

COUNCIL OF THE EUROPEAN COMMUNITIES

1659th meeting of the Council

- General Affairs and Political Cooperation -

Luxembourg, 10 May 1993

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 5-1993.

1659th meeting

1.6.3. General affairs and political cooperation (Brussels, 10 May).

Previous meeting: Bull. EC 4-1993, point 1.6.13

President: Mr Helveg Petersen, Danish Minister for Foreign Affairs.

Commission: Mr Delors, Sir Leon Brittan, Mr Marin, Mr van den Broek, Mr Schmidhuber and Mr Pinheiro.

Main items

- Agreement with the United States on government procurement: approved (→ point 1.2.23).
- Preparations for OECD ministerial meeting: resolution adopted (→ point 1.3.79).

Other business

- Former Yugoslavia: discussed.
- Interinstitutional Agreement on budgetary discipline: progress report noted.
- Public access to the institutions' documents: Commission communication presented.
- Relations with Russia: exchange of views.
- Relations with the countries of Central and Eastern Europe: discussed.
- Relations with the Gulf Cooperation Council: position prepared.
- Uruguay Round: briefing on delegation memorandum.

1.2.23. Council Decision 93/323/EEC concerning the conclusion of an Agreement in the form of a Memorandum of Understanding between the European Economic Community and the United States of America on government procurement.

Reference: visit by Sir Leon Brittan, Member of the Commission, to Washington: Bull. EC 4-1993, point 1.3.30

Proposal adopted by the Commission on 5 May.

Adopted by the Council on 10 May. This Memorandum of Understanding follows the partial agreement reached by Sir Leon Brittan, Member of the Commission, and Mr M. Kantor, the United States special representative for trade negotiations, on access to public contracts. It came into force on 25 May and is valid for two years. It aims to extend access to contracts for the supply of goods, works and services

awarded by central governments by removing the obstacles which one side's companies have to overcome to gain access to the other side's contracts.

The Agreement also aims to open up the electricity sector (excluding telecommunications): the Community is extending the benefits of Directive 90/531/EEC to the United States and is not applying Article 29 of that Directive concerning Community preference to the supply of United States electricity sector products; in return, the United States is waiving the provisions of the Buy American Act with regard to six federally financed electricity utilities and is thus putting an end to the discrimination suffered by Community companies wishing to respond to invitations to tender issued by those utilities. The United States Administration is also undertaking to negotiate with all the States and major municipalities on their observance of the GATT Code on Government Procurement with a view to repealing certain provisions of the Buy American Act.

Finally, an independent study aimed at estimating the value and judging the quality of public procurement opportunities opened up is being jointly financed by the two parties. The study, which is to be completed by 31 January 1994, will serve as a basis for continuing the negotiations on opening up government procurement in the context of the revision of the GATT Code on Government Procurement.

The Agreement was signed and came into force on 25 May.

OJ L 125, 20.5.1993

Organization for Economic Cooperation and Development

1.3.79. Council resolution on the relationship between environmental protection and international trade.

Reference: United Nations Conference on the Environment and Development: Bull. EC 6-1992, point 1.3.127

Adopted by the Council on 10 May. In preparation for the next OECD ministerial meeting, the Council noted the increasing interaction between international trade and environmental issues. It considered that trade policies and environmental policies should be aimed at promoting sustainable development. It therefore considered that global and cross-border environmental problems were best tackled by multilateral strategies and international co-operation.

It therefore called on the Commission *inter alia*:

to continue to play an active and constructive role in the GATT and OECD working parties discussing the issue;

to explore the possibilities of guaranteeing that the issues in question would be tackled as soon as the Uruguay Round was concluded;

to draw up a green paper focusing in particular on the inclusion in international environment and trade agreements of provisions on sustainable development.

Bull. EC 5-1993

76

Bruxelles, le 7 mai 1993.

433

NOTE BIO (93) 126 AUX BUREAUX NATIONAUX
cc. aux Membres du Service du Porte-Parole

PREPARATION CONSEIL "AFFAIRES GENERALES" (N. Wegter - P. Guilford - P. Laissy)

Les Ministres des Affaires Etrangères se réuniront lundi 10 mai prochain pour une session qui nécessitera sans doute leur présence pendant toute la journée. Le point le plus "chaud" constitue bien évidemment "la situation en ex-Yougoslavie", ce thème ayant fait l'objet des différentes rencontres au niveau politique élevé ces derniers jours.

Voici les principaux points de l'ordre du jour de cette réunion.

