

PRESS RELEASE

9622/93 (Presse 178)

1699th meeting of the Council

- GENERAL AFFAIRS -

Brussels, 8 and 9 November 1993

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

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

Belgium:

Mr Willy CLAES
Mr Robert URBAIN

Minister for Foreign Affairs
Minister for Foreign Trade and European Affairs

Denmark:

Mr Niels HELVEG PETERSEN
Mr Jorgen ØSTRØM MØLLER

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Germany:

Mr Klaus KINKEL
Mr Günter REXRODT
Ms Ursula SEILER-ALBRING

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

Greece:

Mr Theodoros PANGALOS

Deputy Minister for Foreign Affairs

Spain:

Mr Javier GÓMEZ-NAVARRO
Mr Carlos WESTENDORP

Minister for Trade and Tourism
State Secretary for Relations with the European Communities

France:

Mr Alain JUPPE
Mr Alain LAMASSOURE

Minister for Foreign Affairs
Minister with special responsibility for European Affairs

Ireland:

Mr Dick SPRING
Mr Tom KITT

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

Italy:

Mr Beniamino ANDREATTA

Minister for Foreign Affairs

Luxembourg:

Mr Jacques POOS

Minister for Foreign Affairs

Netherlands:

Mr Peter KOOIJMANS
Mr Piet DANKERT

Minister for Foreign Affairs
State Secretary for Foreign Affairs

Portugal:

Mr José Manuel DURAO BARROSO
Mr Vitor MARTINS

Minister for Foreign Affairs
State Secretary for European Affairs

United Kingdom:

Mr Douglas HURD

Mr David HEATHCOAT-AMORY

Secretary of State for Foreign and Commonwealth Affairs
Minister of State, Foreign and Commonwealth Office

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Commission:

Mr Jacques DELORS
Sir Leon BRITTAN
Mr Manuel MARIN
Mr Hans VAN DEN BROEK

President
Member
Member
Member

TITLE OF THE COUNCIL FOLLOWING THE ENTRY INTO FORCE OF THE TREATY ON EUROPEAN UNION

The Council adopted the following Decision:

The Council shall henceforth be called "Council of the European Union" and shall be so designated in particular in all the acts it adopts, including those under Titles V and VI of the TEU; the political statements which the Council adopts under the CFSP shall accordingly be made in the name of the "European Union".

FOLLOW-UP TO THE EUROPEAN COUNCIL ON 29 OCTOBER 1993

The Council noted the work programme prepared by the Presidency for the coming months, both as regards the implementation of the Treaty on European Union in the various sectors - EMU, CFSP, home affairs and justice and democracy and transparency - and as regards growth and employment and the enlargement negotiations.

COMMERCIAL POLICY**- Uruguay Round - Council conclusions**

The Council adopted the following conclusions on the Uruguay Round:

1. The Council heard a statement by Sir Leon BRITTAN on the discussions he had held with the United States and on the progress of the bilateral and multilateral talks in Geneva.
2. Referring to the conclusions of the Brussels European Council on 29 October 1993, the Council reaffirmed that it was now more necessary than ever that every effort should be made to reach an overall, lasting and balanced agreement in the Uruguay Round negotiations by the scheduled deadline of 15 December 1993, in accordance with the conclusions and guidelines laid down by the Council on 20 September and 4 October 1993.
3. In this connection, the Council voiced its concern at the slow progress of the negotiations and at certain recent blockages, particularly on the part of the Community's major trading partners. It considered that, if the negotiations were to succeed in the few weeks which remained, the politicians of all parties to the negotiations must make a sustained effort and it was essential to return to the concept of globality of the negotiations by advancing simultaneously on all fronts where there were still problems in the various areas of negotiation. It appeals urgently to the main partners to engage more actively in the negotiations. It is desirable that the broad outlines of the final general agreement emerge by the end of November.
4. The Council examined the problems outstanding on the basis of the written report submitted to it by the Commission. The Council generally endorsed the assessments and guidelines in the report, subject to delegations' comments or additions.

The Council noted that the Commission would shortly be submitting a document on the basis of which it could decide on the best approach for safeguarding and promoting European cultural identities within the audiovisual sector.

