

## Conclusions of the Luxembourg European Council (28 and 29 June 1991)

**Caption:** The Luxembourg European Council, held on 28 and 29 June 1991, considers that the draft Treaty on European Union drawn up by the Luxembourg Presidency forms the basis for the continuation of negotiations at the two Conferences, on Political Union and on Economic and Monetary Union, which will lead to the ratification of the Treaty of Maastricht on 7 February 1992.

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## Luxembourg European Council (28 and 29 June 1991) Presidency Conclusions

The European Council heard a statement by Mr BARON, President of the European Parliament, devoted mainly to outlining the European Parliament's position on current discussions in the Intergovernmental Conference on Political Union and that on Economic and Monetary Union.

### Intergovernmental Conferences

The European Council took note of the draft Treaty prepared by the Luxembourg Presidency in the light of proceedings at the two Conferences. It welcomed the considerable progress that had been made since the two European Councils held in Rome.

The European Council confirms that the proceedings of these two Conferences should continue in parallel. The final decision on the text of the Treaty on Political Union and on Economic and Monetary Union will be taken by the Maastricht European Council so that the results of the two Conferences can be submitted for ratification simultaneously during 1992 and the new Treaty can enter into force on 1 January 1993.

The European Council considers that the Presidency's draft forms the basis for the continuation of negotiations, both as regards most of the principal points contained in it and the state of play at the two Conferences, on the understanding that final agreement by the Member States will only be given to the Treaty as a whole.

### Political Union

The European Council's discussions have gone into greater detail on some issues for which a solution is crucial to the success of the negotiations. It has established the following general guidelines:

#### Principles

The European Council considers that the Union should be based on the following principles, as decided at the European Council in Rome on 13 and 14 December 1990: full maintenance of the "acquis communautaire" and development thereof, a single institutional framework with procedures appropriate to the requirements of the various spheres of action, the evolving nature of the process of integration or union, the principle of subsidiarity and the principle of economic and social cohesion.

The European Council also stresses the importance of establishing Union citizenship as a fundamental element in the construction of Europe.

#### Common foreign and security policy

The Presidency's draft reflects the unanimous desire to reinforce the identity and role of the Union as a political entity on the international scene, as well as the concern to ensure the consistency of all its external activities. The decision-making process for implementation of the common foreign and security policy has still to be examined. Common foreign and security policy will extend to all questions relating to the security of the Union.

The European Council has agreed that the question of strengthening the defence identity of the Union will be decided at the final stage of the Conference. That identity will take account of the traditional positions of certain Member States. The role of the WEU, which is an essential part of the process of European integration, will be clarified.

The Community Member States which are party to the Treaty on the Atlantic Alliance, in accordance with

the guidelines established at the recent meeting of NATO Foreign Ministers in Copenhagen, regard the ultimate reinforcement of a European defence identity as an important contribution to the strengthening of the Atlantic Alliance. In the immediate future, they will endeavour to work out common guidelines with a view to the forthcoming NATO Summit in Rome.

#### Democratic legitimacy

The European Council considers the Presidency's draft to contain significant proposals strengthening the European Parliament's political, legislative and monitoring role, which must go hand in hand with development of the Union. The European Council has also noted that achieving a consensus on the principle of a co-decision procedure will be an important political part of the final agreement. In the Presidency's view, this procedure will initially be applied to a number of suitable areas, with the possibility of extending it further as the Union progresses.

For some Member States, acceptance of the co-decision principle is linked to overall progress in the development of Community policies, particularly in the social and environmental fields, in accordance with the proposals contained in the Presidency's draft.

#### Social policy

The European Council emphasized the need to strengthen the Community's social dimension in the context of Political Union and Economic and Monetary Union. It thinks that the Community's role in this area should be stepped up and its action made more effective, with due regard for the principle of subsidiarity and the respective roles of the Member States and the social partners, in accordance with national practices and traditions. This general approach must not call into question or in any way affect national social security and social protection schemes.

#### Economic and social cohesion

The European Council believes that ever closer economic and social cohesion is an integral part of the general development of the Union and it considers that this aspect should be embodied in the Treaty in an appropriate way.

It heard a statement from the President of the Commission on the effects of the policies currently being pursued by the Community from the point of view of economic and social cohesion, and on the outlook in this area. It asked the Commission to clarify the various ideas put forward in the statement in time for the next European Council.

The European Council has already stressed the particular importance in this context of establishing major infrastructure networks at European level.

#### Implementation of Community law

The European Council agreed in principle to the approach in the Presidency's draft, designed to improve the implementation of Community law.

