European Community, is seeking to expand and strengthen the mutual cooperation between its members. We acknowledge the historical and political importance of the Pompidou Group and we think it necessary for the Community and the Group to integrate their efforts in this area. The Twelve have made further arrangements for cooperation at a regional level with the establishment of the TREVI Group, composed of Ministers and senior civil servants responsible for police issues of the Twelve. In this connection, the TREVI Group attaches special importance to the fight against criminal activities related to the illicit trafficking in drugs. It has already begun to study the impact that the full implementation of the Single European Act in 1992, notably aimed at the abolition of frontiers for the free movement of persons and goods within the European Community, will have on drug trafficking control.

Mr Chairman, it is not possible to combat the abuse and illicit trafficking in drugs without adopting measures to curtail illicit supply. Reduction in the cultivation of plants used in the illicit manufacture of narcotic drugs is, therefore, vital. We are aware of the connection of such measures with economic development and, therefore, we consider that crop substitution projects in the framework of broader rural development programmes are essential.

The efforts to combat the abuse and illicit trafficking in narcotic drugs also require all sorts of measures to reduce illicit demand. We believe that all States must continue to give priority, within the framework of national policies, to measures directed to diminish the use of narcotic drugs and to establish prevention, treatment and rehabilitation services, as well as programmes aiming at the social integration of the addicts. We are aware of the importance of such measures in order to restrict unlawful activities linked with abuse and illicit trafficking. The European Community and its Member States are seeking to strengthen their efforts to reduce the demand for narcotic drugs by means of increasing public awareness of the consequences of the use of drugs and, equally, by means of programmes and measures necessary to help addicts to overcome their addiction and to achieve their reintegration into society. We believe that devising a response to the problems posed by illicit drug demand constitutes a challenge to all governments and, therefore, we wholeheartedly support draft resolution II on the intensification and coordination of measures for demand reduction contained in the report of the Narcotic Drugs Commission.

Mr Chairman, the European Community and its Member States attach great importance to the activities of the United Nations in this area. The United Nations Fund for Drug Abuse Control (UNFDAC) plays a highly significant role. We endorse the manifold activities of the Fund, which not only operates in the area of rural development, but also in the field of law enforcement by organizing training programmes, setting up laboratories for the control of psychotropic substances and improving drug research equipment. Draft resolution IV contained in the Report of the Commission on Narcotic Drugs, related to the contribution of UNFDAC to the fight against illicit traffic in and abuse of drugs has, therefore, our full support.

The European Community in 1987-1989 has allocated ECU 17.8 million, equivalent to 19.8 million US dollars, for the establishment of a cooperation programme with developing countries, specially those most seriously affected by the production and illicit trafficking in narcotic drugs. Further evidence of our determination on this matter is the fact that in the last six years three quarters of the total contributions to UNFDAC were supplied by the European Community and its Member States. In 1988, contributions from, or committed by, the Member States of the European Community reached 96 per cent of the total voluntary contributions. We expect other countries to join the European Community in this effort which, in our opinion, is proving to be highly effective.

The International Narcotics Control Board also plays an important role through the assessment of problems derived from the abuse and illicit trafficking in drugs and monitoring the implementation of existing instruments. The International Narcotics Control Board Report for 1988 contains a very useful global evaluation of the present situation and of the projections on the fight against illicit trafficking in drugs. It points out that the abuse of a wide range of drugs continues to be a grave threat to all countries and to all social groups. But it is a promising factor that this report also refers to the efforts undertaken by numerous governments, institutions, groups and individuals to thwart this threat.

The Twelve wish to express their gratitude to the personnel of the Division on Narcotic Drugs for their effort and dedication throughout the long process towards the adoption of the new Convention. We support the endeavours undertaken by the Division to promote regional cooperation in this area. Specifically, the Twelve welcome the regional meetings of officials responsible for national policies against the illicit trafficking in drugs in Africa, Latin America and the Caribbean, as well as in Asia and the Pacific.

Mr Chairman, the adoption of the new United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances has imposed additional tasks on the drug control units of the United Nations. These new tasks totally justify the high priority the Member States of the Commission assign to the adequate funding of the Division on Narcotic Drugs and to the Secretariat of the International Narcotics Control Board. Aware of this fact, the Twelve fully support the terms of draft resolution VI contained in the report of the Commission. The lack of the necessary resources for these units to discharge fully the new tasks entrusted to them would undermine the efforts by the Organization in this area and would compromise the full achievement of our common objectives in the struggle against drug abuse and illicit trafficking. Thank you, Mr Chairman.

¹ Agenda item 12.

89/138. Statement Concerning the Declarations of the President of the Iranian Parliament, Mr Rafsanjani

Date of Issue: 8 May 1989
Place of Issue: Madrid; Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve strongly condemn the absolutely unacceptable declarations of the President of the Iranian Parliament, Ali Akbar Rafsanjani, which exhort murder and the perpetration of outrages against the citizens and the property of France, the United Kingdom and the USA.

Once again, one of Iran's highest authorities has violated the most basic principles and obligations governing the relations between sovereign States, and threatens the peaceful coexistence between nations.

At the same time, the Twelve — who do not spare efforts in favour of a just, comprehensive and lasting solution to the Arab-Israeli conflict — note with satisfaction the complete rejection of such declarations from the side of the top PLO leaders, a rejection which confirms the will of the Palestinian leadership to achieve through peaceful means the recognition of the legitimate rights of the Palestinian people.

89/139. Statement Concerning the *Démarche* in Panama

Date of Issue: 8 May 1989
 Place of Issue: Brussels
 Country of Presidency: Spain
 Source of Document: The Twelve
 Status of Document: Press statement, press release

On 5 May the ambassador of Spain in Panama carried out a *démarche* to the Panamanian authorities on behalf of the Twelve, reaffirming the constant support of the Twelve for free elections and democratic institutions in Latin America and expressing their hope that the Panamanian authorities would ensure that the elections of 7 May would be conducted with full democratic guarantees and that their outcome would be respected.

89/140. Statement in the United Nations Disarmament Commission

Date of Issue: 8 May 1989
 Place of Issue: New York
 Country of Presidency: Spain
 Source of Document: Spanish Delegation to the UN
 Status of Document: Statement in International Forum

Mr Chairman, it is my honour and pleasure to take the floor today on behalf of the twelve Member States of the European Community. First of all, allow me to convey to you our sincere congratulations for your election to the presidency of the 1989 UNDC session. We are confident that under your wise and experienced guidance we will be able to advance our work.

We, the Twelve, consider that the work developed within the First Committee gave rise to encouraging results. Mainly the consensus reached in a number of complex issues, such as chemical weapons, conventional disarmament and guidelines for confidence-building measures, is to be emphasized among others. We hope that this climate of cooperation and will to compromise that permitted us to advance at the General Assembly, will continue during the work that we are just about to start.

Since the last meeting of the Disarmament Commission there has been continued improvement in the international political atmosphere. This should allow us to approach the items on our agenda in a positive and constructive way with a view to making progress. The Twelve attach great importance to all major agenda items on the agenda of the UNDC. As has been made clear by the Twelve in successive interventions in this Assembly, we believe that the need for progress in the area of nuclear arms control and disarmament requires that special attention must continue to be paid to issues arising under this heading. Conventional arms control and disarmament is also a heading which calls for particular attention on the part of the Commission.

Therefore, I should like to express the views of the Twelve regarding the substantive items of our draft agenda.

One of the major items for the Twelve is, no doubt, item 9, 'Conventional Disarmament'. In the foreword to the UN study submitted to the 39th UNGA by the Secretary General on conventional disarmament it was affirmed that 'the situation relating to conventional arms is a source of increasing concern'. We, however, believe that the consensus reached during the 43rd UNGA on resolutions relating to conventional disarmament, including Resolution 43/75 [P] entitled 'Confidence- and Security-Building Measures and Conventional Disarmament in Europe', the outset of negotiations, last March, on conventional armed forces and on further confidence- and security-building measures in Europe, ought to contribute to the possible conclusion, this year, with a substantial result, satisfactory to all, of the work that we have been carrying out during several years under the presidency of one of our partners within the UNDC.

In this context, the Twelve believe that consideration should be given to the issue of international arms transfers, on the basis of substantive progress made with Resolution 43/75 I.

The Twelve consider item 4, 'Nuclear and Conventional Disarmament', to be of particular importance. We hope that some of the obstacles still existing can be overcome within the UNDC given the substantial improvement of the international climate, improvement which is reflected in the conclusion of the INF Treaty, which is now being successfully implemented, in the agreement in principle between the two superpowers on a 50% reduction in their strategic nuclear arsenals and in the beginning of negotiations in Vienna on conventional armed forces and on further confidence- and security-building measures in Europe.

Another item in which we consider that progress can be made is the reduction of military budgets, which is our item 5 of the draft agenda. We are optimistic about the forthcoming conclusion of our work, even though at the last UNDC consensus was not reached on the principles. We consider that we have a good basis to continue our discussions, although undoubtedly, renewed efforts from all participants will be necessary during this session in order to reach success.

In this context, I wish to recall once more how useful it would be for our work if without further delay all the countries presented their data on military expenditures, in accordance with the standardized reporting system. This system provides a universal framework whereby States with different social and economic systems can supply data in a comparable way. Furthermore, it would be a proof of transparency which would go beyond declarations, and would thus contribute to an increase of international confidence and stability.

On item 7, entitled 'Role of the United Nations in the Field of Disarmament', it is necessary to continue our efforts with a view to organize the work of the United Nations in a more efficient way, with the aim of streamlining and rationalizing the UN machinery and thus strengthening the role of the United Nations in the field of disarmament, consistent with the purposes and principles of the Charter. The Twelve are of the conviction that periodic reviews of the United Nations machinery and of the prospects of its improvement would be both desirable and useful.

Some progress was achieved last year on item 6 'Nuclear Capability of South Africa', and we believe that all the participants should continue their efforts in order to resolve the remaining difficulties.

As for item 8, dealing with naval armaments and disarmament, we believe that it is not possible to consider this issue separately from over-all efforts to achieve nuclear and conventional disarmament. Sustained efforts should be continued in order to progress on this issue.

Finally, I wish to refer to the new item contained in our draft agenda, that is, item 10 'Proclamation of the 1990s as the Third Disarmament Decade'. We, the Twelve, hope that a third Disarmament Decade will play its part in promoting the disarmament process and that it will be possible to make progress in this direction. Our works should be based on consensus reached during the last General Assembly on Resolution 43/78 [L], which entrusts the UNDC to prepare elements on the matter.

Mr Chairman, based on the experience of the past, the Twelve consider that we should make every effort to limit the general debate to a minimum and then get right to work. Last year's success, in which three substantive items were concluded, has served to prove that the UNDC plays an important role in the international disarmament process. The Twelve are convinced that the UNDC should continue to play its role in this field as a forum for debate and study in depth. The Twelve are ready to contribute constructively to the success in these works. Thank you Mr Chairman.

89/141. Lettre au président du Parlement européen: rapport annuel sur les actions des Douze dans le domaine des droits de l'homme

Date of Issue: 8 May 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Report to European Parliament

Monsieur le Président,

J'ai l'honneur de vous faire parvenir en annexe le mémorandum sur les actions des Douze dans le domaine des droits de l'homme, que la présidence soumet, comme chaque année, à l'attention du Parlement européen.

Lors de l'élaboration de ce document, les Douze se sont efforcés, dans le prolongement de la résolution sur les droits de l'homme dans le monde et sur la politique communautaire en matière de droits de l'homme en 1987-1988, adoptée par le Parlement le 18 janvier dernier, de fournir à l'Assemblée une vision la plus large et la plus détaillée possible de leurs activités dans ce domaine. Comme je vous l'ai indiqué dans ma lettre du 17 avril dernier, les Douze partagent l'intérêt que le Parlement européen manifeste à l'égard de cette question, un intérêt largement reflété non seulement par un nombre considérable de questions et de résolutions, mais également par l'élaboration de rapports d'excellente qualité et d'une utilité indéniable pour la coopération politique dans ce domaine.

(Formule de politesse)

Francisco Fernández Ordóñez

Mémorandum sur les actions des Douze dans le domaine des droits de l'homme

Au cours des trois dernières années, la présidence en exercice a transmis, la plupart du temps, un mémorandum au Parlement sur les actions des Douze dans le domaine des droits de l'homme au cours de l'année précédente. Le présent mémorandum vise à informer le Parlement de l'évolution de la situation en 1988 et pendant les premiers mois de 1989.

Les actions des Douze, passées en revue ci-dessous, sont réparties en deux grands chapitres:

- la défense des droits de l'homme dans des situations ou dans des cas précis;
- la promotion de la notion de droits de l'homme, en tant que partie intégrante de la conduite des relations internationales.

Dans ce contexte, la présidence réaffirme une fois de plus l'importance que les Douze attachent au dialogue fructueux qui a été instauré avec le Parlement européen en matière de droits de l'homme. Les résolutions du Parlement contribuent largement à la mise en œuvre de la politique des Douze dans le domaine des droits de l'homme, conformément aux principes de base établis par la déclaration du 21 juillet 1986 sur la politique des droits de l'homme de la Communauté européenne et de ses États membres. Par ailleurs, les nombreuses questions parlementaires posées par les États membres de cette institution à propos de situations ou de cas

précis dans le domaine des droits de l'homme et les réponses apportées par la présidence en exercice prouvent que le respect de ces droits revêt, aussi bien pour le Parlement que pour les Douze, une importance fondamentale pour un bon déroulement des relations internationales dans un esprit de confiance et de coopération.

Comme nous l'expliquons plus en détail ci-dessous, les Douze ont accordé une attention particulière, tout au long de 1988, à la situation de certains pays tiers, où les droits de l'homme fondamentaux ont été gravement violés.

A cette préoccupation à l'égard de certaines violations des droits de l'homme, il faut ajouter une contribution significative des Douze au débat sur les droits de l'homme dans des forums internationaux, notamment aux Nations unies et lors de la récente conférence de la C.S.C.E. à Vienne.

En 1987, les ministres des Douze ont mis en place, dans le cadre de la coopération politique européenne, un groupe de travail sur les droits de l'homme. Depuis lors, ce groupe de travail, qui est intervenu en coordination avec la C.S.C.E. et avec les groupes correspondants des Nations unies ainsi qu'avec les différents groupes régionaux, a permis aux Douze de pousser plus avant leur réflexion sur les problèmes des droits de l'homme, de coordonner leurs activités dans ce domaine et de veiller à ce que le respect des droits de l'homme fasse l'objet d'une attention suffisante à tous les niveaux de la coopération politique. Ainsi, le groupe a suggéré que certains efforts soient accomplis pour parler d'une seule voix devant l'U.N.H.C.R. et, dans cette optique, le ministre président le Conseil des Affaires étrangères, M. Francisco Fernández Ordóñez, a prononcé un discours devant la Commission, le 22 février de cette année, au nom des Douze.

1. Droits de l'homme — Situations spécifiques

Les Douze veillent attentivement au respect des normes internationalement reconnues en matière de droits de l'homme, dans le monde entier, et ils ont défendu activement ces droits dans les cas où des violations ont été enregistrées. Leurs actions se sont traduites par différents types de recherches ou d'interventions, et elles ont été menées à l'initiative de la présidence ou d'un ou de plusieurs partenaires, selon les circonstances.

Les filières des pays membres, les rapports confiés pour la circonstance à des missions des Douze dans les pays tiers, les organisations internationales spécialisées et les organisations non gouvernementales agréées constituent les sources d'information sur la situation générale de certains pays ou sur certains cas particuliers de violation des droits de l'homme. Dans ce contexte, il faut accorder une attention particulière au rapport du Parlement européen sur les droits de l'homme.