1. Questions de politique commerciale - Marchés publics CEE-US

The Council is likely to give formal approval to the EC's partial agreement with the United States on public procurement, reached after talks between Sir Leon and Ambassador Kantor in Washington on April 19 and 20. The US has still not announced its reduced list of sanctions against EC bids for US contracts, and Sir Leon will quite probably repeat his firm disapproval of such sanctions, but the partial agreement has undoubtedly improved transatlantic trade relations for the moment.

2. OCDE : Préparation de la session ministérielle "Commerce et Environnement"

The Danish Presidency is working on a resolution on trade and the environment, under the auspices of the Organisation for Economic Cooperation and Development (OECD). The Council of Ministers will discuss this on Monday, but it is unclear to what extent the United States will accept any aim in the OECD paper to avoid unilateral or extraterritorial trade measures.

3. Ex-Yougoslavie

Il est probable qu'un débat approfondi aura lieu permettant aux Ministres d'apprécier la situation politique et militaire en ex-Yougoslavie, et notamment en Bosnie. Dans ce contexte, la Présidence informera les Ministres des résultats des différentes rencontres qui ont eu lieu les derniers jours, notamment la rencontre du jeudi 6 mai de la Troïka, y compris M. van den Broek, avec le Foreign Secretary Warren Christopher. La Présidence se référera également à la rencontre au niveau présidentiel qui se tient aujourd'hui à Washington, c'est-à-dire la rencontre du Président Rasmussen et du Président Delors avec le Président Clinton.

Il est difficile d'anticiper les conclusions qui vont donc être tirées lundi en ce qui concerne ce dossier hautement délicat mais il est peut-être utile de rappeler les conclusions tirées à l'occasion de la réunion informelle des Ministres des Affaires Etrangères des 24 et 25 avril derniers où il a été constaté que la pression sur la Serbie et le Montenegro doit se poursuivre, notamment par l'application de sanctions renforcées en conformité avec la résolution 820 du Conseil de Sécurité de l'ONU. En outre, à la même occasion il a été explicitement conclu qu'aucune autre option, même militaire, ne devrait être exclue afin de contribuer à une solution positive de ce dossier.

Il n'est pas exclu que le négociateur Lord Owen soit présent à ce débat.

4. Communication sur l'accès à l'information

Cette communication adoptée par la Commission le 5.5.93 constitue la première réponse aux demandes du Conseil de Birmingham dans le sens de l'amélioration de l'accès du public à l'information communautaire.

La Commission y exprime le principe général de l'accès à l'information, et souligne la nécessité d'établir des règles communes entre les institutions en matière d'accès aux documents.

La Commission préparera à la lumière des débats du Conseil un texte plus détaillé en vue du Conseil européen de Copenhague.

5. Relations avec la Russie

La Commission informera le Conseil sur la 4e session de négociations qui a eu lieu les 6 et 7 mai à St Petersburg, visant à conclure un accord de partenariat et de coopération entre la Communauté et la Russie.

6. Relations avec les PECOS : "Vers une association plus étroite avec les PECOS".

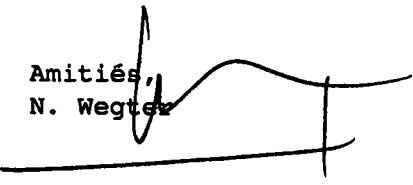
Le Conseil est appelé à mener un débat d'orientation, sur la base de la récente communication de la Commission "Vers une association plus étroite avec les pays de l'Europe centrale et orientale", en vue du Conseil européen de Copenhague. Les Ministres pourraient se référer également à un rapport de la Présidence sur les travaux du Groupe ad hoc à haut niveau qui a examiné la première communication de la Commission sur ce sujet soumis au Conseil européen à Edimbourg en décembre dernier. En effet, ce Conseil européen avait "invité le Conseil à examiner à bref délai les recommandations de la Commission et à encourager un large débat associant les parties intéressées dans la Communauté et dans ces pays. Lors de sa session de Copenhague, le Conseil européen prendra des décisions au sujet des différents éléments du rapport de la Commission afin de préparer les pays associés à l'adhésion à l'Union."

Le nouveau rapport de la Commission, tout en confirmant les grandes orientations de son rapport de décembre dernier, propose des mesures concrètes pour la réalisation d'un Espace politique européen qui incluerait les PECO, pour une amélioration de l'accès de ces pays au marché communautaire jugé d'importance capitale, pour une assistance économique et financière plus effective, notamment dans le domaine de l'infrastructure, et finalement pour un développement de l'intégration économique par le rapprochement des législations, la coopération économique ainsi que l'ouverture des différents programmes de la Communauté à ces pays.