#### Home affairs and judicial co-operation

The European Council noted with interest the practical proposals submitted by the German delegation, which supplement the work already carried out in this area (see Annex I).

The European Council agreed on the objectives underlying these proposals and instructed the Conference to examine them further with a view to revision of the Union Treaty.

### **Economic and Monetary Union**

The Intergovernmental Conference has revealed, with its draft Treaty and the draft statute of the ESCB annexed thereto, that there are broad areas of agreement on the basic components of EMU. At the next European Council these draft texts should be finalized according to the guidelines worked out there in keeping with the European Council's conclusions of 27 and 28 October 1990, recalling the United Kingdom reserve attached thereto.

The European Council emphasizes the need to make satisfactory and lasting progress with economic and monetary convergence as of now, and as part of the first stage of Economic and Monetary Union, with particular reference to price stability and sound public finance.

In this context, the European Council notes that in the near future several Governments intend to submit specific multi-annual programmes designed to secure the requisite progress on convergence, which will quantify the objectives and the means of securing them. The European Council would encourage other Governments to submit such programmes and calls upon the Commission and the ECOFIN Council to report regularly on the implementation of these programmes and on progress with convergence.

### **Internal market**

1. The European Council points to the importance for business and consumers and for the future development of the Community of the internal market being completed within the time limits laid down. It notes that three quarters of the measures provided for in the White Paper have been decided. In particular it welcomes the agreement reached at the latest ECOFIN Council on the alignment of VAT rates and excise duties which opens the way to the completion of an area without frontiers on 1 January 1993. The European Council records with satisfaction that the approximation of excise duties on diesel oil will make it possible, as it requested at its meeting in Rome, to substantially reduce distortions of competition in the road transport sector within the context of a comprehensive and coherent transport policy. As regards road transport, liberalization should be extended to transit third countries. The European Council calls upon the Council to finalize the dossier on the taxation of road transport with reference to the aspects which have still to be examined in depth, namely the tax on commercial vehicles and the subject of tolls. The European Council also noted the recent progress made in the field of insurance, the opening up of public procurement, road safety, controls on the possession of arms and veterinary and plant-health legislation.

The various Community institutions must do everything in their power so that the entire legislative programme required for completing the large market may be adopted by 31 December 1991 at the latest, due regard being had to the time needed for implementation at national level.

2. In this context, the following deserve particular attention during the next half year: public procurement in the service sector, financial services, co-operation between undertakings, and in particular the Statute of the European Company, definitive arrangements in the field of insurance, pharmaceuticals and the veterinary and plant-health sectors. In the field of indirect taxation, all the necessary decisions will have to be taken as soon as possible to give effect to the agreement reached in the ECOFIN Council.

Alongside harmonization of the conditions of competition in the transport sector, the necessary measures will have to be adopted before the end of the year in preparation for the final phase of air transport liberalization; progress will also have to be made before the end of the year on liberalizing cabotage.

On a more general level, the European Council recalled the importance of ensuring that the competitiveness of European industry can develop under favourable conditions. It emphasized in particular the need for the industrial sector to adapt continuously to structural changes, subject to respect for the principles of an open

and competitive economy.

3. Lastly, the European Council emphasizes the importance for the credibility of the integration process under way of correct and proper implementation by the Member States of the acts adopted by the Community and ratification of conventions signed by the Member States. It notes with satisfaction that the situation has improved regarding the incorporation of Directives into national law and invites each Government to take all necessary steps to make up for time lost so far and the Commission to report back to it for its next meeting.

### **Social dimension**

The European Council notes that the progress made in the completion of the internal market has not been accompanied by comparable progress in the field of social policy. It emphasizes that the Community, the Member States and the representatives of employers and employees should play a role in the implementation of the principles contained in the "Social Charter" according to their respective responsibilities.

It requests in particular that the discussions begun in the Social Affairs Council on the Commission's action programme for implementing the Charter should be intensified so that the necessary decisions can be reached, at an early date, having regard for the specific situation and practices of each Member State.

### **Free movement of persons**

The European Council welcomes the fact that all the Member States have signed the Convention on Asylum.

The European Council notes with satisfaction that a very important step towards the creation of an area without internal frontiers where persons may move freely under the terms of the Treaty will be accomplished very shortly when full agreement is reached on the Convention between the Member States on the crossing of their external borders.

The European Council requests the Ministers with responsibility in this area to finalize agreement at their meeting on 1 July, taking as their model solutions adopted in the past with a view to overcoming the outstanding difficulty.