Certaines situations particulières en matière de droits de l'homme ont été évoquées par les Douze devant les Nations unies, à trois reprises, notamment: devant la Commission des droits de l'homme, dans le cadre du rapport de la Commission à l'intention d'E.C.O.S.O.C., et devant le troisième comité de la 43^e Assemblée générale. Ainsi, lors de la 43^e Assemblée générale, la présidence grecque a prononcé un discours important, dans le cadre du rapport E.C.O.S.O.C., et a évoqué un certain nombre de cas. Parallèlement, M. le ministre Fernández Ordóñez a évoqué plus particulièrement la situation d'un certain nombre de pays lors du discours qu'il a prononcé devant la Commission des droits de l'homme. Ces interventions ont porté sur l'évolution de la situation dans des pays comme la Hongrie, l'U.R.S.S., les territoires arabes occupés par Israël, l'Iran, l'Afghanistan, le Chili, le Salvador, le Guatemala, Cuba, Chypre, la Roumanie, la Birmanie, l'Iraq, le Timor oriental, l'Afrique du Sud, le Cambodge, la Namibie, le Sahara occidental et le Viêt-nam. Par ailleurs, la plupart des résolutions concernant la situation de certains pays, qui ont été adoptées ou débattues devant ces forums, ont été soutenues par les Douze. Ainsi, la résolution sur la situation des droits de l'homme en Iran, présentée lors de la 45^e session du H.C.R., a été consignée, pour la première fois cette année, par les délégations des Douze. Les Douze, ainsi que certains pays en particulier, ont également attiré l'attention sur la situation particulière en matière de droits de l'homme lors de la C.S.C.E. à Vienne.

En 1988, certains cas précis en matière de droits de l'homme ont été également évoqués dans le cadre de plusieurs interventions, et notamment de déclarations ministérielles sur le Moyen-Orient, le 8 février, et sur les relations Est-Ouest, le 13 juin. Par ailleurs, les Douze ont élaboré environ quinze déclarations spécifiques sur les droits de l'homme à Haïti, en Afrique du Sud, dans les territoires arabes occupés par Israël, en Éthiopie, en Pologne, en Birmanie et au Chili, autant de déclarations qui ont reçu un large écho.

Les démarches entreprises, que se soit par la présidence, par la troïka ou par les Douze collectivement, auprès des gouvernements des pays où certains droits de l'homme sont violés, constituent l'une des actions essentielles des Douze en matière de défense de ces droits. En 1988, les Douze ont effectué approximativement cinquante démarches de ce genre dans plusieurs pays du globe. Dans cinq cas, concernant Israël et l'Afrique du Sud, ces démarches ont été rendues publiques: les autres démarches entreprises par les Douze — en Europe de l'Est, au Moyen-Orient, en Asie, en Afrique et en Amérique latine — sont restées confidentielles, cela dans l'intérêt de ceux que les Douze s'efforcent d'aider.

2. Promotion des droits de l'homme

Les Douze estiment que la défense des droits de l'homme dans des cas particuliers doit aller de pair avec la promotion des valeurs sur lesquelles reposent de telles actions. Les Douze ont toujours fait remarquer avec insistance que la dénonciation de violations particulières en matière de droits de l'homme ne devait pas être considérée comme une ingérence dans les affaires intérieures d'autres États, mais qu'elle devait être envisagée sous l'angle du droit international et qu'elle était essentielle pour l'instauration d'un climat politique international propice à la sécurité et à la coopération. Bien que les Douze estiment que la communauté internationale devrait consacrer son énergie, dans le domaine des droits de l'homme, à favoriser avant tout la concrétisation des engagements contractés, ils sont d'avis, par ailleurs, qu'il est également utile de favoriser le développement ultérieur de normes internationales en matière de droits de l'homme, dans certaines régions.

Des problèmes généraux relatifs aux droits de l'homme ont été évoqués dans le détail, à l'occasion de certaines déclarations devant les Nations unies, que nous avons déjà évoquées. Parmi les autres déclarations importantes de 1988, il faut citer le message délivré par les Douze lors de la journée internationale des Nations unies pour l'élimination de la discrimination raciale (21 mars) et la déclaration des Douze à l'occasion du quarantième anniversaire de la déclaration universelle des droits de l'homme (10 décembre). La déclaration du Conseil européen sur le rôle international de la Communauté européenne, adoptée à Rhodes le 2 décembre, réaffirme que la promotion des droits de l'homme et des libertés fondamentales constitue une priorité politique des Douze.

La position des Douze à l'égard de la présentation générale des principaux problèmes en matière de droits de l'homme, qui repose sur des principes et sur un mode de pensée commune, a été développée à l'occasion du discours prononcé par la présidence lors de la 45^e session de la Commission des droits de l'homme. Dans la mesure où c'était la première fois qu'un discours était prononcé devant cet organisme, M. le ministre Fernández Ordóñez a réaffirmé l'engagement des Douze de respecter, de protéger et de promouvoir les droits de l'homme et les libertés fondamentales partout dans le monde. Il a également souligné l'importance que les Douze attachent aux mécanismes précis mis en place par la Commission pour la protection et la promotion de ces droits et a fait observer qu'ils étaient disposés à mettre tout en œuvre pour garantir dans le monde entier l'exercice de tous les droits reconnus internationalement.

Les Douze ont joué un rôle actif dans l'élaboration de deux nouveaux instruments en matière de droits de l'homme, adoptés par la Commission: le projet de convention sur les droits de l'enfant et le projet protocole optionnel à la convention sur les droits civils et politiques, sur l'abolition de la peine de mort.

Le document de clôture de la conférence de Vienne contient de nouveaux engagements importants en matière de droits de l'homme, de la part des États qui participent à la C.S.C.E.

On peut dire, assurément, que la volonté des Douze de progresser et de défendre leurs propres valeurs politiques en matière de droits du citoyen constitue l'une des raisons principales du succès de la conférence de Vienne. Les résultats de cette conférence ouvrent la voie à une Europe où les valeurs seront de plus en plus partagées et où les divisions des quarante dernières années et même davantage pourront être vaincues.

3. *Conclusions*

Les Douze estiment que la lutte engagée pour mettre un terme aux violations des droits de l'homme et pour défendre la dignité humaine doit être poursuivie inlassablement, dans un contexte international où de telles violations continuent à susciter l'inquiétude. La promotion des droits civils et politiques ainsi que des droits économiques, sociaux et culturels revêt une importance capitale si l'on veut répondre aux aspirations légitimes de tous les peuples.

L'urgence des problèmes en matière de droits de l'homme doit impliquer une poursuite des efforts visant à assurer une meilleure cohésion entre les actions qu'ils mènent au niveau international. L'année dernière, ils ont apporté une preuve du développement de leur politique en matière de droits de l'homme; les Douze continueront à s'inspirer du Parlement européen, qui a apporté une contribution essentielle à la cause des droits de l'homme dans le monde entier, en étroite liaison avec les sociétés démocratiques qu'il représente.

89/142. Question No 2144/88 by Mr Perinat Elio (ED-E) Concerning Community Cooperation in Bringing the Institutions of the Western European Union (WEU) Together in One Location

Date of Issue: 8 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 6 February 1989

The long-established but still valid aim of making an active contribution to strengthening the defence of continental Europe demands that European countries play a proportionately larger role in their own security.

To this end there are plans to step up the operations of the Western European Union (WEU), to enable it to study the problems of European defence which to a certain extent lie outside the field of competence of NATO's military hierarchy. It would allow for greater efficiency if the location of the Secretariat-General and the Council (at present in London) and the Assembly (at present in Paris) of the WEU could be moved to Brussels.

In view of this organization's importance for European security, do the Foreign Ministers, whilst acknowledging that the Community and the WEU have quite distinct spheres of competence, consider that they might in some way promote the idea of bringing the WEU's institutions together in Brussels?

Answer:

The question put is not a matter for European political cooperation.

89/143. Question No 2164/88 by Mr Newton Dunn (ED-UK) Concerning the Reunification of the Beres Family

Date of Issue: 8 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 6 February 1989

Mr Sandor Beres fled Romania to Hungary on account of the persecution and harassment of ethnic Hungarians by the Romanian authorities. He is now resident at Tomori-ut 48, Kolocsa, Hungary, where he is working. His wife, Jolan Beres, and two children are forbidden to leave Romania. They are resident at Bulvard Fratiei 8, Sc. B, ap. 12, Ro-4100 Miercureu Cinc, Romania. Will the Foreign Ministers take the necessary steps to bring about the reunification of the Beres family?

Answer:

The Presidency has explained the position of the Twelve on the human rights situation in Romania on a number of occasions, notably in the reply given to Questions H-664¹ and H-802/88.² The Member States, acting either individually or in common, have informed the Romanian authorities of the concern aroused by their attitude.

On the question of reuniting families, the Twelve consider that the commitments entered into on this point in the Vienna Final Document would be in serious jeopardy if the right of individuals to leave and re-enter their own country, for whatever reason, were not respected.

The specific case of the Beres family has not been discussed in the context of European political cooperation.

¹ *EPC Bulletin*, Doc. 88/516.

² *EPC Bulletin*, Doc. 89/021.

89/144. Question No 2311/88 by Mr Robles Piquer (ED-E) Concerning Relations with the USSR in the Field of Culture and Information

Date of Issue: 8 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 17 February 1989

Top-level bilateral talks in the field of information and culture between the United States and the USSR seem to be achieving substantial results.

Can the Ministers say what results have been achieved from contacts between the Community and the USSR in these sectors which are of crucial importance for extending relations with that country?

Answer:

The Twelve initiated a political dialogue with the Soviet Union at the beginning of the year. It will cover topics of mutual interest, including those relating to human rights. Exchanges of views and discussion of problems concerning culture and information, however, will take place primarily within the framework of the CSCE, which is the most appropriate forum for such discussions.

89/145. Question No 2321/88 by Mr Alvarez de Eulate Peñaranda (ED-E) Concerning a Community Venue for the Conference on Chemical Weapons

Date of Issue: 8 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 17 February 1989

The recent Paris Conference on the Elimination of Chemical Weapons was attended by delegations from 147 countries, who had some difficulty at the time in finding a suitable venue.

Considering that a large debating chamber is available in the Community itself and is permanently out of use, in the Centre Européen at Kirchberg in the Grand Duchy of Luxembourg, it would seem sensible for the Community to put this empty chamber to profitable use by offering it to host the above-mentioned conference.

Do the Ministers therefore consider that the empty chamber in Luxembourg could be offered as the official venue for the Conference on the Elimination of Chemical Weapons?

Answer:

The Paris Conference on the Elimination of Chemical Weapons, held from 7 to 11 January 1989, was convened on the initiative of France, with the aim of giving impetus to the negotiations in Geneva.

The choice of venue for this *ad hoc* conference was therefore entirely appropriate.

As for the negotiations on chemical weapons, they are part of the Disarmament Conference which is permanently located in Geneva.

89/146. Statement in the Second Committee of the United Nations ECOSOC Concerning the Advancement of Women¹

Date of Issue: 10 May 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Chairman, I have the honour to speak on behalf of the twelve Member States of the European Community on agenda item 10 [B], 'Advancement of Women.'

The adoption by consensus of the Forward-Looking Strategies at the Nairobi World Conference was a successful culmination to the United Nations Decade for Women. The Decade itself was an unprecedented effort by the international community to establish better conditions for women throughout the world. The Forward-Looking Strategies provide us with a solid basis for further action in the years until 2000 at the national, regional and international levels. Their true value will only be fully realized when they have been translated into concrete action by all countries.

The Twelve consider that all governments should take full account of the Forward-Looking Strategies when defining, implementing and monitoring their national policies aimed at the advancement of women. But we also see an important role for the United Nations in this field. The General Assembly has entrusted the Commission on the Status of Women with the task of monitoring the Forward-looking Strategies.

The Twelve were satisfied that the 1987 Special Session of the Commission was able to maintain the constructive spirit of Nairobi and created the conditions for successfully dealing with the substantial items outlined in the Strategies. The restructuring of the agenda and the adoption of priority themes for the Commission's future were important steps in the right direction. The new method of work of the Commission provides the opportunity to have an in-depth discussion of the priority themes and allows the Commission to devote detailed attention to each question, to avoid repetition and to put forward concrete suggestions for action-oriented policies.

As we have already stated on previous occasions, we believe that the convening of expert-group meetings or seminars on the priority themes — along the same lines as those organized on some of these themes — are of significant importance for an in-depth discussion of the problems related to these issues, based on expert information, necessary for the adoption of action-oriented policies.

Mr Chairman, concerning this Session's priority themes under the headings: equality, development and peace, the Twelve wish to underline the importance of the issues discussed this year in our efforts to achieve the common goal to enable women to play a full and equal role in society.

During the debate in the Commission, many speakers referred to the growing gap between *de jure* and *de facto* equality. The Twelve agree that attention must now be focused on ensuring the full implementation of laws and measures aiming at guaranteeing the equality of opportunities between men and women. To this end, and taking into consideration the different cultural, social and economic systems, we must try to overcome the deep-rooted traditional attitudes that result in social and economic conditions in all countries lagging behind the changes introduced in the legal sphere.

The Twelve believe that temporary support measures and action programmes are needed for women to secure full social and economic participation in society. Such support measures could include, among others, facilitating child care, family planning, parental leave and training programmes to facilitate re-entering the work force after maternity and after child rearing. We also consider that the reforms of the educational system aimed at increasing the young generations' awareness of possible professional options and at helping them to overcome deeply-rooted prejudices about traditional roles in society play an essential part in this context.

It is also necessary to enable women to participate fully in all aspects of political life. Despite the fact that women constitute fifty per cent of the electorate, they still play a disproportionately small part in the political life of most countries. We think that women's capacity to participate in all levels of the decision-making process must be enhanced. To this end, special attention should be placed on finding ways and means for the development of women's skills for political participation and on offering opportunities to women to participate in political life.

Throughout the 1980s the strategy of the European Community and its Member States in this field has been to consolidate legal provisions on the equality of opportunities and also to pursue multifaceted policies to achieve *de facto* equality. We expect the 1992 goals of the European Community for the free movement of goods, persons, services and capital to have a positive effect in the social area and to contribute to the equality of men and women.

The twelve Member States of the European Community are keenly aware of the constructive role which the non-governmental women's organizations have played in securing the success of Nairobi and thereafter. They have played an active role in sensitizing governments to the need to face up to the inequalities between women and men still existing in their societies. Since their participation has been a valuable one, NGOs should be encouraged to participate even more actively in the work of the Commission and in particular at the Extended Session of 1990.

Mr Chairman, I should like to refer briefly to some of the draft resolutions contained in the Report of the Commission on the Status of Women to which we attach special importance.

In the area of coordination we welcome draft resolution II on programme planning and activities to advance the status of women and draft resolution III on the system-wide coordination of activities to advance the status of women and to integrate women in development. We endorse the proposed timetable contained in the report of the Secretary-General on the preparation of a system-wide medium-term plan for the advancement of women for the period 1996-2001.

Referring to the resolutions adopted on three priority themes, we fully support draft resolution IX on equality in economic and social participation and we urge all governments to give high priority to measures and action programmes to achieve equality in women's economic and social participation. We also welcome draft resolution X on measures to facilitate the participation of women in development and draft resolution XI on elderly women.

We share the views expressed in the debate in the Commission about the social and economic consequences of AIDS on the advancement of women. We support draft decision I on the

activities to assist women in the fight against the acquired immuno-deficiency syndrome pandemic and we encourage all relevant organizations to consider the consequences of the AIDS pandemic on women.

Concerning the question of the enlargement of the Commission, the Twelve regret that, despite the compromise reached at the 1988 session of the Commission, the issue was reopened in the first Regular Session of this Council last year. This subject unfortunately diverted attention from urgent issues concerning the advancement of women during the 33rd session of the Commission, which was finally unable to reach an agreement on the matter. We regret this because we are of the view that the Commission, due to the experience and the skill of its members, experts in their field, was the appropriate forum to find a solution. However, we will spare no effort to reach an agreement acceptable to all.

We are aware of the fact that women's issues cannot always be discussed in isolation from political, economic and social questions. But we are of the opinion that the Commission should focus its work on putting forward concrete suggestions for action-oriented policies, specific to women.

Mr Chairman, the twelve Member States of the European Community look forward to the Extended Session of the Commission in 1990. We support draft resolution V related to it and we are ready actively to participate in its preparation as well as in its work. In this context, we consider that a wide response to the questionnaire is needed for the review and appraisal to be based on a representative sample of opinion. The Extended Session will provide us with an excellent opportunity to review and appraise the progress achieved until now in the implementation of the Forward-Looking Strategies. We stand ready to work constructively for the adequate preparations of the Extended Session for a successful outcome. In this connection the early availability of the documentation for the 1990 session is very important and in particular the information on the preliminary results of the review and appraisal to be made available at the General Assembly. Thank you Mr Chairman.

¹ Agenda item 10 [B].

