

French proposal for a stability pact in Europe (Copenhagen, 21 and 22 June 1993)

Caption: The French Government's proposal that a new European Union initiative for a stability pact be launched in Europe is approved on 21 and 22 June 1993 at the Copenhagen European Council.

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French proposal for a pact on stability in Europe submitted to the Copenhagen European Council (21 and 22 June 1993)

Prime Minister Edouard Balladur presented to the French Council of Ministers on 9 June 1993 a communication concerning a draft Pact on security and stability in Europe. After obtaining government approval, France presented this draft to the European Council in Copenhagen on 21 and 22 June 1993. In the Conclusions of this Council, point 8 reads:

'The European Council discussed the French proposal for an initiative to be taken by the European Union in favour of a Pact on stability in Europe. This initiative is directed towards assuring in practice the application of the principles agreed by European countries with regard to respect for borders and rights of minorities. The European Council agreed that recent events in Europe have shown that action in these areas is timely and appropriate. It welcomed the idea of using the instrument of Joint Action in accordance with the procedures provided for in the Common Foreign and Security policy.'

The European Council invited the Council (General Affairs) to examine the proposal and report to its meeting in December 1993 with a view to convening a preparatory conference on the pact.'

EUROPE/Documents publishes the text of the French proposal below, including the list of countries that could be invited to participate in the work.

Memorandum

1. Why a European Initiative for a Pact on stability?

The end of the division of Europe has made it possible for all countries on the continent (notably in the CSCE) to adopt common principles concerning borders or minority rights. The many institutions existing in the political, economic or military arenas have developed their action and have endeavoured to support implementation of these principles.

The break-up of Yugoslavia into several states and the war which has torn Bosnia-Herzegovina apart have revealed the acuteness of the problem of minorities and the powerlessness of the international community, including the Europe of Twelve, to apply the principles to which they have adhered.

It is urgent today to learn lessons from this painful experience. It is incumbent upon the European Community to do so with all interested partners in order to address the most serious problems facing the European continent. Should it fail to carry out this exercise or should it fail to do so successfully, it is clear that the Community's international authority would be at stake. On the contrary, restoring peace on the European continent would contribute to the success of the difficult transition being experienced by the Central and Eastern European countries and those of the former Soviet Union; it could have a decisive effect on growth.

The Twelve have a major interest in the stability and security of a continent in which they are the most solid element. They have the economic weight to encourage this stability and, if they have the political will, the means to consolidate it with their allies. Actively seeking this result should be the first task of the Common Foreign and Security Policy provided in the Maastricht Treaty. Such is the object of the conference France is proposing to its Community partners and which it places within the continuity of work already carried out in the framework of the CSCE. This conference should result in the signature of a European Pact, made up of several agreements between the countries concerned which would create with each other a process of entente and cooperation likely to encourage European stability,

2. What content shall be given to the Pact?

The principal objective of the Pact would be, pragmatically speaking:

- to set out in detail and implement, in the countries whose relations are not yet stabilized by membership in one of the main European political bodies, the principles already defined in regard to borders and minorities;
- to organize and coordinate the action of the many existing institutions to provide the best possible guarantee for these principles.

A. Consolidation of borders

The preparatory conference should not limit its action to solemnly reaffirming the inviolability of borders in Europe. It must lead to the conclusion of friendship agreements founded on respect for the rights of minorities, since the violation of these rights risks causing international complications.

Without taking sides a priori, the possibility cannot be ruled out that these agreements may lead to minor rectifications of borders, the intangibility of which would then be established by the conference. The states participating in the conference would thus collectively serve as guarantors of these bilateral agreements.

B. Minorities

With respect to principles, existing texts have gradually evolved from a purely individual conception of the rights of persons belonging to minorities towards a conception taking account of their collective aspect and the very close tie linking them to security problems.

At the present time, nationals of Council of Europe member countries have the right of individual appeal in regard to the European Convention on Human Rights. The 'Court of Conciliation and Arbitration', ratification of which by the interested countries must be hastened, can deal with disputes between states. Finally, the High Commissioner for National Minorities existing within the CSCE can examine the collective rights of a minority.

Pursuing this evolution, the conference preparing the Pact would examine a report requested by the Twelve of the High Commissioner for National Minorities and would set as an objective to be attained within a given period (eight months):

- leading the Eastern and Central European countries to set out among themselves agreements of a nature to provide practical solutions on a case-by-case basis to their minority problems. This examination would take place by regional sub-units, the states directly concerned associating other members of the conference whose presence would be accepted as moderators.
- setting out preventive procedures capable of keeping violations of rights of minorities from leading to security problems. The role and powers of the High Commissioner for National Minorities should be reappraised. Should the High Commissioner play a role of adviser for minorities so as to make better known all the institutional mechanisms capable of ensuring their satisfactory presentation (means of election, presence in the administrative hierarchy, arrangements for coexistence between religions, etc.)? How can preventive action be more effective? Should the Commissioner also have a right of appeal and before what body? (Would the Summit of Heads of State of the Twelve agree to hear the Commissioner once a year?).