The European Council asks the ad hoc Group on Immigration to put in hand without delay the measures necessary for this Convention to be effectively applied, with a view to adoption of those measures as soon as possible after the Convention enters into force. The European Council also instructs the ad hoc Group on Immigration to embark on discussions for a Convention on the protection of individuals in relation to the processing of personal data. Work on that Convention must be completed by 30 June 1992 at the latest.

The European Council also records its agreement to the recommendations submitted by the Co-ordinators' Group and requests that action should be taken on them as soon as possible.

Regarding immigration and the right of asylum, the European Council has agreed on the objectives underlying the German delegation's proposals as set forth in point B of Annex I and requests the Ministers with responsibility for immigration to submit proposals before the European Council's next meeting in Maastricht.

### **Drugs**

The European Council has taken note of the first report from by the relevant Committee (CELAD) on the implementation of the European Plan to combat drugs. It emphasizes in particular the importance of the recent adoption of Community legislation on money laundering.

It approves the principle of setting up a European Drugs Monitoring Centre on the understanding that the practical arrangements for its implementation, e.g. its size, institutional structure and computer systems, are

still to be discussed.

The European Council instructs CELAD to continue work to that end and bring it rapidly to a successful conclusion, in liaison with the Commission and the other relevant political bodies.

Regarding the fight against international drug trafficking and organized crime, the European Council has agreed on the objectives underlying the German delegation's proposals as set forth in point B of Annex I and requests the Ministers with responsibility for drugs matters to submit proposals before the European Council's next meeting in Maastricht.

The European Council emphasizes the importance of ensuring that Community action is taken in close co-operation with the United Nations Plan for combatting drugs.

### **External relations**

At a time when arrangements for its internal reinforcement are under debate in two Conferences, the Community wishes to reaffirm its determination to play an active and open role externally and seek close co-operation with all other international partners, whether bilaterally or multilaterally.

### **USSR**

1. The European Council heard the Commission report on the situation in the Soviet Union and specifically on the implementation of the guidelines adopted in Rome on 14 and 15 December 1990. It noted with satisfaction that the necessary decisions have now been adopted for granting food aid amounting to ECU 750 million. Food deliveries have begun.

With regard to technical assistance, the figure for the 1991 programme (ECU 400 million) and the implementing arrangements with the Soviet authorities have been adopted.

2. The European Council fully supports the endeavours of the President and the Government of the Soviet Union to accelerate the reforms undertaken and to ease the Soviet Union's integration into the world economy. It considers that a substantial programme for reorganizing and modernizing the economy is necessary.

3. Economic and financial co-operation between the USSR and the Community is intended to foster this process. The Community is ready to continue contributing to this venture in the framework of concerted international action. In this context, the European Council requests the Commission to put forward proposals on the amount of technical assistance in 1992.

The European Council refers to the wish it formulated at its Rome meeting to see the USSR assume its place in international financial institutions. With regard to the EBRD, the European Council reiterates its desire for a revision of the current provisions which restrict the possibility of loans to the Soviet Union.

4. The European Council invites the Commission - by extension to its Rome II conclusions - to begin exploratory talks on a major agreement between the Community and the USSR covering not only economic questions but political and cultural matters as well.

### **European Energy Charter**

The European Council also noted with satisfaction that the proceedings of the negotiating conference for the preparation of a European Energy Charter would open in Brussels on 15 July 1991 with the aim of adopting, by December 1991, a Charter instituting long-term European co-operation in the energy sectors on the basis of equal rights and obligations for the signatory countries.

### **Uruguay Round**

The European Council considers the Uruguay Round to be the first priority in international economic relations, and stresses the importance of concluding these negotiations before the end of this year.

If a balanced agreement covering all areas is to be reached within that period, important policy decisions will have to be taken without delay.

The European Council calls on the Council and the Commission in its capacity as negotiator to continue their efforts to enable the Uruguay Round to come to a satisfactory conclusion.

### **European Economic Area**

The European Council considers that the creation of a European Economic Area is an important component of the future structure of Europe.

It welcomes the recent decisive progress and fully endorses the two parties' commitment to overcome the remaining obstacles before 1 August, which would enable the agreement to enter into force on 1 January 1993.

### **Central and Eastern Europe**

The European Council welcomes the progress towards political and economic reform in the countries of Central and Eastern Europe. It recognizes the positive role played by members of G24 in underpinning structural adjustment and democracy and asks all sides to play a full part in that endeavour. The European Council reaffirms its determination to strengthen the Community's links with these countries. It notes with satisfaction the progress achieved to date in the negotiations on Association Agreements with Poland, Hungary and Czechoslovakia and hopes that these negotiations will culminate in the conclusion of overall agreements before the end of October 1991.

The European Council hopes that conditions permitting reinforcement of the links between the Community and the Balkan countries will soon obtain.