89/147. Statement Concerning the Elections in Panama

Date of Issue: 11 May 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve have followed with deep concern the serious and extended irregularities during the voting and the computation of results in the elections held last 7 May in Panama.

The Twelve expressly condemn the annulment of the elections by the Panamanian authorities, which implies the non-acceptance of the sovereign will of the Panamanian people.

They also condemn the numerous acts of force and violence which took place during the electoral process, and particularly the brutal physical aggressions to opposition leaders.

The Twelve, whose relations with the Latin American countries are based on the continuous and permanent respect to the democratic principles and institutions, cannot remain indifferent to the seriousness of these events.

89/148. Statement at the United Nations Disarmament Commission Before Working Group III on Conventional Disarmament¹

Date of Issue: 11 May 1989
Place of Issue: New York
Country of Presidency: Spain
Source of Document: Spanish Delegation to the UN
Status of Document: Statement in International Forum

Mr Chairman, I have the honour to speak on behalf of the twelve Member States of the European Community on item 9 of our agenda regarding conventional disarmament.

The Twelve hope that the following ideas can be used as valid elements in the continuing efforts to achieve a consensus text for the Commission Report on this item.

While progress towards nuclear disarmament remains one of the highest priorities for the countries on whose behalf I speak, the Twelve have consistently stressed that conventional disarmament is an integral and essential part of the overall disarmament process.

We, the Twelve, would like to recall paragraph 22 of the Final Document of the first Special Session on disarmament held in 1978, where it stipulates that 'Together with negotiations on nuclear disarmament measures, negotiations should be carried out on the balanced reduction of armed forces and of conventional armaments, based on the principle of undiminished security of the parties with a view to promoting and enhancing stability at a lower military level, taking into account the need of all States to protect their security'.

We fully endorse efforts aimed at achieving conventional disarmament on a global basis. In this respect, we believe that the reports elaborated last year by the Disarmament Commission on guidelines for confidence-building measures and on verification in all its aspects have a direct bearing on these efforts. We are confident that under your guidance, Mr Chairman, the Commission will continue this consensus building process in the field of conventional disarmament at this session.

The Twelve consider that the adoption of regional arms control and disarmament measures constitutes one of the most important and effective ways through which States can contribute to the global arms control and disarmament process. It is of course for the countries belonging to a particular region to find their own way of concluding regional arms control and disarmament agreements that, taking into consideration the specific characteristics of the area, contribute to a greater global stability. The Twelve would like to recall, in this context, the consensus reached during the 42nd and 43rd UNGAs on resolutions relating to conventional and regional arms control and disarmament, namely resolutions 42/39 [E] and 43/75 [P].

Conventional arms control is an issue that we take very seriously in Europe, where the concentration of troops and armaments is high, and we are making urgent efforts to deal with this question.

For Europe, the establishment of stability at a lower level of conventional forces is a central task, necessary to redress the conventional imbalances in Europe. We also appeal to all other countries to address urgently conventional disarmament and arms control in their own region. We would submit that the development initiated in Europe of promoting both conventional arms control and disarmament and confidence- and security-building measures is a real contribution to the global process of disarmament.

The Twelve actively participated during the last CSCE Follow-Up Meeting with a view to reaching agreement on terms of reference for the negotiation of further confidence- and security-building measures, building on those in the Stockholm Document. The Twelve also warmly welcome the agreement reached on a mandate for a negotiation on conventional armed forces in Europe. We, the Twelve, believe that in order to enhance security in Europe it is necessary to establish a stable and secure balance of conventional forces at lower levels and to introduce a further set of confidence- and security-building measures that will reinforce and deepen the achievements of the Stockholm Document.

Both these negotiations started last March in Vienna in the framework of the CSCE process. The [negotiations on] Conventional Armed Forces in Europe seek a reinforcement of stability and security in Europe through the achievement of a more stable and secure balance of conventional forces at lower levels. The confidence- and security-building measures negotiations aim at reinforcing transparency and openness through a better knowledge of military activities by means of new confidence- and security-building measures.

It goes without saying that any negotiations to this end would be facilitated by the provision of reliable and comparable data in order to reinforce openness. Conventional arms control and

disarmament agreements have to be properly verifiable and include an effective verification regime to ensure compliance and to avoid presumed or real violations that could affect the level of trust among signatories.

Mr Chairman, the expenditure on conventional armaments and forces absorbs an overwhelming proportion of all military budgets in the world and thereby has increasingly become a serious economic strain on large numbers of countries. But spending on armaments follows directly from security perceptions. States can only be ready to pursue conventional disarmament when they can be certain that their security will not be diminished. Therefore, negotiations on conventional disarmament must take into account the need of States to protect their security, as well as their inherent right of self-defence embodied in the Charter of the United Nations. We reiterate our conviction that military forces should only exist to prevent war and to insure self-defence.

Mr Chairman, the Twelve are convinced that the question of conventional weapons transfers merits consideration by the international community. They contributed to the adoption of Resolution 43/75 [I] by the General Assembly which 'Requests Member States to consider, *inter alia*, the following measures relating to these concerns:

- (a) Reinforcement of their national systems of control and vigilance concerning production and transport of arms.
- (b) Examination of ways and means of refraining from acquiring arms additional to those needed for legitimate national security requirements, taking into account the specific characteristics of each region.
- (c) Examination of ways and means of providing for more openness and transparency with regard to world-wide arms transfers'.

The Twelve welcome the fact that the Secretary-General, in pursuance of the above-mentioned resolution, has been requested to carry out, with the assistance of governmental experts, a study on ways and means of promoting transparency in international transfers of conventional arms on a universal and non-discriminatory basis, also taking into consideration the views of Member States as well as other relevant information, including that on the problem of illicit arms trade.

We consider that governments which are the main suppliers and buyers of armaments should consult on how to strengthen the existing cooperation aimed at constraining international illicit trade in conventional arms and to identify possible additional measures to halt it.

Finally, Mr Chairman, we believe that from a global point of view the United Nations can point the way to solutions in the conventional disarmament field. Progress in conventional disarmament should urgently be pursued as an integral part of the over-all disarmament process, in which all States of the world should be actively involved. The subject of conventional disarmament should thus be kept at the forefront of the multilateral debate on disarmament. The Twelve are convinced of the importance of our deliberations in the UNDC. Therefore, we are ready to contribute actively to the success of our work. Thank you Mr Chairman.

¹ Agenda item 9.

89/149. Statement in the Second Committee of the United Nations ECOSOC Concerning Racism and Racial Discrimination¹

Date of Issue: 12 May 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Chairman, I have the honour to take the floor on behalf of the twelve Member States of the European Community on item 2 of the agenda, concerning the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

The rejection of any discrimination by reason of race, colour, descent or national or ethnic origin is enshrined in the United Nations Charter, in the Universal Declaration of Human Rights and in both Covenants and it is particularly specified in the International Convention for the Elimination of All Forms of Racial Discrimination. The fact that it was necessary, in every one of these texts, to insist on the rejection of this evil practice is a sad reflection of a reality with deep social roots. The eradication of racial discrimination requires the unanimous effort of the international community.

Unfortunately, there are numerous countries in which, to a lesser or greater degree, there are manifestations of racism and racial discrimination. No society is totally free of them. Acknowledging this fact is the first step towards its solution. Racism and racial discrimination can only be eliminated worldwide if all governments recognize its existence at home as well as abroad and then act to combat it. It is in our view the governments themselves who bear within their respective jurisdiction the principal responsibility for the eradication of that phenomenon.

The Twelve have systematically and unequivocally affirmed their absolute rejection of all forms of racism and racial discrimination. We firmly believe that any form of discrimination by reason of race, colour, descent or national or ethnic origin constitutes a serious affront to dignity and an intolerable violation of human rights and fundamental freedoms. Racism and racial discrimination are incompatible with the ideals of a free and democratic society and with the principles laid down in the United Nations Charter.

Mr Chairman, the activities undertaken by the United Nations in this context play a most important role. In 1983, the proclamation by consensus of the Second Decade to Combat Racism and Racial Discrimination highlighted the will of States to fight racism in all its forms and reaffirmed the commitment of the international community. The consensus achieved in the 43rd General Assembly constitutes a significant proof of the determination of the Member States of the United Nations in the struggle for the eradication of racism, racial discrimination and apartheid.

The report submitted by the Secretary-General (document E/1989/42) on the implementation of the Programme of Action for the Second Decade constitutes a thorough review and appraisal of the activities undertaken by the United Nations and its specialized agencies to implement the Programme of Action. A close study of this report shows to what extent the Decade's objectives have been accepted and translated into concrete action by the various institutions of the United Nations system.

The Twelve have actively participated in the programmes established within the framework of the Second Decade. Several Member States have made important financial contributions to the Trust Fund for the Programme for the Decade and have participated in meetings convened for this purpose. The Twelve are pleased to see that special emphasis continues to be placed on education and training as well as on legislative and administrative measures directed towards combating racial discrimination. Global compilation of national legislative measures, the collection of model legislation, the handbooks of recourse procedures and of the existing national institutions charged with combating racism and racial discrimination are all important steps in the right direction.

Mr Chairman, the International Convention for the Elimination of All Forms of Racial Discrimination is one of the most important legal mechanisms in the area of human rights. One hundred and twenty eight States are parties to the Convention, a greater number than in any other instrument related to human rights. The Twelve hope that those States which have not yet signed or ratified the Convention will do so and appeal to all States Parties to comply promptly with their reporting obligations. The implementation mechanism set up by the Convention faces at present serious financial difficulties which obstruct its task. We are confronted with a puzzling contradiction. On the one hand, all member States unanimously condemn racial discrimination;

on the other, the Committee entrusted with the supervision of the Convention cannot properly function due to insufficient funding. The spring session of the Committee in 1988 had to be cancelled and the August session had to be shortened by two weeks. Given the special responsibility the United Nations has for the implementation of various human rights instruments negotiated and adopted under its auspices, the United Nations and its member States bear a common responsibility for ensuring that the actual financial problems with which CERD and other supervisory bodies are confronted be appropriately addressed and solved. The Twelve shall be ready to study ideas which both in the short and in the long term enable CERD and other human rights supervisory bodies to fulfil their mandates. As a first step the Twelve once more urge all countries in default to meet the financial obligations they freely took upon themselves on ratifying the Convention so as to enable the Committee to discharge its important functions. Outstanding payments are, with some unfortunate exceptions, quite small and should not represent any kind of problem to the States in question.

Mr Chairman, the perpetuation of apartheid in South Africa is the most urgent and serious question facing our efforts to combat racism and racial discrimination. No society is free of manifestations of this evil, but in South Africa inequality, discrimination and injustice, besides having a tragic and frightful magnitude, are institutionalized, thus depriving the majority of the people of South Africa of their inalienable civil, political, economic, social and cultural rights.

The Twelve condemn apartheid in all its forms in the strongest terms. It is an immoral policy which totally subverts the concepts of human freedom and equality. It constitutes a gross, systematic and flagrant violation of fundamental human rights. It is incapable of reform. It must be totally abolished.

Since last year there has been no substantial move towards the abolition of apartheid in South Africa. The Government of South Africa maintains the state of emergency throughout the country. The Twelve take note of recent developments but regret that these do not constitute the fundamental change that the situation requires. Despite the release of a number of political detainees, arbitrary arrests continue, as well as torture and ill-treatment, indefinite confinement of some opponents of the regime awaiting trial, the prohibition and constant harassment of anti-apartheid organizations, and all kinds of repressive measures — directed even against children — to maintain the systematic and legally established discrimination of one race by another. This policy cannot but lead to the heightening of tensions within the country and to the further deterioration of the over-all situation there. The European Community and its Member States will continue to monitor closely the developments in South Africa and to respond appropriately to the situation as it evolves.

The primary objective of the Twelve concerning South Africa is the abolition of the system of apartheid and the establishment of a free and democratic society where all citizens of South Africa, regardless of colour or race, enjoy the same rights. With this in mind, the European Community and its Member States have adopted, since 1985, a series of measures directed to make South Africa understand the urgent need for a fundamental change and to impress upon the country's white community our absolute opposition to the continuation of apartheid.

Although the present situation in South Africa is of great concern to us, the Twelve nevertheless consider that it is still possible and necessary to achieve the urgent abolition of apartheid by peaceful means. It is our view that this will only be possible if there is a true desire to end the spiral of violence and repression. A framework must be found in which dialogue, regardless of colour, politics or religion, is the common ground for change. Only broad-based negotiations involving the genuine representation of all South African people can bring the violence to an end and pave the way for the establishment of a truly democratic State where all South Africans can live together in peace. Thank you Mr Chairman.

¹ Agenda item 2.

89/150. Statement in the Second Committee of the United Nations ECOSOC Concerning Human Rights¹

Date of Issue: 15 May 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Chairman, I have the honour to take the floor on behalf of the twelve Member States of the European Community on item 9 [B] of the agenda, regarding human rights.

The Member States of the European Community wish to reaffirm their common commitment to the promotion and protection of human rights and fundamental freedoms. This commitment is one of the basic premises of both our domestic and our foreign policy. We firmly believe in the fundamental importance of human rights and in the need for States scrupulously to respect internationally accepted norms and principles. The Twelve consider the human being as the ultimate reason for all the activities undertaken by the United Nations. This explains the importance attached by the Twelve to the activities aiming at the protection and promotion of human rights.

The United Nations, taking the Universal Declaration of Human Rights as a cornerstone, have erected an impressive structure of international instruments to promote the respect and enjoyment of human rights. Since the adoption of the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights to the recent Convention against Torture, there has been a considerable effort to establish a body of international human rights law which can only fully achieve its objectives once all States adhere to and effectively implement the pertinent instruments.

The Twelve believe that our future efforts must mainly concentrate on the implementation and development of the instruments already in force and to scrutinize closely compliance with them. These efforts, however, should not rule out further elaboration of instruments if gaps in the current international system are identified. In accordance with General Assembly Resolution 41/120, the conformity of any future standard setting with existing instruments should be of primary importance.

Human rights derive from the dignity inherent to every human being. This is a universally valid principle. They are not limited by national boundaries, but transcend the limits of the national sovereignty of States. They are not granted by society nor bestowed by the State. They are the birthright of every human being. The international community has the right and the duty to scrutinize the conduct of the authorities responsible for the respect for and protection of human rights. No one may advocate the principle of non-interference in this context without laying himself open to the suspicion of attempting to cover up violations of human rights.

As the Minister of Foreign Affairs of Spain, speaking on behalf of the Twelve, stated before the Commission of Human Rights last February, 'the Twelve attach essential importance to the respect of human rights and fundamental freedoms in their relations with other countries. Moreover, it is our firm conviction that raising human rights issues and expressing concern for violations of internationally recognized rights cannot be considered interferences in internal affairs'.

Mr Chairman, in accordance with the Charter's explicit provision for its creation, the Commission on Human Rights has a crucial role in realizing the purposes of the United Nations in the field of human rights. The participation in the work of the 45th session of the Commission by a large number of political leaders and special guests constitutes proof of its importance as a forum to consider the issues related to human rights. The active presence in Geneva of representatives of non-governmental organizations as well as victims of human rights violations, appearing as testimony of the deplorable violations attributed to some governments, together with the improved coverage by the media, also illustrates the increasing interest of the international community and of public opinion in all countries regarding these issues.

One of the main tasks of the Commission on Human Rights is the codification of human rights. In this respect we welcome the fact that the Commission has finished the elaboration of the draft convention on the rights of the child. This draft has been submitted without a vote by the Commission to the next General Assembly, through this Council, for its final adoption. We also welcome the decision adopted without a vote by the Commission to recommend to the General Assembly to consider taking suitable action on the draft Second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty.

The protection of individuals or groups of individuals who, often at great risk to their own lives, devote all their efforts to the promotion, protection and defence of human rights, is especially important for the Twelve. This also applies to representatives of the media who have an important role to play in the protection of human rights. Consequently, we follow with great interest the progress being made by the open-ended working group entrusted with the preparation of the draft declaration on the rights and responsibilities of individuals, groups and institutions of society for the promotion and protection of rights and fundamental freedoms universally recognized. The Twelve will participate in the work of the open-ended working group created by the Commission, to examine and revise the draft body of principles and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder, submitted by the Subcommission.