7. Régime d'importations d'acier en provenance des Républiques tchèque et slovaque.

There is a likelihood that the Council will formally adopt the measures proposed by the Commission to establish tariff quotas on imports of steel from the Czech and Slovak Republics.

Amitiés,
N. Wegter



Bruxelles, le 11 mai 1993

**NOTE BIO (93) 126 (suite 1) AUX BUREAUX NATIONAUX
cc. aux Membres du Service du Porte-Parole**

CONSEIL AFFAIRES GENERALES DU 10 MAI (N. Wegter - P. Guilford)

EX-YOUGOSLAVIE

Le thème précité, bien évidemment, a fait l'objet d'un débat très approfondi tant en session plénière qu'à l'occasion du déjeuner.

Le débat a été introduit par Lord Owen qui a fait une évaluation de la situation politique et militaire telle qu'elle se présente tant en Bosnie-Herzégovine que dans certaines régions limitrophes, notamment au Kosovo et en Macédoine.

Ensuite, la Présidence a fait rapport de la rencontre qui a eu lieu à Washington vendredi dernier entre le Premier ministre Rasmussen, le Président Delors et le Président Clinton au cours de laquelle la situation en ex-Yougoslavie a également été largement discutée. La Présidence a également fait référence à la rencontre de jeudi dernier à Bruxelles de la Troïka, y compris M. van den Broek, avec M. Warren Christopher sur ce même sujet.

Suite à ces introductions, un large tour de table a eu lieu au cours duquel tous les différents aspects (sanctions, bombardements aériens, zones de sécurité, etc.) ont été abordés.

A titre de conclusion, la Présidence a identifié les points suivants sur lesquels les Douze se sont mis d'accord :

1. Confirmation du soutien au plan Vance/Owen.
Les développements récents et notamment la rupture entre les Serbes d'une part, et les Serbes bosniaques d'autre part, n'ont que renforcé les arguments pour amplifier les efforts en vue d'aboutir à une acceptation par toutes les parties concernées du plan Vance/Owen.
2. Il faut maintenant suivre attentivement dans quelle mesure le Président Milosevic assure le blocage effectif de la frontière entre la Serbie et la Bosnie. A cette fin, la Communauté se déclare prête à contribuer par la présence de moniteurs internationaux qui devraient être stationnés à la frontière précitée.
3. La Communauté se félicite de la Résolution 824 du Conseil de Sécurité de l'ONU dans laquelle l'instauration de "safe heavens" a été stipulée. Dans ce contexte, la Communauté demande à d'autres parties, notamment les Etats-Unis et la Russie, de contribuer également pour assurer une application appropriée de cette approche.
4. La Communauté n'exclut pas d'autres options dans la mesure nécessaire.

5. La Communauté insiste pour poursuivre des consultations avec d'autres parties, et notamment les Etats-Unis et la Russie, afin d'assurer une approche multilatérale sous les auspices de l'ONU.
6. La Communauté proteste vivement contre les actions militaires des forces croates à l'encontre des musulmans bosniaques actuellement en cours, celles-ci étant en flagrante contradiction avec les dispositions du plan Vance/Owen auquel les autorités croates ont souscrit.

Il a été noté que le Ministre allemand M. Kinkel se rendra à Zagreb le 14 mai prochain.

En ce qui concerne les sanctions vis-à-vis de la Serbie, tous les ministres ont insisté sur la nécessité de les appliquer strictement, y compris leur application décidée par la résolution 820 du Conseil de Sécurité. Dans ce contexte certains problèmes spécifiques ont été identifiés ainsi que les modalités, également au niveau de la législation nationale, pour assurer leur application appropriée.

RELATIONS WITH CENTRAL AND EASTERN EUROPE

The Commission's document on furthering relations with Central and Eastern Europe was discussed at quite some length, the result of which was a broadly positive reaction, with certain reservations expressed by several delegations.

Holland backed the Commission's proposals, urging emphasis to be placed on market access as the top priority. It recommended that the aim of accession be reconfirmed at the Copenhagen summit, although it expressed caution at the use of Phare funds to enable recipients to gain access to infrastructure networks.

Portugal expressed fairly deep reservations at the proposals, explaining that the "political responses" for greater links should come from within the Central and Eastern countries themselves. It urged avoidance of too many trade concessions on sensitive sectors, and said recipient countries should be encouraged to respect competition, anti-subsidy, anti-dumping and other international trading rules.

Spain was highly positive about the Commission's paper, drawing a parallel between economic and political reform in the East and Spain's own difficult transition to democracy, market reform and EC membership, concluding that the East needed help just as Spain had done. Political dialogue should be stepped up, and help for Eastern Europe in trade and financial matters should go beyond the Europe Agreements, although trade concessions should ideally be linked to approval of the EC's own package of reinforced trade instruments.