### **Situation in Yugoslavia**

The European Council examined the course of developments in Yugoslavia. It heard a report from the Ministerial Troika on its return from Belgrade and Zagreb and expressed satisfaction at the results of this mission. However, the European Council remains concerned about the situation in this country and requests the relevant organs of European co-operation to remain seized of this situation and to follow developments closely.

It took note of the fact that Luxembourg has invoked the emergency mechanism in the CSCE framework in view of the extreme gravity of the situation in Yugoslavia.

### **Baltic States**

The European Council expresses its deep concern at the continued acts of intimidation and violence which have taken place in the Baltic States since the events in January, most recently in Vilnius on 26 June.

The European Council urges the Soviet authorities to put a stop to all such acts and activities, and to ensure that those that have already taken place are fully and impartially investigated. It notes with satisfaction the recent statement of the Soviet President to this effect.

The European Council against appeals for serious negotiations to be engaged between the Soviet authorities and the three Baltic States with a view to finding a solution which will fulfil the legitimate aspirations of the Baltic peoples.

## **Middle East**

The European Council examined the state of play on the Middle East peace process and adopted the declaration in Annex II.

It discussed the situation in Iraq and adopted the declaration in Annex III.

## **Western Sahara**

The European Council noted with satisfaction the progress made in the process of self-determination of Western Sahara, in particular the adoption by the Security Council and the General Assembly of the Secretary-General's report, as well as the setting up of the UN Mission for the referendum in Western Sahara (MINURSO). The Community and its Member States will assist in the implementation of the process that is under way.

The European Council reiterates its support for the persistent efforts of the Secretary-General of the United Nations and his special representative to ensure that the process goes forward smoothly.

## **Algeria**

At the initiative of France, the European Council took note of the situation in Algeria and of the Algerian authorities' request for Community support. It decided on the principle of balance of payments aid, its amount and the arrangements to be settled, on a proposal from the Commission, at the next meeting of the ECOFIN Council.

## **Relations with developing countries**

The European Council is determined that the Community should play its full role in improving the economic and social situation of the developing countries. Lome IV, which is due to come into force very soon, and the new assistance and economic co-operation programmes in Asia, Latin America and the Mediterranean countries mark the opening of a new era. The European Council reaffirms its conviction that certain aspects with an important bearing on these relations, such as broader-based democracy, respect for human rights, and economic reform, are bound to develop further.

## **Relations with the United States, Canada and Japan**

The relations of the Community and its Member States with the United States and with Canada, which are developing on the basis of the joint declarations signed in November 1990, will continue to play a crucial role in the prosperity and security of the Western world.

With the same considerations in mind, the European Community wishes to strengthen its links with Japan on the basis of a similar declaration.

## **Southern Africa**

The European Council examined the positive developments in South Africa and adopted the declaration in Annex IV.

The European Council welcomes the South African Government's decision to accede to the Non-Proliferation Treaty, which it considers an important contribution to the stability of the region and to the strengthening of the international nuclear non-proliferation regime.

The European Council welcomes the positive outcome of the negotiations concerning the peace process and democratization in Angola and expresses its appreciation for the mediation carried out by Portugal.



It also hopes that the talks taking place in Rome, under Italian auspices, will lead to an early peaceful settlement of the conflict in Mozambique.

### **Human Rights**

The European Council adopted the declaration in Annex V, which should guide the future work of the Community and its Member States.

### **Improvement of emergency assistance**

The European Council adopted the declaration in Annex VI.

### **Non-proliferation and arms exports**

The European Council adopted the declaration in Annex VII.

### **Tropical forests**

The European Council notes with pleasure that the Commission, pursuant to the conclusions of the Dublin European Council, has submitted a proposal, prepared together with the World Bank and in consultation with the Brazilian authorities, on a large-scale pilot project for the preservation of the tropical forest.

The European Council supports the broad thrust of the project and confirms that the Community's contribution to the preliminary stage will be US \$15 million in financial support, to which contributions from the Member States will be added. It requests the other participants in the London Economic Summit to confirm that they too will contribute.

## **Annexes**

### **Annex I**

#### **Future common action on home affairs and judicial policy**

##### **A. Aims of the Inter-Governmental Conference**

#### **1. Policy on asylum, immigration and aliens**

Treaty commitment to formal and actual harmonization by 31.12.1993 at the latest. Details to be laid down by unanimous decision of the Council, or if necessary, implementing measures to be decided by qualified majority. Right of initiative for the Commission and also for individual Member States.