5. The Council recalled that one of the central objectives to be achieved by concluding the Uruguay Round and setting up a Multilateral Trade Organization (MTO) was the provision of a single, coherent framework for monitoring compliance with the commitments given in all areas of the negotiations. It was essential to achieve complete equality of treatment among all partners with the same level of development as regards the compliance of national legislation with agreed multilateral rules and disciplines, and the implementation of a multilateral integrated system for disputes.
6. In this final, crucial phase of the negotiations, the Council stressed the need for Community cohesion and solidarity. The Presidency, in contact with the Member States and the Commission, will ensure that the necessary co-ordination procedures are established, including the convening of a special Council meeting. "

- Commercial policy instruments

The Council instructed the Permanent Representatives Committee to examine the recent Commission proposal concerning the acceleration of the investigation periods for Community trade protection measures and agreed to resume its discussions on this proposal and on the problem of commercial policy instruments as a whole at its meeting on 6 December 1993.

RELATIONS WITH RUSSIA**- Negotiation of a Partnership Agreement - review of the negotiating directives**

The Council approved the additional negotiating directives for the Commission in order to permit it to complete rapidly the current negotiations with Russia for the conclusion of a Partnership and Co-operation Agreement.

- Monitoring of the elections in Russia - Joint Action

In line with the general guidelines set by the European Council on 29 October 1993, the Council decided on the joint action concerning the dispatch of a team of observers for the parliamentary elections in the Russian Federation (the text of the Decision on the joint action is set out in Annex I).

RELATIONS WITH MOROCCO

The Council had an exchange of views on the last remaining problems as regards the negotiating directives for a new agreement with Morocco.

In conclusion, the Council instructed the Permanent Representatives Committee to continue work on the matter to enable it swiftly to approve these terms of reference.

RELATIONS WITH TUNISIA

The Council noted that the Commission would shortly be submitting draft negotiating directives for the conclusion of a Partnership Agreement with Tunisia and instructed the Permanent Representatives Committee to examine the draft so that the Council could discuss it at its meeting on 6 December 1993.

ACCESS TO INFORMATION

The Council had an exchange of views on a small number of questions still outstanding as regards the adoption of a common code of conduct for the Council and the Commission establishing the principles for public access to information, pursuant to the conclusions of the Copenhagen European Council.

The Council instructed the Permanent Representatives Committee to resume proceedings at its level with a view to reaching final agreement on the matter.

EUROPEAN PARLIAMENT COMMITTEES OF INQUIRY

The Council adopted the internal arrangements necessary to enable an interinstitutional (Council, European Parliament and Commission) Working Party to meet with the task of identifying problems related to the implementation of Article 138c of the Treaty on European Union - which provides for the setting up of temporary Committees of Inquiry - and devising ways to reach agreement as soon as possible.

ACCESSION NEGOTIATIONS

The Council prepared the Ministerial negotiating meetings with Austria, Sweden, Finland and Norway, which were held on the morning of Tuesday, 9 November 1993.

The aim of the meetings was in particular to:

- take stock of progress in the negotiations;
- record that the negotiations were now formally for the accession of the applicant States to the European Union and would therefore be conducted under Article 6 of the Maastricht Treaty;
- extend the work programme to the new chapters of the Treaty on European Union, namely EMU, CFSP, home affairs and justice;
- confirm together with the applicant States the objectives which the European Council had defined for the accession date, 1 January 1995, the date for the completion of the negotiations, 1 March 1994, which in particular implied that a significant breakthrough should be made before the end of the year.

STABILITY PACT

The Council took note of an interim report submitted by the Political Committee dealing mainly with consultations to date with third countries in connection with the European Union initiative in the form of a joint action on a stability pact in Europe.

FORMER YUGOSLAVIA

On the basis of the general guidelines given by the European Council on 29 October 1993, the Council decided on the joint action on support for the conveying of humanitarian aid in Bosnia-Herzegovina (set out in Annex II).

The Council also held an exchange of views on the situation in the former Yugoslavia and on the various aspects of the negotiations. It agreed to return to the question as a whole at an extraordinary meeting on 22 November 1993 in Luxembourg.