Mr Chairman, in addition to its normative function the Commission of Human Rights performs a crucial task in monitoring the compliance of States with universal standards on human rights. An essential mechanism at the disposal of the Commission in this respect is the system of Special Rapporteurs and Special Representatives. The continuing relevance of this mechanism is illustrated by the establishment this year, for the first time since 1984, of a new Country Rapporteur. These Rapporteurs play an important and growing role in making the international community better informed of and thus better equipped to deal with a wide range of both specific human rights situations and of certain grave violations of human rights worldwide. We think that the institution of Special Rapporteurs or Special Representatives should be further strengthened through all appropriate means. We welcome the adoption of the Resolution on Special Rapporteurs asking the Secretary-General to conduct a study on the possibility of convening a meeting of Special Rapporteurs and Representatives, as well as other Representatives established by the Commission.

It is a sad reflection upon the worldwide state of human rights that there is a need for such Rapporteurs. This year the Commission had before it reports on the situation in four countries, namely, Afghanistan, Chile, El Salvador and Iran. These Rapporteurs enjoy, to a varying degree, a measure of cooperation from the governments concerned. The Twelve urge those countries which have not yet done so fully to cooperate with the relevant Special Rapporteurs or Special Representatives.

This year again the Commission had before it 'thematic' reports concerning torture, forced or involuntary disappearances, summary or arbitrary executions and religious intolerance.

Regardless of the increasing international awareness against the practice of torture, and despite the growing number of countries which condemn such practice as one of the most abhorrent violations of human rights, we must state once again our deep alarm at the increasing number of allegations received by the Special Rapporteur. The Twelve stress the need for the full cooperation of all States with the Special Rapporteur. We also urge all governments to adhere to the Convention Against Torture.

The abhorrent practice of forced disappearances, which in most cases is nothing else but a form of political assassination, continues to cause untold suffering worldwide. It is a most grave violation of human rights in which injury inflicted upon victims, frequently irreparable, is compounded by the cruel uncertainty experienced by their families. The Working Group on Disappearances points out in its report that some governments have not offered the required explanations regarding allegations of disappearances occurred within their territories. It also

indicates that in some countries the families of disappeared persons have been subject to intimidation and ill-treatment. Gravely worried by these facts, the Twelve urge the governments concerned to cooperate with the Working Group, in particular by responding fully and promptly to requests for information in order to solve outstanding cases. We also urge those governments to adopt the necessary measures for protection of the families of disappeared persons, and seriously to consider the possibility of inviting the Working Group to visit their respective countries.

The Special Rapporteur on Religious Intolerance points out in his report that the practices and conduct contrary to the provisions of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, continue to take place in many parts of the world. This gravely worries the Twelve. We support the task of the Special Rapporteur and urge all governments to adopt appropriate measures to combat intolerance and to encourage understanding and respect. The Twelve hope that all governments will extend to the Special Rapporteur the assistance and cooperation needed for the optimum fulfilment of his mandate.

The phenomenon of summary or arbitrary executions demands particular attention. The Twelve have studied in detail the analysis of the situation as reported by the Special Rapporteur. We are alarmed by the increasing number of allegations of summary or arbitrary executions as compared to the previous year, as well as by the number of countries implicated in such actions, including in situations of internal armed conflict. The indiscriminate killing of civilians perpetrated by non-governmental forces and the unlawful use of force by officials entrusted with law enforcement greatly alarm the Twelve. We wholeheartedly subscribe to the recommendations of the Special Rapporteur and regret that some governments have not considered it necessary to respond to his request for information. We urge such governments to do so as soon as possible.

With regard to the thematic procedures, we wish to highlight a potentially hazardous development. It consists of the lack of attention, both in terms of resolutions and interventions in the debates, given to countries where visits have taken place in the reporting period. The fact that, increasingly, invitations for such visits are being extended to thematic rapporteurs and groups is in itself a positive sign and should be encouraged. But as the system stands at present, without any follow-up mechanism, the countries concerned can attract praise for cooperating with the United Nations while not coming under much pressure to address the reported human rights violations effectively. The Twelve think that this matter needs to be rectified.

As to the Advisory Services and Technical Assistance Programme, we consider it important as a potential preventive mechanism as well as a way to assist countries in the transitional process to democracy and the rule of law, but it does not seem advisable that the Commission resorts to the Advisory Services as a way of avoiding responsibilities in the cases of serious or systematic violations.

The Commission adopted a resolution aimed at encouraging further development of information activities in the field of human rights. The Twelve are fully committed to the realization of this objective. We consider that carefully designed and well-focussed programmes of teaching, education and information can make an important contribution to the achievement of lasting respect for human rights and fundamental freedoms. The World Information Campaign on Human Rights has a significant potential in this regard. The Twelve look forward to an early assessment of the Campaign in light of the goals set by the General Assembly and the Commission on Human Rights.

The Twelve take note that the Voluntary Fund for Advisory Services finances exclusively projects approved within the Advisory Services and Technical Assistance Programme. The Twelve expect that the World Information Campaign on Human Rights, in accordance with General Assembly Resolution 43/128, will rely solely on its independent sources of funding, which should be increased.

Mr Chairman, at its 45th session the Commission reviewed the situation of human rights in numerous countries and territories. Once more it adopted resolutions on South Africa, Namibia, the occupied Arab territories, Southern Lebanon, Afghanistan, Kampuchea, Western Sahara, Chile, El Salvador and Iran, and it decided once again to postpone to its next session the debate on the situation of human rights in Cyprus. The Commission also adopted, under the item on Advisory Services, resolutions on Haiti, Guatemala and Equatorial Guinea and had before it the reports of the Experts appointed for the two first countries.

For the first time, the Commission, at its 45th session, also adopted resolutions on the situation of human rights in Romania, Burma and Albania. The Twelve wish to express their satisfaction for the establishment of a Special Rapporteur for Romania and hope to be able to study his first report in the near future. At the same time, the Twelve regret that a resolution concerning the human rights situation in Iraq was not adopted.

The Commission had before it a detailed report prepared by the Mission that visited Cuba, responding to the invitation of the Government of Cuba at the 44th session of the Commission. This report was assessed and debated under a separate agenda item (11 bis), and was the subject of a decision adopted by the Commission. We hope that the Cuban Government will continue to cooperate with the United Nations in this field.

Mr Chairman, the Twelve wish to emphasize the importance of some of the resolutions adopted by the Commission this year. For the first time the right to conscientious objection to military service was formally recognized by the Commission in a resolution adopted without a vote. Equally adopted without a vote were resolutions — new in the Commission — related to genuine and periodic elections and to the improvement of the reporting systems under the United Nations human rights instruments. The Twelve actively participated in the adoption of resolutions related to hostage-taking, to the right to freedom of opinion and expression, to preventive detention, to mass exoduses, to political prisoners, to human rights and health, to extreme poverty, to independence and impartiality of the judiciary and to the right of every person to leave and return freely to his or her country.

The Commission approved as well a resolution related to the situation of the international civil servants of the United Nations who are held as hostages or have disappeared. In this respect, the Twelve wish to call the attention of this forum to the situation of the Subcommission's expert on youth, Mr Mazilu, a Romanian national who is prevented by the Romanian Government from exercising his functions. We support the Commission's request to the International Court of Justice for an advisory opinion on this matter.

The Twelve wish to express their satisfaction for the lesser degree of confrontation in the debates of the Commission this year, compared to its previous sessions, and for the positive and cooperative attitude towards human rights issues shown by some Eastern European countries.

Along with the positive elements mentioned above, the Twelve wish to express their concern about some negative aspects regarding this session, such as the devaluation of the confidential procedure under Resolution 1503 of ECOSOC, the tendency of regional groups to rally to the collective defence of the interests of any member of the respective groups and the excessive proliferation of secondary topics or issues not related to the Commission for study by it, with the consequent increase in the number of draft resolutions, which prevents the adequate in-depth consideration of the most important topics on the agenda.

Mr Chairman, the Twelve wish to reaffirm that they consider it the duty of the United Nations and its member States closely to examine all cases and all situations of which they have knowledge related to violations of human rights, wherever they may occur in the world and regardless of the political, economic and social systems under which they take place. The Economic and Social Council plays a significant role in this respect, being charged with ensuring that sufficient financial and administrative means are provided to the United Nations programmes on human rights.

The promotion of universal respect for and observance of human rights is one of the fundamental objectives of the United Nations. The amount in the budget allocated to

programmes in the sphere of human rights is nevertheless quite small. In the last few years, the Organization has undergone a difficult financial situation. Some budget reductions have affected programmes aiming at the promotion and protection of human rights. Any further reduction imposed upon quite a modest budget may cause disproportionate damage. Allow me, therefore, to conclude this intervention, Mr Chairman, by assuring you that the strengthening of the financial and administrative capabilities of the organs and programmes of the United Nations in this area shall continue to be a crucial objective for the Twelve. Thank you, Mr Chairman.

¹ Agenda item 9.

89/151. Question No H-1096/88 by Ms Ewing Concerning West German Illegal Exports of Arms

Date of Issue: 23 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

On 1 February 1989 the customs authorities in Baden-Württemberg alleged that several unnamed companies in their region had been illegally exporting arms or high-tech equipment to Eastern bloc countries and areas of military tension, including the Middle East.

Will the Foreign Ministers investigate this situation in conjunction with the customs authorities and impose heavy penalties for all illegal exports of arms?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: On the question of illegal export of arms, to which Ms Ewing refers and which is the subject of a report by the customs authorities of Baden-Württemberg, the Twelve have always expressed themselves against illegal arms exports and we exchange information with a view to strengthening controls in this area.

However, specific measures, first for preventing and secondly for punishing, illegal arms exports fall within the powers of the Member States, not those of the Twelve.

Ms Ewing (RDE): I thank the President-in-Office for his answer, but I do not feel it is altogether satisfactory, particularly as we face Euro-elections, when our citizens may want to feel that the Community has got clean hands in this matter. If the Council is satisfied that this has occurred, it is a bit bland to say that we shall leave it all to the Member State. Supposing this Member State continues doing this, will you go on leaving it to the Member State? It is not entirely an answer you can take home to your voters when you are persuading them that this Community is relevant and you are asking them to go and vote.

Mr Fernández Ordóñez: I should like to give Ms Ewing two additional pieces of information: first that this Parliament approved a resolution on 14 March 1989 about European arms exports of which we took full note and on which we shall put forward written observations in due course after detailed study of the resolution, which is an important one. And secondly that the Twelve have advocated international consideration of the problem just raised by Ms Ewing. We did this within the United Nations. The Twelve took a very active part in the adoption of Resolution 43/75¹ on international transfers of armaments, which gives the Secretary-General of the United Nations institutional responsibilities in this sector and which contains an appeal to Member States to strengthen their control and surveillance of the production and transport of armaments. We have therefore been and shall continue to be active in this important problem of illegal arms exports.

Mr Cryer (S): I am most grateful for the opportunity to ask the President-in-Office whether he does not feel that the special relationship that exists between West Germany and East Germany,

which is endorsed by the Community, does not enable the illegal exports of arms to take place with impunity. I wonder if the President-in-Office could tell us what restrictions will be available to the Member States when internal barriers are removed in 1992, to enable them to control the illegal movement of arms within the twelve Member States. Surely, the Minister would agree that the removal of barriers enhances the dangerous possibility of illegal movement of arms of this sort and that it would be safer if some sort of restrictions and customs barriers were retained between the twelve Member States?

Mr Fernández Ordóñez: I repeat, Parliament's point of view is contained in its March resolution approved recently. We have taken note of that resolution and shall study it and make observations. The resolution may be a good point of departure for Community policy on this question of arms exports. As regards the problem of relations between the Federal Republic of Germany and the German Democratic Republic, I do not think it has anything to do with illegal export of arms.

¹ OJ No C 96 of 17 April 1989, pp. 34-38.

89/152. Question No H-63/89 by Mr Mavros Concerning the Persecution of the Turkish Journalist Fatma Yazilci

Date of Issue: 23 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Are the Foreign Ministers meeting in Political Cooperation aware of the unprecedented persecution of the Turkish journalist Fatma Yazilci, editor-in-chief of the weekly periodical *Towards 2000*, who on 18 January 1987 was sentenced to a total of 14 years' imprisonment for publishing articles displeasing to the Turkish regime and who is still in prison, while a large number of cases are still pending against her?

What action are the Foreign Ministers contemplating in connection with this disgraceful case and how do they view the Turkish authorities' assertions about the democratization of Turkey when the persecution and attempted suppression of the Turkish press continue unabated?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: The problem of the Turkish journalist Fatma Yazilci, editor of a weekly, who has been sentenced to 14 years' imprisonment, is well known. As in replies to previous questions I can tell you that we are following closely the process of democratization in Turkey as well as human rights problems in that country and we have informed the Turkish Government repeatedly of the importance which the Twelve attach to respect for human rights.

Mr Kolokotronis (S): I would like to ask the President-in-Office of the Foreign Ministers: I have a recent issue of the English-language Turkish paper, the *Daily News*. It says that the sentences proposed by the prosecutor for the journalist Fatma Yazilci amount to 48 years' imprisonment. Under the burden of such a threat she has had to go into hiding. We also know that her husband was sentenced to 60 years in prison after 1980. With the present press laws, accountability under which almost anything concerned with public is punishable, I would like to ask whether the existence of such draconic legislation is consonant with the assurances about democratization which the Turkish Government keeps giving us?

Mr Fernández Ordóñez: Not only are we fully aware of the case of Ms Yazilci, but we know that at the moment there are more than 40 Turkish journalists in prison. I think, therefore, that this problem is much more important than that of a single individual.

I have said clearly that we have informed the Turkish authorities of the importance we attach to respect for human rights and I should like to add that Turkey is by a long way the country

most frequently cited in this Parliament in recent months in Oral Questions on human rights. I imagine that this will not pass unnoticed by the Turkish Government but that it will have some effect.

Mr Balfe (S): As the President-in-Office has very accurately remarked, Turkey has had more attention directed to it than any other country. This is undoubtedly because it is the only country formally aspiring to membership of the Community at the moment. However, this question is about a specific individual and her particular difficulties. When such questions are addressed to the Council we would expect them to take the trouble to find out enough about the case to be able to answer the question about the individual concerned. I would therefore ask the President-in-Office what inquiries he has made in this particular case and what representations he is prepared to make in the case of this particularly courageous woman?

Mr Fernández Ordóñez: Political Cooperation has expressed its concern several times to the Turkish Government, not only in this case but in the case of others who are also imprisoned.

As I said before, Turkey is probably one of the countries which cause the greatest concern to Parliament on human rights and the Turkish Government cannot remain insensitive to such a fact. Finally, as Turkey wishes to become a Member of the European Community, I must point out here in this Assembly that it is this very Parliament which has the last word about that decision, since the accession of new Members falls within the purview of Parliament.

I repeat that the Council is following the problem of human rights in Turkey with great attention, with great care and in a spirit of great vigilance and that the appropriate pressure is being exerted in each case.

Mr Ephremidis: As it happens, I am a member of the mixed European Community—Turkish National Assembly Committee, and towards the end of April we were in Ankara. In the discussions with Turkey's Ministers of Justice and Internal Affairs, we condemned that incident in the case of the periodical *2000* as well. The reply was: 'That is what our law dictates, that is what we are bound to do'. It is a law which stifles the press, and my question is therefore: Since we have, and wish to have dealings with that country, will the Twelve do something to bring about the amendment of this press-stifling law, so as to eliminate the phenomena we see today, namely that journalists have been sentenced to hundreds of years in prison? In total, their sentences amount to a few hundred years.

Mr Fernández Ordóñez: As I said before, the Community will continue its present line with the same firmness. That applies also to the case to which the Honourable Member refers.

Mr Eyraud (S): I should like to remind the House that a few months ago I tabled a motion for a resolution for urgent debate on another Turkish journalist in prison, Mr Bektas Erdogan.

I withdrew that motion on the strength of information from the Turkish embassy. However, there is a report by the Turkish investigating magistrate accusing this journalist of an ordinary criminal offence.

I should like to point out to the President-in-Office that journalists are being treated like common criminals as a way of getting convictions. This is an extremely serious matter, as the journalist in question, who is also a writer and a poet, has not committed any criminal offence. He has gone on hunger strike several times to assert his rights, but in vain.

I should therefore like the Council to undertake to call on the Turkish Government to investigate all such cases individually. [...]

Mr Fernández Ordóñez: That is obviously another case. As I said before, at the present time there are at least 40 journalists imprisoned in Turkey. This, I suppose will be one case more.