C. Incentives and flanking measures

The preparatory conference should examine the best way to lead European countries to respect the principles to which they adhere and propose flanking measures that could be taken to encourage peace and stability in Europe.

The incentives and flanking measures depending essentially on the will of the Twelve are:

- political: to respond to the expectations of Central European countries and certain Eastern European countries, the Community would contemplate eventual new memberships, on the express condition that, within the framework of the conference, the problems likely to threaten European stability are resolved. This condition would, of course, be necessary but not sufficient. The Community would have to determine whether these countries are in a position to become members.
- economic: can the Community decide to provide specific assistance to countries taking particular care to solve their problems relating to minorities (for accompanying projects in specific regions), immigration or refugees (setting up resettlement programmes)? In the opposite case, can it also decide to cut off all cooperation ties with a country flagrantly violating the rights of minorities or calling existing borders into question? The Yugoslav experience shows that such incentives have their limits when they are not implemented in timely fashion.

The preparatory conference should examine the flanking measures that could be taken to encourage this stability in a preventive way.

More precisely, it could:

- study the possibility for the WEU to admit as associate members the countries adhering to a European agreement whose membership in the European Union is an eventual possibility and to develop military cooperation with them, notably in the area of peacekeeping. Could units available rapidly for this type of operation be designated in advance?
- foster military cooperation among Central and Eastern European countries, the Twelve, NATO and the WEU.
- propose practical measures to strengthen the CSCE institutions.

3. What participants, what procedure, what timetable?

- participation in preparation of the Pact

The list of countries invited is naturally linked to the objective of the conference, which is to stabilize the Central and Eastern European countries which may eventually be associated to varying degrees with the European Union. The United States and Canada, which have an interest in European balance, on the one hand, Russia, Belarus, Ukraine and Moldova, which have problems relating to borders or minorities with the Central European or Balkan countries, on the other, and the Baltic countries, which do not belong to the CIS and are not excluded from the perspective of European Union, should logically be invited.

This definition of the objective of the preparatory conference would make it possible not to exclude the CIS countries closest to us, without encroaching upon debate within this body which is not within the competence of the Twelve. It would also explain how this initiative does not duplicate the CSCE.

- **the draft Pact could be prepared as follows:**

- a) The Twelve, based on the work of senior officials of the CSCE and the preparatory conference for the definition of a "code of conduct", would prepare:
 - a draft declaration reaffirming the principles concerning borders and minorities;
 - a list of problems relating to borders and minorities in the Central and Western European countries which would justify the creation of a negotiating table. If such a group already exists in the CSCE, it could be re-activated by the conference;
 - a list of incentives the Community could implement in favour of countries agreeing to respect the principles approved by the conference.
- b) The Pact preparatory conference would then meet for several days in plenary session. It would issue its position on the text prepared by the Twelve and would set up negotiating tables which would be given six months to depose their conclusions.

The preparatory conference is clearly an exercise in preventive diplomacy very different in nature from the curative measures required in ex-Yugoslavia. In these conditions, the possible links between the London Conference on ex-Yugoslavia and the Conference on Stability will be dependent on developments on location.

c) An interim meeting would be held at the end of a six-month period to sanction the achievements of certain negotiating tables or to give new impetus to those progressing more slowly.

d) A final conference, two months later:

- would establish, in a "European Pact", the particular agreements concluded in the regional negotiations, including those setting out possible rectifications of borders;
- would agree on flanking measures;
- would make proposals designed to increase the authority of the CSCE (role of the Secretary General, the High Commissioner for National Minorities, etc.);
- would agree to support the activity of the Court of Arbitration.

A summary version of the timetable for the preparation and unfolding of the preparatory conference could be as follows:

- 21–22 June: presentation of the memorandum to the Copenhagen European Summit, which is expected to give a mandate to the competent bodies under the authority of the Council of Ministers to prepare the documents necessary for the convening of the conference;
- within four months: convening of the preparatory conference by the Twelve and the start of work (around six months);
- second half of 1994: interim meeting reviewing the progress of work;
- two months later: final conference.

Possible participants

1. The Twelve 12
2. Countries interested in stability in Europe:

United States
Canada 2

3. The countries of Northern, Central and Eastern Europe concerned:

- Russian Federation
- Austria
- Norway
- Sweden
- Iceland
- Switzerland
- Finland
- Poland
- Hungary
- Czech Republic
- Slovakia
- Bulgaria
- Romania
- Albania
- Estonia
- Latvia

-Lithuania	
-Ukraine	
-Belarus	
-Moldova	
-Turkey	<u>21</u>
	35

4. The countries of ex-Yugoslavia will be associated in terms of developments of the London Conference and of the situation on location;

-Croatia	
-Slovenia	
-Serbia Montenegro	
-Ex-Yugoslav Republic of Macedonia	<u>5</u>
<u>Total</u>	40