Lastly, the Council heard a report by Ambassador Napolitano, the sanctions co-ordinator, on the application of the sanctions against Serbia/Montenegro and on their implications for neighbouring countries. It will likewise return to this question at the aforementioned extraordinary Council meeting.

RELATIONS WITH BULGARIA

The Council was unable to reach a decision on the conclusion of an interim agreement with Bulgaria because of the continuing disagreement at Community level on the implementation of certain provisions of the agreement. The Presidency stated that it would seek a way of removing this impasse through bilateral contacts, at the highest level, with the Member States.

SOUTH AFRICA - COUNCIL CONCLUSIONS

1. It will be recalled that, at its meeting on 29 October 1993, the European Council instructed the Council, as a matter of priority, to define the conditions and procedures for joint action with regard to South Africa, aimed at support for the transition towards multi-racial democracy in South Africa through a co-ordinated programme of assistance in preparing for the elections and monitoring them, and through the creation of an appropriate co-operation framework to consolidate the economic and social foundations of that transition.
2. The Council agreed to implement a co-ordinated programme of assistance in preparing for the elections and monitoring them, the detailed arrangements for which will be defined by the end of November.
3. As regards the creation of an appropriate co-operation framework to consolidate the economic and social foundations of transition, the Council:
 - took note of the proceedings in Coreper on the Commission communication, the purpose of which is the gradual normalization of relations between the Community and South Africa based on South Africa's progress towards democracy. It confirmed its agreement on the phased approach advocated by the Commission and on the general content of the guidelines proposed for a policy to support the transition to democracy in South Africa;
 - invited Coreper to study certain aspects of the Commission communication in greater detail. The outcome of Coreper's proceedings will serve as a basis for the contacts which the Commission will initiate at the appropriate time with the Transitional Executive Council (TEC), in close co-operation with the Member States;

- agreed on the need at the same time to continue internal discussions on the longer-term future of relations between the Community and a democratic South Africa.
4. A new Working Party on South Africa will continue discussions on the implementation of the joint action.
 5. The Council decided that, once the TEC was in place, it would lift the two sanctions prohibiting any further co-operation in the nuclear sector and stopping exports of sensitive equipment intended for the police and armed forces.

FUTURE RELATIONS BETWEEN THE EUROPEAN COMMUNITY AND SWITZERLAND - COUNCIL CONCLUSIONS

The Council held an exchange of views on the Commission communication regarding the Community's future relations with Switzerland.

The Council noted the approach to future European policy set out by the Swiss Federal Council, which is based on the desire to keep all options open in order to secure active co-operation with the Community, founded on a community of interests, including, depending on how the situation develops, participation in the EEA and accession to the European Union. The Council also noted that in the present circumstances the Swiss authorities wished to develop bilateral relations with the Community in the immediate future.

The Council drew attention to the close and mutually beneficial ties traditionally linking the Community to Switzerland, which is one of its major partners. The Council confirmed the importance which it too attached to developing co-operation with Switzerland in the interests and to the benefit of both parties. While pleased that the options of participation in the EEA and accession to the European Union remained open, the Council expressed the Community's willingness to negotiate new sectoral agreements with Switzerland on the basis of an overall balance of mutual advantages and, at the same time, to develop the Free-Trade Agreement.

The Council felt that relations with Switzerland might be developed in the following areas in particular: transport, free movement of persons, research, access to the market for agricultural products, technical barriers to trade, access to public contracts, veterinary and plant-health legislation, intellectual property, geographical designations and designations of origin.

The Council trusts that negotiations can be started soon, initially in the areas of transport, free movement of persons, research and access to the market for agricultural products, and as far as possible also in the areas of technical barriers to trade and access to public contracts.

In this connection the Council notes that it already has before it draft negotiating directives for transport and calls on the Commission shortly to submit draft negotiating directives for the other areas concerned.

The Council also hopes that a solution can soon be found, under the Free-Trade Agreement, to the rules of origin problem resulting from the forthcoming entry into force of the EEA without Swiss participation.

The Council intends to make sure that, where necessary, there is appropriate linkage between the various sectoral agreements concerned.