89/153. Question No H-82/89 by Mr Ephremidis Concerning the Sentencing of the Greek National D. Skoularikis by the South African Authorities

Date of Issue: 23 May 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

The South African authorities have condemned to death a Greek national, Dimitris Skoularikis, for crimes which he can prove he did not commit; he is also petitioning for a retrial on the grounds that he is a victim of a plot. His appeal is supported by a number of eminent European lawyers and associations such as the International Commission of Jurists and the Council of the Bars and Law Societies of the European Communities who have examined the facts of the case.

Do the Foreign Ministers meeting in European Political Cooperation intend to investigate the case and make due representation to the South African authorities?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: Mr Ephredimis is asking me whether the Ministers meeting in European political cooperation intend to investigate the case of Mr Dimitris Skoularikis, a Greek national, who has been condemned by the South African authorities for crimes which he probably did not commit. I must say that this subject has not yet been dealt with in Political Cooperation but that so far the Member State concerned, Greece, is dealing with it bilaterally. I say 'yet' because, if it is thought necessary, the subject will be considered within Political Cooperation.

Mr Ephremidis (COM): I would like to put just one supplementary question: Is the President-in-Office aware that the President of our Parliament, Lord Plumb, in full knowledge of the matter, has already developed an initiative, and does the Council intend to intervene so that the Twelve can support the initiative by Parliament's President?

Mr Fernández Ordóñez: I am also informed that the President of the Hellenic Republic has sent a letter to the South African President in this connection. I must say that if the Greek Government requests the intervention of European political cooperation, of course it will have it. What happens is that in these cases it is customary to act bilaterally because often things are more successful in that way, but that by no means excludes the intervention of European political cooperation, if thought appropriate.

89/154. Question No H-105/89 by Mr Dessylas Concerning the Developments in the Middle East

Date of Issue: 23 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

Mr Dessylas: What measures are the Foreign Ministers meeting in European political cooperation preparing in regard to the Middle East and along what lines, now that every day sees more people, including young children, falling victim to the occupying forces on the West Bank and in Gaza?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: Mr Dessylas's question is very general, as it asks amongst other things what measures the Foreign Ministers are thinking of taking on the Middle East question in view of the number of victims. As everyone knows, European political cooperation has devoted tremendous efforts to the situation in the Middle East. Our intention is to support the peace process. We are maintaining an active presence and are in contact with all those involved and with the superpowers in this matter; there have been meetings of the Community Troika at Foreign Minister level in all the countries in the region; the Ministers of the Community Troika have had meetings with Secretary of State Baker and with Mr Shevarnadze. We have therefore taken, and are continuing to take, specific steps as far as is open to us.

The Cooperation Council with Israel met yesterday and we had the opportunity to examine the 'Shamir plan', and all the problems which it raises, with the Foreign Minister, Mr Arens.

Never at any time, therefore, have we dropped this subject, which is one of the questions to which this Presidency has given priority during its whole tenure of office. Probably no other subject has given European political cooperation so much concern as the question of the Middle East.

Mr Ephremidis (COM): I thank the President-in-Office for his fairly adequate answer. I would just like to stress that we are now in a phase when, after so many peace initiatives from many sides and especially the PLO headed by Yasser Arafat, and since Israel persists with its murderous activities in the occupied territories, the population of the area is beginning to call for armed resistance, which would lead to a blood bath in which both Palestinians and Israelis would suffer. In this phase, Mr President-in-Office, are you as the Council of the Twelve thinking of taking any exceptional initiative to avert this development?

Mr Fernández Ordóñez: The initiative is the action we are taking, like the United States, the Soviet Union and the countries in the region. The only initiative is to try to make the best of the opportunities offered by the present situation. Yesterday we considered the 'Shamir plan', the proposals in which need to be completed, which raises the problem of the conditions for the elections which have been announced, of the context in which the elections will be held. We feel it is also necessary for all the countries involved in the region and the European Community to turn their attention to the peace process, urging Israel to adopt the formula for a comprehensive, fair and lasting settlement to the conflict on the principle of 'peace in exchange for territory'.

In the last resort only international negotiations within the framework of an international conference and on the principle of 'peace for territories' can resolve the question. As I said before, there is no subject giving us greater concern in Political Cooperation than promoting the peace process in the Middle East with all the means at our disposal.

89/155. Question No H-124/89 by Mr Pearce Concerning South Africa

Date of Issue: 23 May 1989
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 Country of Presidency: Spain
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 Status of Document: Answer to Oral Parliamentary Question

Have the Ministers communicated a detailed list of demands for reform to the authorities of South Africa? If so, what was the response of the South African authorities?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: Mr Pearce is asking whether we have communicated a detailed list of demands for reform to the authorities of South Africa and what that list is. The list we have specified, and which is perfectly well known to the South African authorities, is as follows.

First, the lifting of the state of emergency. Secondly, the abolition of all discriminatory legislation. Thirdly, the ending of detention without trial. Fourthly, the unconditional release of detainees, including of course Nelson Mandela. Fifthly, the ending of compulsory change of residence. Sixthly, the lifting of the ban on activity by South African organizations which are peacefully opposed to apartheid. Seventhly, the legalization of the African National Congress, the Azania Pan-African Congress and other political parties and, finally, the establishment of a constructive national dialogue involving all political groups without discrimination on grounds of race, politics or religion.

I must say that our present impression of reactions in South Africa to these demands by European political cooperation is absolutely pessimistic and negative.

Mr Pearce (ED): May I thank the President-in-Office for his reply and ask him whether he thinks the time might now be right to set up some sort of meeting directly with the authorities of

South Africa either in that country, in the Community or in a third country so that instead of simply saying yes or no to these various demands one could begin to go over in detail the various factors involved and try to make some progress through direct dialogue between us and South Africa.

Mr Fernández Ordóñez: In the first four months of this year we took six steps with the South African authorities urging them to lift certain restrictions which we regard as unacceptable.

This policy by the Twelve of exerting pressure on the South African Government will continue in the future. We have therefore decided in the first place to hold a meeting with the Foreign Ministers of the 'front-line' countries in Luxembourg on 12 June next in the framework of European political cooperation.

Similarly, we have decided — though we shall have to wait for these talks — to keep up a critical dialogue with the South African authorities to maintain the pressure with determination and firmness.

We have also decided to maintain the sanctions and the positive measures laid down and to approve a code of conduct for Community countries working in South Africa.

That is the background, together with the actions to which I have referred and very specific Community plans with regard to South Africa. Unfortunately, the results of our efforts and those of other countries and of world opinion continue to be very limited, but the policy of exerting pressure on the South African Government will continue.

Mr Gutiérrez Díaz (COM): As long as the reforms demanded are not effected, what does Political Cooperation plan to do to ensure that sanctions are applied by the Member States? For example, would it not be possible to know which are the States which still do not apply sanctions and continue to trade with Pretoria? Much more to the point, Mr President-in-Office, can you tell me whether it is true that Spain is continuing to buy coal from South Africa?

Mr Fernández Ordóñez: There is no reason why the degree of compliance of each country with sanctions against South Africa should not be known. I should like to make two points: first, coal is not included in the list of sanctions and accordingly the purchase of coal is not included in the prohibited transactions. Community countries are therefore buying coal. Secondly, as regards countries trading with South Africa, trade with South Africa is not included in the sanctions either, and Community countries are therefore trading with South Africa, some of them to a considerable extent. Sanctions are of limited scope, relate to certain products and are perfectly specific. Furthermore it has been decided to extend sanctions at a later date or depending on the circumstances, but so far that has not been thought necessary. We think the policy we are following is the right one and that is what European political cooperation has decided upon.

Mr Cryer (S): May I urge the President-in-Office to be cautious about listening to the apologists for apartheid, such as Mr Pearce. Could I urge him to press for wider sanctions including coal, a very important commodity which the United Kingdom certainly is importing and which is helping to put thousands of miners out of work — coal which has the black miners' blood on it. May I say to him that until there is a sign of response from the South African authorities to the perfectly legitimate list of demands which he read out to this Assembly the point of a direct dialogue would seem to be very limited.

Mr Fernández Ordóñez: I shall deal only with the problem of coal.

As I said, European countries are in fact buying coal from South Africa. At one European Council we discussed whether or not to include coal amongst the products covered by the system of sanctions. It was then decided not to include it at the moment, subject to internal consultations between the European countries. Those consultations are currently under way and therefore no decision has yet been taken about coal. I must say, though not on behalf of the Twelve but as Foreign Minister of Spain, that our country would not have any objection to including coal, but it is a difficult problem which affects each of the countries differently and must be tackled with great care. As I said before, consultations are under way and a decision

may yet be taken at a future date to include coal among the banned products, but there are European countries which do not join in the system of economic sanctions and that raises a series of difficulties.

89/156. Question No H-129/89 by Mr Suárez González Concerning Protection in Lebanon

Date of Issue: 23 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary question

What special measures have the Community and the Member States envisaged for the protection of the ambassadors, diplomatic staff, employees and their relatives resident in Lebanon?

Mr Fernández Ordóñez, President-in-Office of the Foreign Ministers: I must tell the Honourable Member that the protection of embassies comes within the purview of the Member States and it is therefore for each of the Member States to take the appropriate steps for the protection of embassies and staff and their relatives resident in Lebanon.

However, I should like to take this opportunity to say that yesterday, at the meeting of the Council of Ministers for general matters, the situation in Lebanon was considered and in view of the Arab Summit meeting in Casablanca today we decided to send a message to the Casablanca Summit expressing not only our concern but also our support for the Arab League in its efforts to secure a cease-fire and to put an end to the bloodshed. We also asked the Casablanca Summit to support the Community's humanitarian aid and take a firm stand against the terrorism in that part of the world.

Mr Suárez González (ED): If I may, I should like, before putting a question, to express to the Spanish Minister of Foreign Affairs and President-in-Office of the Council our Group's condolences on the Ambassador's unfortunate death. I do understand that protection is a national matter. We shall ask in the Spanish Parliament what protection was provided for our Ambassador. However, we feel that the Community's attitude subsequent to these events has not carried complete conviction and I should like to ask the President-in-Office if he thinks, whether in the framework of Political Cooperation or as President of the Community, that the Community's reaction to the savage murder of an ambassador from a country which was at that time occupying the Presidency of the Community, was what we could have expected of it.

Mr Fernández Ordóñez: As regards protection measures, I should like to tell Mr Suárez that in view of the circumstances the Spanish embassy building has, as everyone knows, been turned for some time past into a veritable bomb-proof bunker. Unfortunately, the ambassador was not at the time in what we might call the 'super-protected zone' but in another, unprotected zone, and this unfortunately led to his death.

As far as the Spanish community is concerned, and although Mr Suárez did not directly raise this matter, I should like to say that we have also taken measures, as other Community countries have done, to facilitate the repatriation of those who wish to return.

In my opinion, the death resulted not from a murder but from a bombardment in which roughly 17 000 bombs a day were delivered both before and after this event; one of these bombs fell on the Spanish embassy and unfortunately caused the ambassador's death.

The Community's reaction was as requested by the Spanish delegation itself; it went off at once by post and the statement was issued right away. In addition to that statement and the representations made to the Syrian authorities and those of the governments of Lebanon and the various communities, I must say that the latest Community action was yesterday's Council decision, which I mentioned in the first part of my reply, that is, the message sent to the Arab Summit of Casablanca which has just opened.

Mr Ephremidis (COM): The Council's evasiveness is a little strange. The question is not whether the Council will act as bodyguard to ambassadors from the Community, but to what extent the Council is promoting initiatives to put an end to the situation of continual slaughter that prevails in Lebanon, so that ambassadors too will be safe? We do not ask them to be bodyguards, but to take initiatives to bring the situation in Lebanon to an end.

Mr Fernández Ordóñez: Excuse me, but that was not the question. Mr Fernando Suárez's question was actually: 'What measures have the Community and the Member States envisaged for the protection of ambassadors, diplomatic staff, employees and their relatives resident in Lebanon?' As Mr Suárez referred to other matters in his supplementary question, I thought it was appropriate to make a number of points in my turn.

But I should also like to take this opportunity to point out that the Arab League is not alone in dealing with this matter — the United Nations are acting too. I have spoken twice with the Secretary-General of the United Nations, who thinks that the initiative on this question should be left at present to the Arab League. That is the view of the Secretary-General of the United Nations; I therefore think that the Council of Ministers and European political cooperation are acting correctly within the possibilities open to them.

89/157. Question No H-23/89 by Mr Newton Dunn Concerning the Human Rights Situation in Romania

Date of Issue: 24 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

In order to demonstrate the displeasure of the peoples of Europe over the human rights situation in Romania, will the Foreign Ministers suggest to Community citizens who are holders of Romanian honours and distinctions that these should be returned to the Romanian authorities?

Answer:

The human rights situation in Romania is a source of serious concern to the Twelve. This concern was clearly expressed by the Council of the European Communities when it decided to suspend negotiations between the Community and Romania on a trade and commercial and economic cooperation agreement. In spite of the negative attitude of the Romanian authorities, especially with regard to the introduction of the procedures on the Human Dimension contained in the concluding document of the Vienna Conference, the Twelve are determined to pursue their actions in support of the implementation of the commitments to which Romania has freely subscribed, particularly as part of the CSCE process.

As for the suggestion put forward by the Honourable Member in his question, it is not the practice of the Member State governments to make such recommendations, which are up to the decision of each individual citizen.

89/158. Question No H-80/89 by Mr Hindley Concerning Human Rights in Syria

Date of Issue: 24 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Oral Parliamentary Question

What response has the Foreign Minister meeting in Cooperation received from the Syrian Government concerning Parliament's resolution on human rights in Syria?

Further, has the Foreign Minister raised the case of Mu' Taz Outlabi, imprisoned since July 1982?

Answer:

The Twelve have taken note of the resolution on violations of human rights in Syria approved by the European Parliament on 13 October 1988.¹ The Twelve have an increasing concern about the human rights situation in Syria whose authorities are fully aware of the importance we attach to the respect of human rights in our relations with third countries. The Twelve are closely monitoring the situation.

The specific case mentioned in the Oral Questions has not been discussed in the framework of European political cooperation.

¹ Cf. *OJ* No C 290 of 14 November 1988, pp. 112-113.

89/159. Question No H-92/89 by Mr Raftery Concerning Emergency Aid for Sudan

Date of Issue: 24 May 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

The situation in Sudan at present is very critical and unless emergency aid is provided immediately the country may be facing a famine similar to that in Ethiopia a few years ago. Could the Ministers meeting in Political Cooperation give an assurance that they will discuss the situation in Sudan at their next meeting and that they would provide aid, especially in the form of air transport to provide food to the worst affected areas, thereby avoiding major famine in Africa?

Answer:

Firstly, the Twelve fully share the concern about Sudan expressed in the resolution of this Parliament approved on 16 February 1989.¹

In their declaration on Sudan on 21 March 1989, the Twelve expressed their deep concern with the present situation in that country and stressed the necessity of urgent humanitarian and food aid for the South.

Last month the Community announced the allocation of supplementary amounts within the UN emergency aid programme 'Lifeline Sudan'. The Community and its Member States contributed over 50 per cent of the emergency requirements of operation 'Lifeline' bringing the total amount of European Community and Member States' aid allocated since the beginning of 1988 for the victims of the situation in South Sudan to ECU 142 million. Moreover, some EC Members have contributed with special humanitarian programmes and with airplanes in order to establish an airlift for the distribution of food and medical aid before the arrival of the rainy season.

I can assure the Honourable Member that the question of Sudan will continue high on the agenda in the European political cooperation meetings.

¹ *OJ* No C 69 of 20 March 1989, pp. 132-133.

89/160. Question No H-96/89 by Mr Cervera Cardona Concerning the Common Position on the Debt Problem

Date of Issue: 24 May 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

The informal Foreign Ministers Council held in Granada (Spain) on 15 April 1989 recommended that the European Council in Madrid should draw up a joint proposal to counter the adverse effect of the debt problem on the development of the less-developed countries. This projected Community agreement was to be put to the summit of industrialized countries to be held in Paris from 14 to 16 July 1989.

Can the Foreign Ministers meeting in European political cooperation state the criteria on which the above-mentioned agreement will be based?