Ireland said Copenhagen would be the right occasion on which to send a signal confirming support for membership objectives of Eastern countries. Ireland supported greater market access, although urged maximum sensitivity towards member states that ran a trade deficit with the East, such as Ireland. Ireland expressed doubts about using Phare funds for Trans-European Networks.

Italy said political stability in Eastern Europe was under threat, due in part to a certain "apathy", and that those countries should be helped in overcoming this. Describing the crisis in the East as exceptional, Italy said market access was the top priority, adding that the Community should have no hesitation in accelerating the removal of customs barriers. It also said the Community should be ready to offer expertise in financial investment in the East.

Belgium said stability in the East depended on the EC helping those countries as much as possible, although nothing should be done that could jeopardise EC moves towards greater union, nor should anything be allowed to threaten the EC's own markets. Accession was ultimately favourable, but no process should allow this to be automatically assumed by Eastern European nations.

France said it was vital to act in order to banish such "demons" as excessive nationalism from Eastern Europe. France was basically in favour of the ideas in the Commission's paper, saying political dialogue should be even more ambitious than the proposals themselves. On market access, France said a fair opening was needed, although one should not assume free trade would resolve all of the region's problems. Greater market access in sectors where the EC was in its own crisis should be handled with great caution, while France was hesitant about using Phare money on infrastructure projects, fearing it might replace domestic funding in those countries.

Germany said the Commission's paper was worthy of strong support, adding that it favoured sending a good signal at Copenhagen on eventual membership. Political dialogue proposals, too, should be strengthened. Proposals for a European Political Area needed further examination. Germany described market access as crucial, while cautioning its partners that Germany received 50% of Eastern Europe's imports to the EC. Closer examination was needed, too, of the use of Phare money for infrastructure.

The United Kingdom described the paper as a good basis from which the Copenhagen summit might respond to the Edinburgh mandate. The UK agreed that no rigid timetable for membership should be set, although it welcomed the Commission's entry criteria. The UK was positive about the ideas for institutional links with the East, but called for this not to affect the autonomy of EC decision-making. The UK dubbed the market access proposals disappointing, saying they did not go far enough, and should have an immediate effect rather than impacting in two years' time.

Greece gave an initially positive reaction, but warned against creating expectations about membership that could not then be met, while asking too about how this would affect the existing applications from EFTA countries.

Luxembourg said the EC should show more daring in its support for the East. There was a certain reservation, however, on speeding up of market access in sensitive areas, while Luxembourg regretted the omission of security aspects from the paper.

Most delegations said the document should contain more emphasis on encouraging interregional cooperation between Eastern European countries themselves.

Relations with Russia

The Council heard a progress report from Sir Leon Brittan on the state of negotiations towards a partnership and cooperation agreement with Russia. The most interesting point of discussion concerned the question of whether a full review of the agree could be held in several years' time, or whether this should be limited to a mere "rendez-vous" between the Community and the Russians in order to assess Russia's progress towards fulfilling conditions that might ultimately qualify it for free trade treatment with the EC. Two negotiating rounds have already been held with the Russians since the Council amended the mandate to include the eventual possibility of free trade when strict conditions are met. Helveg Petersen, expressed the hope that the Agreement could be concluded in time for the Copenhagen summit, but it is as yet unclear if this will be the case.

EC\US partial agreement on public procurement

The Council formally approved the partial agreement reached between Sir Leon and the US Trade Representative after talks in Washington on April 19 and 20. This includes full access to each other contracts for at federal, or central government level, the removal of Buy America curbs on federally-funded electrical utilities in the US, the disapplication of the EC's 3% price preference on electrical utilities, the commissioning of a joint study to compare future access possibilities, and the beginning of a process to get the US states and large cities to remove Buy American restrictions mainly on transport and water contracts.

Only three delegations spoke, all welcoming the agreement. Belgium emphasised the importance of maintaining a firm approach towards the US, which still intended to impose limited sanctions, given the partial nature of the settlement. France and Spain asked the Council to take note of the fact that Article 113 of the Treaty of Rome was being used, and that this set something of a precedent concerning agreements on works and services. The agreement must now be formally signed by Sir Leon and the USTR.

Czech and Slovak Steel

The Community's set of tariffs quotas on imports of steel from the Czech and Slovak Republics from now up until 1995 was agreed as an A point in the Council, with the figures corresponding to those proposed by the Commission several weeks ago.

Amitiés



Bruno Dethomas