RELATIONS WITH TURKEY

The Council determined the position to be adopted by the Community at the 34th meeting of the Association Council with Turkey at Ministerial level, which was held in the evening of Monday, 8 November 1993 (See Joint Press Release, CEE-TR 124/93).

ALUMINIUM IMPORTS FROM RUSSIA, UKRAINE, TAJIKISTAN AND AZERBAIJAN

The Council approved the directives authorizing the Commission to negotiate quantitative arrangements on trade in aluminium products with Russia, Ukraine, Tajikistan and Azerbaijan, which are to replace the safeguard measures decided on by the Commission in August 1993 and due to expire at the end of November.

**DISPATCH OF A TEAM OF OBSERVERS FOR THE
PARLIAMENTARY ELECTIONS IN THE RUSSIAN FEDERATION**

THE COUNCIL of the European Union,

having regard to the Treaty on European Union and in particular Article J.3 thereof,

Having regard to the general guidelines issued by the European Council on 29 October 1993 whereby support for the democratic process initiated in Russia was adopted as an area of joint action,

HAS DECIDED AS FOLLOWS,

1. The European Union will send a team of observers to the forthcoming legislative elections (December 1993) and the election campaign in Russia, in accordance with the wishes of the Russian authorities.
2. The European Union will co-ordinate its efforts in conjunction with the international organizations concerned, including the Council of Europe and the CSCE.
3. To these ends, there will be set up in Moscow a Special Co-ordination and Reception Unit placed under the authority of the Presidency, with which the Commission, also acting within its own terms of reference, will be fully associated. The task of the Special Unit will be to:
 - co-ordinate the observers from the European Union;
 - provide on-the-spot co-ordination with the international organizations concerned and with the other international observers;

- provide a link with the appropriate Russian authorities, in particular to assist the observers in the performance of their task and to ensure a balanced deployment of the available observers throughout the territory.
- 4. The Special Co-ordination and Reception Unit will make an assessment of the conduct of the election process on the basis of the accounts given by the observers and will report to the Council before 31 December 1993.
- 5. The expenditure of the Special Co-ordination and Reception Unit will be considered administrative expenditure incurred by the Council within the meaning of Article J.11(2) of the Treaty on European Union.

The expenditure of observers from the Member States shall be defrayed by the latter.

- 6. This Decision will come into force on the date of its publication and will apply until 31 December 1993.
- 7. This Decision will be published in the Official Journal of the European Union.

**THE CONVOYING OF HUMANITARIAN AID IN BOSNIA-HERZEGOVINA : JOINT ACTION
ADOPTED BY THE COUNCIL**

THE COUNCIL of the European Union,

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

Having regard to the general guidelines of the European Council meeting on 29 October 1993 adopting the search for a negotiated and lasting solution to the conflict in former Yugoslavia and the conveying of humanitarian aid in Bosnia-Herzegovina as an area of joint action,

HAS DECIDED AS FOLLOWS:

1. The European Union will step up its efforts to assist the suffering populations in Bosnia-Herzegovina. To that end, it is willing to:
 - increase its contribution towards the resources placed at the disposal of the HCR;
 - support the conveying of international aid, in particular through the identification, restoration and preservation of priority routes.
2. The Presidency shall be responsible for contacting the co-Chairmen of the London Conference Steering Committee, the HCR and Unprofor with a view to identifying priority routes, in particular to Sarajevo, and studying the conditions for and ways and means of reopening the airports at Tuzla and Mostar.
3. The Presidency and the Commission, assisted by the ECMM and the ECTF, will draw up a report on aid conveying requirements in close liaison with the HCR and Unprofor. The role and possible strengthening of the ECMM and the ECTF will be evaluated in this context.
4. On the basis of that report, the Council will adopt the budget necessary to finance the requirements thus defined. It will decide on the proportion to be covered by the

Community budget, taking account of available national contributions. The budgetary procedure provided for in the Treaty establishing the European Community will apply to the proportion covered by the Community budget.

At the same time, the Presidency will approach third countries with a view to obtaining from them additional contributions for the humanitarian action in Bosnia-Herzegovina.