Answer:

I should like to confirm the Honourable Member's information while pointing out that this position, which will be put forward by the Presidency in close collaboration with the Commission, is at present in the preparatory phase. Be that as it may, it is already possible to inform the Honourable Member that the proposal will incorporate a general and practical framework to help the Member States to contribute towards finding a solution for the problems, especially in Latin America, while giving due regard to the particular role of the specialized international agencies.

89/161. Question No H-104/89 by Mr Alavanos Concerning the Conflict in Lebanon

Date of Issue: 24 May 1989
Place of Issue: Strasbourg
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Answer to Oral Parliamentary Question

What practical contribution do the Foreign Ministers meeting in European political cooperation intend to make towards ending the blood-letting between the warring forces in Lebanon which, in the last six weeks alone, has claimed 258 lives, including those of the Spanish Ambassador, Pedro Manuel de Aristegui, and the author, Toufik Awad?

Answer:

Since the beginning of the present crisis in Lebanon, the Twelve have repeatedly stated (declarations of 20 and 31 March and 17 April) their deep concern about the development of events, as well as their will to contribute to a political solution to the conflict and their wish to send humanitarian emergency aid to the entire Lebanese population. The Twelve have also constantly supported the efforts of the Arab League in favour of a negotiated solution to the conflict as reflected in the above-mentioned declarations and also in the message the Presidency addressed on 25 April to the Secretary-General of the Arab League and to the President of the Committee of the Six.

Following the worsening of the situation and its effects on the civilian population, and in response to the appeal made on 21 April by the United Nations Secretary-General, the

European Community decided on 26 April on the shipment of new emergency humanitarian aid including drugs and medical equipment, foodstuffs and oil for electrical stations in order to assure the normal supply of electricity. For this purpose, the European Community decided to send immediately an oil tanker carrying 15 000 tonnes of oil to the Zouk and Zaharani stations. This fuel has not reached its destination as yet due to the difficulties originated by a third country.

89/162. Question No H-114/89 by Mr McMahon Concerning the Peace Process in Central America

Date of Issue: 24 May 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Oral Parliamentary Question

When did the Ministers meeting in Political Cooperation last discuss the peace process in Central America and has the Council held any discussions with representatives of the governments of the Central American region with a view to encouraging the growth of democracy, economic stability and peace in that region?

Answer:

Central America and the peace process are under constant review within the framework of European political cooperation, at all levels. Ministers last discussed this issue at Granada both among themselves and with their Latin American counterparts.

Taking into account developments in the area, as well as the very frequent bilateral contacts they are having with high officials from Central America, Ministers intend to continue discussing the situation in the region with a view to further encourage peace, democracy and social and economic developments in Central America.

89/163. Question No 99/88 by Mr Bru Purón (S-E) Concerning the International Conference on the Middle East and Question No 2074/88 by Mr Pérez Royo (COM-E) Concerning the Moves by the Foreign Ministers to Find a Peaceful Solution in the Middle East

Date of Issue: 26 May 1989
 Place of Issue: Strasbourg
 Country of Presidency: Spain
 Source of Document: Presidency
 Status of Document: Answer to Written Parliamentary Questions of 10 May 1988 and of 27 January 1989

Question No 99/88: The European Council, meeting in Copenhagen on 4 and 5 December 1987, confirmed the support of the Twelve for the organization of an international conference on peace in the Middle East, under the auspices of the United Nations, and stated its willingness to contribute actively to the task of bringing the parties involved closer together.

Recent weeks have seen the much publicized and tragic events in the Gaza Strip and on the West Bank, and also the blocking of the peace conference by the Israeli Government, which refuses to contemplate the participation of the USSR and the PLO, although their participation is inevitable.

Can the Council state what specific steps it has taken or intends to take with regard to the holding of this conference, whatever the Israeli Government's position is *vis-à-vis* its participation?

What measures does the Council intend to take to ensure compliance by Israel with the resolution of the United Nations Security Council on the situation in the occupied territories?

What approaches are currently being made in the USSR with a view to its formally recognizing the State of Israel, a factor which is also indispensable if it is to participate?

Question No 2074/88: During the second half of 1988 the Spanish Government announced that a peace initiative for the Middle East was being prepared and would be put into practice during the first half of 1989.

Have the Foreign Ministers considered any specific measures proposed by the President-in-Office of the Council of Ministers?

What steps have the Foreign Ministers taken or do they intend to take in order to promote the proposal to hold an international peace conference on the Middle East?

What steps do the Foreign Ministers intend to take to facilitate a positive response to the request for recognition of the Palestinian State?

Answer:

The Twelve are convinced that only a negotiated solution to the Arab-Israeli conflict, by means of a comprehensive, just and lasting political settlement can bring peace to the region.

They have repeatedly manifested their readiness to actively contribute to such a negotiated solution and to maintain all contacts which could be useful in bringing the various positions of the parties closer together and contributing to the removal of the obstacles which stand in the way of a process of negotiation. Their coherent and consistent approach to the problem manifested in the Venice Declaration and the subsequent declarations made it possible that the Twelve emerged in the course of the last few years as an important interlocutor for all parties to the conflict. In their statement of 16 December 1988¹ the Twelve appealed to all parties to respond to the new situation which has evolved during the last few months and take the necessary steps so that an international peace conference under the auspices of the United Nations can be convened and direct negotiations within its framework initiated. They reaffirmed their intention to work to that end, including through appropriate contacts with the parties concerned.

Following the discussions of the European Council in Rhodes, the twelve Foreign Ministers decided to ask the Presidency and the Troika to prepare carefully a contribution to the efforts of the international community by making appropriate contacts. In execution of this mandate the President-in-Office had various contacts during the last few weeks, among others he went to Israel and talked to many important personalities. The Troika at Ministerial level met in Madrid with Mr Arafat and paid a visit to the region, where they had talks in Jordan, Egypt and Syria. In their contacts with the United States and the Soviet Union, the question of the Middle East is also very high on the agenda.

The Twelve will continue to maintain contacts with all parties concerned and to promote the convening of an international conference as the appropriate framework for the necessary negotiations.

¹ *EPC Bulletin*, Doc. 88/525.

**89/164. Question No 1527/88 by Mr Perinat Elio (ED-E)
Concerning the Programme of Aid for Western Sahara**

Date of Issue: 26 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 28 October 1988

The acceptance by Morocco and the Polisario Front of the United Nations peace plan encourages the hope that, after twelve years of armed struggle, the Western Sahara is on the way to achieving a peaceful solution and with it the normalization of its everyday life.

In considering the normalization of the living conditions of the inhabitants of this zone, the Community Member States cannot remain indifferent to the fact that the Western Sahara had ties with a Member State and that Community solidarity with territories formerly administered by the Member States should be manifested by support for the economic recovery of this territory, which has suffered the disastrous consequences of twelve years of armed conflict.

Do the Ministers consider that, following the achievement of a peaceful settlement in the Western Sahara as a result of the above-mentioned peace plan, the European Community should contribute to the economic recovery of this area by proposing a programme of action for its inhabitants as soon as possible?

Answer:

The Twelve are closely following developments in the Western Sahara conflict.

They fully support the efforts of the Secretary-General of the United Nations and his Special Representative to achieve a negotiated solution and the holding of a self-determination referendum under the auspices of the United Nations. In their declaration of 23 February 1989, they expressed the hope that cooperation within the Maghreb Arab Union might also facilitate those efforts in order to open the way for a just and lasting settlement to the conflict. They have also taken note of the recent meeting between the King of Morocco and the Polisario Front. The Twelve will do their best to support this development and assist in the economic recovery of the region and its peoples.

89/165. Question No 1931/88 and Question No 1932/88 by Mr Arbeloa Muru (S-E) Concerning the Popular Uprising and the New Political Situation in Algeria

Date of Issue: 26 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 16 January 1989

Question No 1931/88: What is the Council's opinion on the recent uprising in Algeria and on the new political situation which has arisen there as a result?

Question No 1932/88: What is the position adopted by the Foreign Ministers meeting in European political cooperation on the recent popular uprising in Algeria and on the new political situation which has arisen in this Maghreb country as a result?

Answer:

The Twelve have been following closely the recent developments in Algeria. Individual partners have expressed their opinion publicly or to the Algerian authorities.

89/166. Question No 2549/88 by Ms Anglade and Others Concerning Lebanon

Date of Issue: 26 May 1989

Place of Issue: Strasbourg

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Answer to Written Parliamentary Question of 17 March 1989

The history of France and Europe is inextricably linked with that of Eastern Christianity. The Christians in Lebanon for instance have only survived with the help of France and her European allies. Since the creation of the State of Israel, the tension in the Arab world and the resulting upheavals have led to the occupation of Lebanese territory by Palestinians, Syrians and Iranians. At present Syria is seeking to impose its rule. To increase the threat it poses it is deploying unprecedented armed forces and firepower on the heights of Eastern Beirut.

Are the Foreign Ministers prepared to warn Syria that they will oppose any aggression directed at the Christian citadel and to declare their solidarity with the Christians in Lebanon, the only force for balance and peace between Israel and Islam? If the circumstances so require, are they prepared to support a partition of Lebanon?

Answer:

The Twelve have repeatedly stressed that they are following the critical situation in Lebanon with concern. In their declaration of 22 November 1988¹ they reaffirmed their support for any attempt to re-establish and safeguard the full sovereignty, the territorial integrity and the independence and national unity of Lebanon.

The Twelve are convinced that lasting peace can only be achieved by means of national reconciliation and the solution of internal problems, taking into account the legitimate interests of all the various communities in the country. This means that everyone must be prepared to make mutual concessions. To that end, the Twelve have requested all parties to cooperate constructively with a view to swiftly finding a political solution to the Lebanese crisis and its regional implications. The Twelve have always insisted that the full independence and sovereignty of Lebanon must be respected and that Lebanon must be allowed to solve its problems without any intervention from outside.

This position of the Twelve was recently made clear to the Syrian authorities when the Ministers of the Troika visited Amman on 12 and 13 February 1989, in the course of their tour of the Middle East.

¹ Cf. *EPC Bulletin*, Doc. 88/448.

89/167. Statement Concerning the Return of Egypt to the Arab League

Date of Issue: 29 May 1989
Place of Issue: Brussels/Madrid
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve welcome the return of Egypt to the Arab League on the occasion of the Summit in Casablanca.

The Twelve are convinced that the presence of Egypt will increase the importance of the Arab League in the Arab world and on the international stage and will serve the cause of peace in the region.

89/168. Statement Concerning the Closing of UNRWA Schools in the West Bank

Date of Issue: 31 May 1989
Place of Issue: Brussels/Madrid
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve express their serious concern about the persistent decision of the Israeli authorities of keeping the schools closed in the West Bank, including the UNRWA schools.

The Twelve consider that this measure, which is contrary to the basic right to education, threatens the future of a whole generation of young Palestinians and contributes to increase the level of tension in the occupied territories, thus obstructing the task of building confidence which, in the view of the Twelve, is essential if the peace process is to prosper. The Twelve, therefore, call again upon the Israeli authorities to reconsider their policy urgently.

89/169. Discours pour l'inauguration de la C.S.C.E. Conférence de Paris sur la dimension humaine (29 mai-23 juin 1989)

Date of Issue: 31 May 1989

Place of Issue: Paris

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Statement in International Forum

Monsieur le Président, aujourd'hui j'ai l'honneur de parler au nom des douze États membres de la Communauté européenne, et, à cette occasion, je voudrais exprimer toute ma gratitude au peuple français et à son gouvernement pour leur générosité au moment de préparer cette réunion de Paris, qui représente le seuil d'une nouvelle étape de la C.S.C.E., celle de la conférence de la dimension humaine.

Certes, l'histoire a laissé son empreinte de liberté dans cette ville, et, en partant de cette empreinte, nous faisons aujourd'hui encore un pas vers un nouvel espace européen des droits de l'homme.

Je voudrais aussi exprimer ma gratitude au secrétaire exécutif et à tous ses collaborateurs pour l'effort réalisé en organisant cette réunion, mes salutations les plus cordiales aux ministres des Affaires étrangères ici présents et, en même temps, aux délégations des 35 États participants.

Je voudrais, tout d'abord, souligner le fait que la tenue de cette première réunion de la conférence sur la dimension humaine constitue un pas décisif.

Lorsque l'idée d'entamer le processus de la C.S.C.E. naquit, et avant que l'on ne sache quelle évolution il allait suivre, des problèmes ont surgi sur l'importance que les uns et les autres voulaient attribuer aux différents aspects de l'approche globale des relations intereuropéennes. L'histoire et notre effort commun ont permis qu'au cours des années de nombreuses divergences puissent être surmontées et que le contenu du dénominateur commun accepté comme objectif soit élargi.

Il est évident pour les observateurs et pour les protagonistes de la C.S.C.E. que ce processus a subi une intensification progressive, tant du point de vue du nombre de conférences, de réunions et de séminaires qui ont lieu entre les réunions de suivi que du point de vue du contenu des documents de la C.S.C.E. approuvés. Sans nul doute, cette intensification est le résultat des changements qui sont en train de se produire non seulement dans les relations qui unissent les 35 États participants, mais aussi à l'intérieur de ces mêmes États. A son tour, la C.S.C.E. offre une possibilité exceptionnelle de promouvoir les changements tout en consolidant les progrès. Ce sont ces changements et ces progrès qui nous permettent aujourd'hui d'inaugurer la conférence sur la dimension humaine.

L'idée de l'Europe est fondée sur une conception de la vie dans laquelle l'être humain est simultanément l'origine et le destinataire de toutes nos activités et de toutes nos réflexions.

Il a fallu des milliers d'années pour parvenir à cette idée que nous trouvons maintenant si évidente. En partant des philosophes grecs et romains, et en passant par des étapes complexes, cette idée a suivi une évolution toujours orientée vers l'enrichissement des droits de l'individu et de ses libertés fondamentales. Cette évolution se poursuit encore de nos jours. Il est impossible à Paris et en 1989 de ne pas faire ici une référence à la Révolution française et à la Déclaration des droits de l'homme et du citoyen, dont nous sommes les héritiers.

Monsieur le Président, l'acte final d'Helsinki et tout le processus de la C.S.C.E. sont basés sur le respect de tous les droits de l'homme et de toutes ses libertés. Déjà à la clôture de la réunion de Vienne, le ministre des Affaires étrangères d'Espagne, au nom des douze États membres de la Communauté européenne, a souligné les progrès remarquables du document final, entre autres, en ces matières. Parmi ces progrès, le concept nouveau de la « dimension humaine » est d'une importance primordiale. La dimension humaine a été introduite à Vienne sous le signe de l'amélioration de la mise en œuvre des engagements pris dans le cadre de la C.S.C.E. en matière de « respect de tous les droits de l'homme et de toutes les libertés fondamentales, les contacts entre les personnes et d'autres questions d'ordre humanitaire connexes ». La révision de la mise en œuvre constitue un des éléments vitaux du processus de la C.S.C.E. et occupe une place privilégiée dans toutes les réunions.

C'est dans cet esprit que le chapitre sur la dimension humaine a établi un double système: d'une part, les États participants ont créé un mécanisme, si je puis l'appeler ainsi, qui permet à nos 35 nations d'échanger des informations sur des questions relatives à la dimension humaine de la C.S.C.E. Cela peut se faire d'une manière bilatérale ou multilatérale. D'autre part, cette conférence a été convoquée pour évaluer le fonctionnement du mécanisme et, éventuellement, procéder à l'application de son point 4, ainsi que pour envisager la possibilité d'adopter de nouvelles mesures.

Monsieur le Président, quatre mois après la clôture de la réunion de Vienne, le mécanisme a déjà été utilisé par les États participants. C'est au cours de cette réunion de Paris que nos délégations feront une première évaluation de son application.

L'Espagne, au nom des douze États membres de la Communauté européenne, a présenté auprès de quelques-uns des pays participants des demandes d'information et, dans d'autres cas, des représentations, toujours dans le but de redresser une situation créée par un manque de mise en œuvre d'engagements pris et de coopération en matière de droits de l'homme et de toutes les libertés fondamentales. La présidence de la Communauté européenne en application du point 3 a communiqué aux pays participants le résultat, malheureusement négatif, d'une des démarches effectuées.

De façon semblable, d'autres pays ont commencé à appliquer le mécanisme. Parmi ceux-ci, quelques États membres de la Communauté européenne l'ont aussi appliqué à titre national. Les résultats obtenus jusqu'ici sont, en général, encourageants. Quelques cas peuvent être considérés comme résolus bien que le contexte dans lequel ils ont eu lieu n'ait pas encore changé suffisamment. Un seul pays a maintenu une attitude hostile à l'application du mécanisme, et cela est grave.

Les États au nom desquels j'ai l'honneur de parler aujourd'hui considèrent que le système élaboré à Vienne dans le chapitre sur la dimension humaine constituera à partir de ce moment un des éléments essentiels du processus C.S.C.E. Ce système est le produit d'une évolution à laquelle j'ai déjà fait référence et, en tout cas, répond parfaitement à l'esprit de coopération et de dialogue sans lequel la C.S.C.E. n'aurait pas pu exister. La dimension humaine ne doit pas être utilisée pour échanger des récriminations et des reproches futiles. La dimension humaine doit servir pour secourir les individus qui souffrent encore, physiquement ou moralement, du manque de respect d'un État envers les droits de l'homme et les libertés fondamentales. Cette préoccupation immédiate pour des cas individuels doit toujours être présente dans nos réunions, bien plus que des considérations nationales abstraites. Si des violations se produisent en raison du manque d'adaptation des législations internes à l'acte final et autres documents de la C.S.C.E., les lois internes doivent être modifiées en conséquence. Le contraire annulerait toute éventuelle efficacité de cet exercice. Le document de Vienne aborde cette nécessité, et tous les participants ont pris l'engagement de procéder à ces modifications.

L'embryon de ce système était déjà présent dès le début. On ne doit pas feindre une acceptation de l'acte final de Helsinki et des autres documents de la C.S.C.E. tout en refusant l'application du mécanisme élaboré à Vienne.

Ce mécanisme est un instrument qui poursuit des voies flexibles pour aborder des affaires souvent délicates, mais toujours d'une énorme importance pour les individus concernés. Une opportunité historique s'offre à nous, États participants, pour avancer vers le bien-être de nos concitoyens, et cela, ne l'oublions pas, est la principale tâche que nous devons accomplir.

Monsieur le Président, dans ce cadre, la conférence sur la dimension humaine constitue un élément essentiel. D'une part, le mécanisme et la conférence sont doublement imbriqués: le document de clôture de Vienne établit clairement cette imbrication quand elle décrit les attributions de la conférence. D'autre part, la conférence non seulement offre l'opportunité de procéder à un « bilan de la situation en ce qui concerne la dimension humaine de la C.S.C.E., y compris la mise en œuvre des engagements pertinents pris au titre de la C.S.C.E. », ce qui est d'ailleurs en étroite relation avec le mécanisme, mais introduit aussi un élément dynamique: la conférence procédera à l'examen « des propositions concrètes de mesures nouvelles visant à améliorer la mise en œuvre des engagements relatifs à la dimension humaine de la C.S.C.E. et à accroître l'efficacité du mécanisme ».

Cet élément dynamique, la possibilité d'introduire de nouvelles propositions et, éventuellement, de les adopter, constitue l'un des principes qui a permis les progrès de la C.S.C.E. depuis l'acte final d'Helsinki. Il s'agit chaque fois d'établir des engagements plus concrets, mieux définis, et de multiplier ces engagements concrets pour qu'ils puissent couvrir le plus grand terrain possible. Il s'agit aussi de tenir compte de l'évolution technologique et sociale, de sorte que les nouvelles menaces qui pèsent sur les droits de l'homme et sur ses libertés fondamentales soient combattues. Le document de clôture de Vienne est une preuve irréfutable de l'importance, de la nécessité et de la possibilité d'avancer dans cette voie.

Monsieur le Président, il serait peut-être utile de rappeler en ce moment quelques développements en matière de droits de l'homme dans des cadres différents de la C.S.C.E. et qui pourraient peut-être inspirer nos débats et même nous aider à fixer des objectifs. Sans doute, beaucoup de ces efforts ont lieu à l'O.N.U., et le document de clôture de la réunion de Vienne recommande déjà aux États participants qui ne l'auraient pas encore fait l'adhésion à plusieurs traités élaborés dans ce domaine au sein de cette organisation. Mais, sur le continent européen, les avances les plus notoires se sont produites au sein du Conseil de l'Europe, concrètement le traité européen sur les droits de l'homme, qui permet à l'individu le recours direct à un tribunal indépendant de toute juridiction nationale. C'est cette préoccupation centrée sur l'individu qui doit inspirer nos débats pendant les prochaines semaines. La Bastille doit être prise encore une fois, mais cette fois pour franchir le seuil d'une nouvelle dimension.

89/170. Final Statement at the 1989 Substantive Session of the United Nations Disarmament Commission

Date of Issue: 31 May 1989

Place of Issue: New York

Country of Presidency: Spain

Source of Document: Spanish Delegation to the UN

Status of Document: Statement in International Forum

Mr Ibañez: Mr Chairman, speaking on behalf of the twelve Member States of the European Community allow me to express to you our gratitude for the leadership and guidance you have provided us during the course of our discussions. Your experience and unstinting efforts have helped us in our tasks.

The Twelve wish to recall the importance they continue to attach to the Disarmament Commission. We are convinced that the UNDC should play its role as a forum for deliberation and study in depth in the field of arms control and disarmament.

Allow me now, Mr Chairman, to go through the different items of our agenda in a quick review.

The contact group on item 4 entitled 'Nuclear and Conventional Disarmament' has achieved some progress. In the initial statement, made on behalf of the Twelve on May 8th, we expressed the hope that the substantial improvement of international climate should allow us to overcome some of the obstacles still existing. However, in spite of the efforts undertaken, there has been very little progress on this item. Our hope remains that it will be possible in the near future to secure greater convergence of views on this subject which continues to be of particular importance to the Twelve.

Concerning agenda item 5 'Reduction of Military Budgets', we regret that, although consensus seemed to be at hand, agreement could not be reached. We believe that continued efforts from all participants will be needed in order to conclude our work at next year's UNDC session.

In this context, the Twelve welcome the promise confirmed by the USSR, to present to the forty-fifth session of the General Assembly in 1990 the data of its military budget in accordance with the United Nations standardized reporting system and look forward to Soviet participation in it. The Twelve remain convinced that this system is an important first step towards greater openness and transparency in the military field. We call on all States, from all regions and whatever their budgeting and accounting system, to provide their annual reports on military expenditures in conformity with the standardized system.

On item 6 'South Africa's Nuclear Capability' we have continued our discussions in a constructive spirit. The Twelve are encouraged by the flexibility shown by all parties involved. We hope that this will translate into substantive progress next year.

As for item 7 'Role of the United Nations in the Field of Disarmament', Working Group II reviewed both the political and machinery aspects of that role. We believe that it is necessary to continue our efforts with a view to organizing the work of the United Nations in a more efficient way, with the aim of streamlining and rationalizing the UN machinery. In the course of our deliberations, we have had an extensive exchange of views on a broad range of issues. We regret that it was not possible to conclude our work, but we consider that the progress achieved provides a good basis for the finalization of our task in the future.

On item 8, 'Naval Armaments and Disarmament', the Twelve remain keenly aware of the difficulties and special sensitivities surrounding this question. We appreciate the efforts made by the Contact Group Coordinator in promoting an updated and useful exchange of views on the matter. We hope that this important exchange can be pursued next year.

As far as item 9 'Conventional Disarmament' is concerned, as I said in my statement on May 8th during our general debate, the Twelve consider this issue as being of major importance. Furthermore, speaking in Working Group III on May 11th I stated that in the opinion of the Twelve conventional disarmament should be kept at the forefront of the multilateral debate on arms control and disarmament, and that we are convinced of the importance of our deliberations in the UNDC.

Consequently the Twelve welcome the fact that Working Group III this year has been able to register progress in its endeavours to try to reach agreement on a full and comprehensive report. The Twelve have participated actively in these endeavours.

Furthermore they note that consideration was given for the first time to the important issue of international arms transfers.

The twelve Member States of the European Community consider it to be essential that we now press forward based upon what has been achieved. This means that when the UNDC, next year, takes up the question of conventional disarmament, it should do so on the basis of the Chairman's draft report as it now appears.

Finally, Mr Chairman, concerning item 10, 'Declaration of the 1990s as the Third Decade of Disarmament' we have undertaken the task of elaborating elements for the Declaration by the General Assembly of the third Decade of Disarmament.

We are convinced that such a Declaration should be substantial, balanced and concise, aiming at maintaining the present momentum in the field of multilateral disarmament.

Mr Chairman, each session of the Disarmament Commission represents an important opportunity to review in depth selected disarmament issues. This session faced a challenge: the encouraging results achieved last year when two agenda items were reported out. We, the Twelve, regret that, in spite of the improvement in the international political atmosphere it was not possible to reach consensus on any substantive item and although a measure of progress was achieved in some of them, the outcome is disappointing. This lack of substantive results clearly demonstrates that renewed efforts from all participants will be necessary to overcome existing differences at next year's UNDC session, in order to increase its effectiveness and extend consensus in the areas included in its agenda. Thank you, Mr Chairman.

89/171. Statement Concerning China

Date of Issue: 6 June 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve, deeply shocked by the tragic developments in China, strongly condemn the violent repression used against the peaceful demonstrators, which has resulted in widespread loss of life there. They note that serious unrest continues.

The Twelve urge the Chinese authorities to stop the use of force against the unarmed civilian population in Beijing and elsewhere.

The Twelve appeal to the Chinese leadership to engage without delay in the search for a peaceful solution to the present conflict. Such a solution cannot be attained without political dialogue.

Continuing repressive actions, in violation of universally recognized human rights principles, will greatly prejudice China's international standing and compromise the reform and open-doors policies which the European Community and its Member States have actively supported.

The European Community and its Member States have already taken a number of measures, including suspension of high-level contacts, and will continue to keep developments in China under urgent review.

89/172. Statement Concerning Poland

Date of Issue: 7 June 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve have followed with special interest the holding of legislative elections in Poland which, following the Round Table, represent an important step forward in the process of democratization. The European Community and its Member States welcome this evolution which opens prospects of closer cooperation with Poland.

They want to see Poland progress rapidly in the spheres of political, economic and social development.

89/173. Statement Concerning the Philippines Aid Plan (PAP)

Date of Issue: 7 June 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve have supported on several occasions the democratic process started by the Government of President Aquino. They consider that a balanced economic and social development, including in particular the alleviation of rural poverty, would contribute to the consolidation of the democratic results already achieved. The Twelve underline that implementation of the Philippines Aid Plan (PAP) can constitute a decisive step towards this goal, mitigating the economic difficulties that still persist, including the impact of public debt.

The European Community and its Member States welcome the fact that the PAP has evolved into a 'country programme' within the framework of the World Bank and take note with interest of the announced holding, in early July in Tokyo, of a meeting of the enlarged Advisory Group for the Philippines of the World Bank, where the modalities of the external financing of the PAP will be discussed.

The European Community and its Member States underline their readiness to contribute to the efforts of international cooperation under this plan.

89/174. Statement Concerning South Africa

Date of Issue: 12 June 1989
Place of Issue: Luxembourg/Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve deplore the decision of the South African Government to prolong the state of emergency, and express their deep concern that this extension will further impede the creation of the necessary climate for a resolution of South Africa's problems.

The Twelve also regret that the South African Government has not responded to the frequent requests of the Twelve to lift the state of emergency. They therefore urge the South African Government again to end its policy of repression, to free all political prisoners, particularly Nelson Mandela, to unban the anti-apartheid organizations, to lift the state of emergency and to start a national dialogue leading to the abolition of the apartheid system.

89/175. Statement Concerning Lebanon

Date of Issue: 12 June 1989
Place of Issue: Luxembourg/Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve express their full support for the Committee of three Heads of State, established by the recent Arab Summit in Casablanca. They hope that this committee, made up of the Heads of State of three Arab countries enjoying acknowledged authority and influence, and who have expressed their wish to work with the Security Council of the United Nations, will have the cooperation of all parties concerned with a view to a complete and definitive cease-fire and an equitable political solution to the Lebanese crisis. Such a solution requires the resumption of dialogue between all Lebanese, so as to allow the putting in place of renewed institutions under which the restoration of the State will be ensured.

They stress once again that this process demands the withdrawal from Lebanon of all non-Lebanese military forces, with the exception of UNIFIL.

The Twelve reiterate their support for the independence, sovereignty, unity and territorial integrity of Lebanon, as expressed in their previous statements on the tragic situation in that country.

89/176. Statement at the Paris CSCE Conference on the Human Dimension, Held 29 May-23 June 1989

Date of Issue: 14 June 1989

Place of Issue: Paris

Country of Presidency: Spain

Source of Document: Spanish Delegation

Status of Document: Statement in International Forum

[Unofficial translation from Spanish:] Mr Chairman, we are this afternoon continuing consideration of agenda item 5. Accordingly, the point is to present and consider 'practical proposals to adopt new measures to improve compliance with agreements and cooperation in the area of the Human Dimension of the CSCE, and to increase the effectiveness of the machinery'.

The discussions that have taken place over the past weeks allow us to approach this stage of the conference with realism, and in some cases with hope. On the one hand, the still poor situation in some participant States regarding human rights and fundamental freedom has once again been highlighted. On the other, the changes that have already come about in certain countries and the paths to reform that have been embarked on mean that we can look to the immediate future with a degree of optimism, and that we hope to make the maximum contribution, at this venue, to the fulfilment of present expectations.

In this context, on behalf of the twelve Member States of the European Community, I wish today to bring forward two proposals I already had occasion to announce in the Plenary Session last Monday, referring to three of these fundamental freedoms. Other delegations are giving us their co-sponsorship and endorsement in this objective.

The first proposal has to do with the right of man to freedom of expression.

Freedom of expression is one of the most classic fundamental freedoms. Its non-recognition endangers the rest of human rights and freedoms, and specifically the demonstration of respect for those rights and freedoms.

It is therefore surprising that we have not yet included it among the commitments reached in the CSCE framework, and now seems a very appropriate time to take this needful step forward.

The content of freedom of expression is wide. In an effort to define it, we might consider that the recognition of freedom of expression covers the following rights:

1. the right to express and freely disseminate thoughts, ideas and opinions, by spoken or written word or any other means of reproduction;
2. the right to literary, artistic, scientific and technical production and creation;
3. the right to academic freedom;
4. the right to freely communicate or receive information through any medium of distribution.

Accordingly, the assuring of freedom of expression requires a considerable legislative development, since it applies to apparently very disparate areas.

As regards information, for example, access would have to be guaranteed for social and political groups to the media of social communication, most particularly for State employees.

On the other hand, the right to literary, artistic, scientific and technical production and creation consecrates respect for the intellectual freedom of the individual. It is this freedom alone that has enabled the development of our civilization, and we must abolish all laws tending to repress it.

Otherwise, we should be promoting the creation of closed societies incapable of objective self-criticism and condemned to stagnation or regression.

A fundamental step in the legislative reform I am here discussing would be elimination of prior censorship. It is easy to understand that prior censorship not only discourages the creativity of the individuals who might be the object of repression for their ideas, even before having disseminated them, but also subjects intellectual creation to prior control by the Administration, easing the suppression of any social pluralism. In extreme cases prior censorship may even be turned into a fundamental tool for ensuring the tyranny of government of a bureaucratic apparatus over the rest of society.

We can find in our history examples illustrating these statements, but the only point I would wish to dwell on is that in every case strict control and intellectual censorship have led to stagnation of the societies, and finally to the destruction of the oppressive regime.

Obviously, in order to guarantee freedom of expression, it would not be enough to eliminate the prior censorship discussed above. Methods of *a posteriori* repression can equally be highly effective in restricting human creativity. One of the necessary steps in consecrating freedom of expression is to modify all penal law provisions which condemn the holding of opinions or the dissemination of information contrary to the fundamental principles of the State. Such criteria of defence must be prevented from taking on undue breadth, for which legal presuppositions must be cut back as far as possible, taking account of the extent of the effects of an action more than the offence in itself.

One of the final aspects of freedom of expression I should like to discuss this afternoon is its border-crossing character. The interdependency of present-day international society makes it impossible for freedom of expression to exist in a country kept incommunicado from the rest of the world. The very essence of the CSCE process supports this aspect of freedom of expression, and we must accordingly ensure that ideas freely expressed by individuals in any one of our States may become known in the rest of the participating countries.