5. Lord Owen, together with Mr Stoltenberg and in co-operation with the Presidency the HCR and Unprofor, shall be responsible for bringing all the parties to the conflict in Bosnia-Herzegovina together shortly in order to obtain their firm and specific commitment, in particular at local level, to the preservation of priority routes as identified.
6. All appropriate means will be put in hand to support the conveying of humanitarian aid via priority routes, in accordance with the relevant Security Council Resolutions.
7. The Member States of the Union will do everything possible to strengthen their participation in Unprofor, particularly in the area of logistical support and engineering. The Presidency will be responsible for studying, in close liaison with the United Nations Secretary-General, ways and means of obtaining additional third-country contributions to Unprofor.
8. The Commission shall be associated in full with the tasks entrusted to the Presidency in accordance with Article J.5(3) of the Treaty.
9. The Union's position will, if necessary, be defended in accordance with Article J.5 should implementation of the joint action as defined necessitate the intervention of the Security Council.
10. This Decision shall enter into force on today's date and shall apply until 31 March 1994, subject to any subsequent extensions to be decided on by the Council. The Presidency will report to the Council regularly on the progress and implementation of this Decision.
11. This Decision will be published in the Official Journal of the European Union.

OTHER DECISIONS

(adopted unanimously without debate unless otherwise stated)

**Relations with the former USSR - International Science and Technology Centre (ISTC) :
Statute and administrative documents**

The Council approved the following documents as a Community position:

- the Statute of the ISTC;
- the criteria for project evaluation;
- the rules of procedure of the Governing Board;
- the setting-up of the Co-ordination Committee;
- the procedures for the accession of new members to the Centre, and
- the procedures for requesting representation on the Governing Board;

The Council authorized the members representing the Community on the ISTC Governing Board in due course to agree to any minor amendments to the Statute, and to take part in defining the criteria for admitting new members to the Governing Board, on the basis of the guidelines entitled "ISTC Board membership - Community position" provided by the Commission.

Lastly, the Council appointed Mr W. HÄFELE and Mr A. ZICHICHI to represent the Community on the ISTC Scientific Advisory Board.

European Energy Charter

The Council took stock of progress in the negotiations on the draft Energy Charter Treaty, and approved the approach suggested by the Community delegation in the negotiations on the Treaty, in order to conclude an agreement which, while taking into account the real difficulties faced by countries in transition, at the same time encouraged investment, provided sufficient guarantees to investors and enshrined the principle of national treatment.

The Council also stressed that the Community had to maintain its initiative in the ongoing negotiation process, in which over 50 countries are participating.

It will be remembered that the European Energy Charter was signed in The Hague on 17 December 1991 with the aim of establishing the framework for a European efficient energy market enabling security of supply to be ensured, energy efficiency to be improved and adverse environmental impacts of energy production to be limited.

The draft Charter Treaty under negotiation since September 1991 is intended to place the Charter commitments on a secure and binding international legal basis.

To arrive at a solution to the problems still under discussion, the approach recommended by the Council consists of two stages:

1. signing of a Treaty containing all the elements on which agreement can already be reached, particularly in the chapters on trade and transit and, with regard to investment, consensus should be achieved on the application of the principle of national treatment;
2. commitment to a second round of negotiations limited to the arrangements for applying the same principle in the pre-investment stage.

Textiles - trade in clothing products with Turkey

The Council adopted a Decision concluding the arrangement between the European Community and Turkey on trade in clothing products.

Agriculture

The Council adopted, with the abstention of the United Kingdom, a Regulation laying down special measures to encourage the processing of certain citrus fruits.

Community aid is thereby granted for processing oranges, mandarins and clementines into juice and satsumas into segments.

Appointment of members of the ECSC Consultative Committee

The Council appointed the following to replace members of the ECSC Consultative Committee who had resigned, for the remainder of their term of office, which runs until 10 June 1995:

- Mr Salvatore BIONDO, nominated by the Federazione Italiana Metalmeccanici, to replace Mr. G. CAPRIOLI;
- Mr A.S. MacDONALD, nominated by the United Kingdom government, to replace Mr R. RAWLINS;
- Mr Jacques FONTAINE, nominated by the Fédération générale du travail de Belgique, to replace Mr M. CORNET.