Accordingly, on behalf of the twelve Member States of the European Community, I wish to reaffirm our faith in freedom of expression as a key factor for the development of the person and of society.

Mr Chairman, the second of the proposals I wish to present on behalf of the twelve Member States of the European Community has to do with the right of individuals to peaceful assembly or demonstration, and to association.

It is a dramatic thing to have to speak about the right to peaceful assembly at this very time, very few days after so many people lost their lives in Peking in the course of the dispersion by the armed forces of their peaceful meeting. This is not the place to analyse what happened there, but that dreadful event ought to be in all of our minds, and I am sure that it is.

The tendency to meet together perhaps constitutes one of the most essential characteristics of human nature.

In analytical terms, an assembly is the incidental grouping of individuals to secure a specific objective. Originally, people joined together to overcome their individual weakness and face a hostile environment. At present, peaceful assembly emerges when all the sophisticated modes of social organization prove insufficient or have failed as ways of channelling or implementing the will of the people who have assembled. Respect for this right of assembly accordingly constitutes an essential factor for safeguarding democracy in a society, since it allows the formation and demonstration of the will of citizens at particularly critical moments, or about matters of very special and topical interest. Everyday experience in our societies constantly shows us the importance of this remnant of more primitive democracy, and no government may curtail the right of man to assemble peacefully without gravely impairing its own legitimacy.

In this case too the right is one not yet, to date, explicitly embodied in any document agreed at the CSCE, which has however on more than one occasion been the object of violation by some of the participating States.

The legal principle that ought to govern the regulation of the right to peaceful assembly is that there should be no requirement for prior authorization. At most there may be a requirement for prior notification, generally to a local authority, where the meeting is organized in places of public resort or in the case of demonstrations.

In turn, the right of association constitutes a step forward in social evolution after the right of assembly. By becoming permanent and structured, the assembly turns into an association. From the simplest societies we know to the most complex ones, all are based on the right to association. Setting obstacles to the creation of new associations amounts to seeking to constrain the normal development of society by rigidly fixing its structures. The right of association has always allowed the channelling of new challenges that societies have faced throughout history. On the other hand, associations reflect the political or social pluralism existing in a society at a given moment. Setting disproportionate obstacles to the right of association or simply not recognizing it would amount to denying historical evolution or denying the pluralism existing within a society.

Mr Chairman, the proposals I have just presented are regarded as fundamental by the Member States of the European Community, on whose behalf I have had the honour to speak this afternoon. Full recognition by all participating States of freedom of expression, the right of peaceful assembly and the right of association will undoubtedly contribute to the success of this Paris meeting and be clearly in line with the commitments already undertaken at Vienna.

New winds of freedom and hope are blowing over our old Continent; it is our duty to strengthen them.

89/177. Statement Concerning Ethiopia

Date of Issue: 23 June 1989
Place of Issue: Madrid/Brussels
Country of Presidency: Spain
Source of Document: The Twelve
Status of Document: Declaration

The Twelve recall their stated position that problems in the region can only be solved by peaceful means. In this context, they welcome the initiative taken by the Ethiopian Assembly (Shengo) to invite all parties to participate without preconditions in negotiations at which a mutually acceptable observer would be present. They consider that the initiation of such negotiations would represent an important step towards the achievement of peace.

The Twelve intend to continue playing a constructive role in the promotion of peace in the region and reiterate their conviction that only the conclusion of a political settlement between all parties will make it possible to bring about an end to the conflicts.

Therefore, they call upon all parties concerned to take advantage of this opportunity and to engage seriously in negotiations leading to lasting solutions in the area.

89/178. Conclusions of the European Council on Matters of European Political Cooperation

Date of Issue: 27 June 1989
Place of Issue: Madrid
Country of Presidency: Spain
Source of Document: Presidency
Status of Document: Conclusions of the European Council

1. East-West Relations, Including CSCE

The European Council recognizes the importance of the profound changes now taking place in the USSR and Central and Eastern European countries, while regretting that serious violations

of human rights still occur in some of those countries, in particular against members of ethnic and religious minorities. It has reaffirmed the determination of the Community and its Member States to play an active role in supporting and encouraging positive changes and reform.

The European Council has reaffirmed the full validity of the comprehensive approach integrating political, economic and cooperation aspects which the European Community and its Member States follow in their relations with the USSR and with Central and Eastern European countries. It has assessed positively the concrete steps which the Community and its Member states, following the Rhodes Declaration¹ have taken in these fields.

The European Council looks forward to an intensification of relations between East and West in all fields. It reaffirms its belief that progress in arms control and disarmament, respect for human rights and the free circulation of ideas, information and persons remain necessary elements for this improved East-West atmosphere to materialize into further tangible results.

The European Council is convinced that the CSCE process provides the appropriate framework to achieving greater progress in all these fields, enabling Europe to look forward to a day when its present divisions become a matter of history.

The Twelve, who are gradually strengthening their cooperation as a contribution to preserving their security, seek to enhance stability and security through lower levels of forces and armaments as well as through greater transparency and predictability in military matters and thus to promote progress in *rapprochement* and in the dialogue among all the peoples in Europe. In this framework, they attach great importance to the negotiations on conventional forces in Europe and on confidence- and security-building measures currently under way in Vienna and will strive for their early and satisfactory conclusion. The resumed Geneva negotiations on reductions in strategic nuclear weapons and the negotiations on chemical weapons also offer prospects for greatly reduced military confrontation and an improved climate of relations between East and West.

2. Middle East

The European Council reiterates its determination to continue contributing to the settlement of the Arab-Israeli conflict and has approved the attached declaration (annexe 1²).

In this context, the European Council considers that a definitive solution to the Lebanese crisis should be urgently negotiated and implemented. It confirms the full support of the Twelve for the Committee of the Three set up by the Arab League Summit in Casablanca. The European Council calls on all parties involved to cooperate fully with the Committee of the Three with the aim of achieving a complete and lasting cease-fire and a just political solution to the Lebanese crisis based on the sovereignty, unity and territorial integrity of Lebanon. The European Council considers that a political solution should be based on the election of a President, political reforms and the withdrawal of all non-Lebanese troops. It renews its call for the immediate and unconditional release of all hostages in Lebanon and elsewhere. It reaffirms its full support for UNIFIL.

The European Council has expressed its hope that the Iranian leaders will prove, by concrete actions, their willingness to develop constructive relations with the Community and its Member States, on the basis of freedom, tolerance and respect for international law.

3. Maghreb

The European Council attaches importance to the strengthening and development of relations with the Maghreb, particularly following the establishment of the Arab Maghreb Union, which the European Community and its Member States have publicly welcomed. The consolidation of the process of integration initiated by the establishment of the Union will contribute to the economic development and stability of the region and should enhance the prospects for a settlement of the Western Sahara dispute. The European Council also considers that the establishment of the Union provides a basis for closer cooperation between the Community and the Maghreb.

4. *Cyprus*

The European Council has noted with concern that the Cyprus problem has not yet found a solution and that the tragic division of the island still remains. The Twelve stand fully by their previous statements and reiterate their support [for] the unity, independence, sovereignty and territorial integrity of Cyprus in accordance with the relevant UN resolutions. It has stressed the need for progress in the inter-communal dialogue under UN auspices and appeals to the parties concerned to cooperate with the Un Secretary-General towards this end and to refrain from any action that could jeopardize this dialogue.

5. *Latin America*

The European Council has noted the further development of relations between the Community and its Member States and Latin America, and has examined the results of the ministerial meetings recently held in San Pedro Sula (Honduras) and in Granada (Spain).

The European Council reaffirms the concern of the Community and its Member States at the situation in Central America. A just, stable and lasting solution must be found through diplomatic action, regional dialogue, economic cooperation and national reconciliation based on respect for democracy and human rights, in full compliance with the Esquipulas Agreement.

Latin American countries' aims of attaining genuine democracy are threatened by a difficult economic and financial situation of which debt is one of the main elements. The European Council commends the efforts towards genuine economic reforms and welcomes the intention of the governments concerned to continue in that direction. The European Council has agreed on the need for Member States of the Community to support efforts in international financial institutions and among creditor governments, and by public and private banks to seek urgent solutions to these problems.

The European Council calls for the continued development of political contacts and of economic, technical, commercial and financial cooperation between the Community and Latin America. It has noted with satisfaction the work already undertaken in the Community framework along the lines of the Hague Conclusions of 26-27 June 1986.³ Referring to the conclusions of various Councils of Ministers, it has invited the Commission to pursue its efforts to allow the development of differentiated and increasingly effective policies of cooperation between Latin America and the European Community and its Member States, without prejudice to the development of close relations and cooperation with other regions.

6. *Asia*

The European Council has expressed its deep concern over the situation in China and has approved the attached declaration (annexe II⁴).

The European Council, reaffirming the previous declarations on Kampuchea, welcomes progress made towards the settlement of the conflict in that country. While acknowledging a certain improvement in the international aspects of the Afghan conflict, it has expressed concern at the situation in Afghanistan and urges all the parties involved to work for the establishment of a truly representative government by a genuine act of self-determination. The European Community and its Member States have reiterated their readiness to contribute to the reconstruction of these countries according to their particular circumstances.

The European Council recognizes the urgency and the gravity of the problem of flooding in Bangladesh and is ready to lend effective, coordinated support to the government of this country, in the search for viable solutions which will ensure a better flood control.

The European Council welcomes that political dialogue and economic cooperation with ASEAN have proved effective and will be further developed at the forthcoming meetings in Brunei and Manila.

7. *Southern Africa*

The European Council confirms its determination to continue striving for the abolition of apartheid through a process of peaceful change and for the establishment of a non-racial, free, democratic and united South Africa.

In support of the UN Secretary-General and his Special Representative, the European Council has confirmed that it will make every effort to ensure that Security Council Resolution 435 continues to be implemented in all its aspects, allowing free and fair elections and the independence of Namibia within the agreed timetable.

The European Council welcomes the positive results obtained at the Gbadolite's Summit, which has opened the way to peace in Angola. The European Community and its Member States reaffirm their willingness to contribute to the stability, reconstruction and economic development of that country.

¹ *EPC Bulletin*, Doc. 88/487.

² Annexe omitted. See *EPC Bulletin*, Doc. 89/179.

² *EPC Bulletin*, Doc. 86/184.

² Annexe omitted. See *EPC Bulletin*, Doc. 89/180.

89/179. Statement Concerning the Middle East

Date of Issue: 27 June 1989

Place of Issue: Madrid

Country of Presidency: Spain

Source of Document: European Council

Status of Document: Declaration

The European Council has examined the situation in the Middle East conflict in the light of recent events and of contacts undertaken over several months by the Presidency and the Troika with the parties concerned, and it has drawn the following conclusions:

1. The policy of the Twelve on the Middle East conflict is defined in the Venice Declaration of 13 June 1980 and other subsequent declarations. It consists in upholding the right to security of all States in the region, including Israel, that is to say, to live within secure, recognized and guaranteed frontiers, and in upholding justice for all the peoples of the region, which includes recognition of the legitimate rights of the Palestinian people, including their right to self-determination with all that this implies.

The Twelve consider that these objectives should be achieved by peaceful means in the framework of an international peace conference under the auspices of the United Nations, as the appropriate forum for the direct negotiations between the parties concerned, with a view to a comprehensive, just and lasting settlement.

The European Council is also of the view that the PLO should participate in this process.

It expresses its support for every effort by the Permanent Members of the Security Council of the United Nations to bring the parties closer together, create a climate of confidence between them, and facilitate in this way the convening of the international peace conference.

2. The Community and its Member States have demonstrated their readiness to participate actively in the search for a negotiated solution to the conflict, and to cooperate fully in the economic and social development of the peoples of the region.

The European Council expressed its satisfaction regarding the policy of contacts with all the parties undertaken by the Presidency and the Troika, and has decided to pursue it.

3. The European Council welcomes the support given by the Extraordinary Summit Meeting of the Arab League, held in Casablanca, to the decisions of the Palestinian National Council in Algiers, involving acceptance of Security Council Resolutions 242 and 338, which resulted in the recognition of Israel's right to exist, as well as the renunciation of terrorism.

It also welcomes the efforts undertaken by the United States in their contacts with the parties directly concerned and particularly the dialogue entered into with the PLO.

Advantage should be taken of these favourable circumstances to engender a spirit of tolerance and peace with a view to entering resolutely on the path of negotiations.

4. The European Council deplors the continuing deterioration of the situation in the occupied territories and the constant increase in the number of dead and wounded and the suffering of the population.

It appeals urgently to the Israeli authorities to put an end to repressive measures, to implement Resolutions 605, 607 and 608 of the Security Council and to respect the provisions of the Geneva Convention on the Protection of Civilian Populations in Times of War. They appeal in particular for the reopening of educational facilities in the West Bank.

5. On the basis of the positions of principle of the Twelve, the European Council welcomes the proposal for elections in the occupied territories as a contribution to the peace process, provided that:

- the elections are set in the context of a process towards a comprehensive, just and lasting settlement of the conflict;
- the elections take place in the occupied territories including East Jerusalem, under adequate guarantees of freedom;
- no solution is excluded and the final negotiation takes place on the basis of Resolutions 242 and 338 of the Security Council of the United Nations, based on the principle of 'land for peace'.

6. The European Council launches a solemn appeal to the parties concerned to seize the opportunity to achieve peace. Respect by each of the parties for the legitimate rights of the other should facilitate the normalizing of relations between all the countries of the region. The European Council calls upon the Arab countries to establish normal relations of peace and cooperation with Israel and asks that country in turn to recognize the right of the Palestinian people to exercise self-determination.

89/180. Statement Concerning China

Date of Issue: 27 June 1989
 Place of Issue: Madrid
 Country of Presidency: Spain
 Source of Document: European Council
 Status of Document: Declaration

The European Council, recalling the declaration of the Twelve of 6 June, strongly condemns the brutal repression taking place in China. It expresses its dismay at the pursuit of executions in spite of all the appeals of the international community. It solemnly requests the Chinese authorities to stop the executions and to put an end to the repressive actions against those who legitimately claim their democratic rights.

The European Council requests the Chinese authorities to respect human rights and to take into account the hopes for freedom and democracy deeply felt by the population. It underlines that this is an essential element for the pursuit of the policy of reforms and openness that has been supported by the European Community and its Member States.

The Twelve are aware that the recent events have caused great anxiety in Hong Kong.

In the present circumstances, the European Council thinks it necessary to adopt the following measures:

- raising the issue of human rights in China in the appropriate international fora; asking for the admittance of independent observers to attend the trials and to visit the prisons;
- interruption by the Member States of the Community of military cooperation and an embargo on trade in arms with China;
- suspension of bilateral ministerial and high-level contacts;

- postponement by the Community and its Member States of new cooperation projects;
- reduction of programmes of cultural, scientific and technical cooperation to only those activities that might maintain a meaning in the present circumstances;
- prolongation by the Member States of visas to the Chinese students who wish it.

Taking into account the climate of uncertainty created in the economic field by the present policy of the Chinese authorities, the European Council advocates the postponement of the examination of new requests for credit insurance and the postponement of the examination of new credits of the World Bank.

89/181. Statement Concerning the Deportation of Eight Palestinians from the West Bank and the Gaza Strip

Date of Issue: 30 June 1989

Place of Issue: Madrid

Country of Presidency: Spain

Source of Document: Presidency

Status of Document: Press Statement

On 23 June 1989 the ambassadors of the Troika in Tel Aviv made a *démarche* to the Ministry of Foreign Affairs in favour of a number of Palestinians from the West Bank and the Gaza Strip threatened with deportation by the Israeli authorities.

During this *démarche*, the ambassadors conveyed to the Ministry of Foreign Affairs of Israel the opinion that these deportations would only increase the existing tension in the occupied territories and make more difficult the efforts aimed at creating a climate of confidence between the parties to the Arab-Israeli conflict.

Yesterday, 29 June 1989, the Israeli authorities deported to Lebanon eight Palestinians from the Gaza Strip and the West Bank.

In these circumstances, the Twelve wish to reiterate their rejection of this measure which, as they have already stressed to the Israeli authorities, can only have negative effects on the situation of tension in the occupied territories and will seriously compromise the efforts aimed at creating a climate of confidence between the parties.

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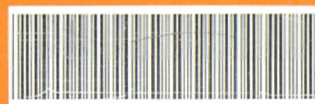
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