#### **2. Fight against international drug trafficking and organized crime**

Treaty commitment to full establishment of a Central European Criminal Investigation Office ("Europol") for these areas by 31.12.1993 at the latest. Details to be laid down by unanimous decision of the Council. Gradual development of Europol functions : first of all relay station for exchange of information and experience (up to 31.12.1992), then in the second phase powers to act also within the Member States would be granted. Right of initiative for the Commission and also for individual Member States.

##### **B. Immediate and preparatory measures**

#### **1. Policy on asylum, immigration and aliens**

Report from Ministers with responsibility for immigration to the European Council in Maastricht in December 1991:

- definition and planning of the preparatory work needed for harmonization
- proposals for concrete preparatory and transitional measures for the period between signature and entry into force of the amendments to the EC Treaty.

## **2. Fight against international drug trafficking and organized crime**

Report from the relevant Ministers to the European Council in Maastricht in December 1991 with concrete proposals for setting up "Europol" and adopting appropriate preparatory and transitional measures.

## **3. Co-ordination of preparatory work on these questions by the Secretary-General of the Council, in conjunction with the Commission.**

### **Annex II**

#### **Declaration on the peace process in the Middle East**

The European Council has examined the state of play on the Middle East peace process. While reaffirming its well-known positions of principle, it emphasised the necessity of setting in train without delay a process, on the basis of UN Security Council Resolutions 242 and 338, leading to a just and comprehensive solution to the Arab-Israeli conflict and the Palestinian question.

To this end, the European Council believes the current initiative, launched by the United States, offers real prospects of peace in the region. It confirms its firm support for this initiative and calls urgently on all parties to overcome final difficulties so that a peace conference can be convened. As a participant in the peace conference, the Community and its member States aim to make their full contribution to its success and to the negotiations between the parties.

Besides a settlement of the Palestinian question through the exercise of the Palestinian people's right to self-determination, lasting peace and the stability of the region should involve the end of the state of belligerence among all States in the region, the commitment not to resort to force and to the peaceful settlement of disputes, and respect for the territorial integrity of all States, including Israel.

The European Council confirms the determination of the Community and its member States to contribute to the economic and social development of all peoples in the region once the prospect of peace is clear. To this end, the Community and its member States will work to promote intra-regional solidarity and relations of friendship and cooperation with all countries in the region. The Community and its member States emphasise their interest in a political dialogue with regional groupings.

The European Council once again underlines the need for all parties to adopt reciprocal and balanced measures to establish a climate of confidence to get the negotiations going, and to avoid all measures that might hinder the process. It believes specifically that the policy of establishing settlements in the territories occupied by Israel, which is in any case illegal, is incompatible with the will expressed to make progress with the peace process.

### **Annex III**

#### **Declaration on the situation in Iraq**

The European Council remains concerned about the situation in Iraq and by the fate of civilian populations, in particular Kurds and Shiites, in the north and south-east of the country.

It recalls its initiative of 8 April 1991 and welcomes the fact that the establishment of security zones in the north of Iraq has enabled a large number of Kurdish refugees to return. It expresses the wish that the

refugees who have remained in Iran will soon be able in their turn to go back to their homes in complete security. It also recalls the major effort made by the European Community and its member States to come to the help of these populations.

The European Council marks its satisfaction at the important role played by the United Nations in the repatriation of refugees and in their reestablishing themselves in their country. It underlines, in this context, the need to bring about as rapidly as possible the full deployment of the contingent of 500 United Nations guards. To facilitate this deployment, the European Council undertakes to meet the uncovered expenses of this operation between now and the end of the year. The European Council also acknowledges with satisfaction the contribution in men which certain member States have made to the contingent of UN guards.

The European Council notes the negotiations that are underway between the Iraqi authorities and leaders representative of the Kurdish population. It hopes that these negotiations will lead rapidly to a satisfactory agreement and considers that it would be appropriate for the international community to give its support to such an agreement on the basis of Resolution 688 of the Security Council.

The European Council considers that as long as the Iraqi authorities fail to comply with their obligation fully and unequivocally to observe all the provisions of Resolutions 687 and 688, the Security Council should not envisage lifting the sanctions imposed on Iraq. In this context, they strongly condemn the attempt by the Iraqi authorities not to reveal a part of the nuclear equipment of the country, in explicit contravention of Resolution 687.

#### **Annex IV Declaration on South Africa**

The European Council welcomes the important progress made towards the complete and irreversible abolition of apartheid, notably the repeal of the three remaining pillars of apartheid: the Land Acts, Group Areas Act and Population Registration Act.

It hopes that these important measures will be followed by the elimination in practice of all racial discrimination and by an improvement of the position of the most disinherited elements of the South African population.

The European Council would wish to see a speeding up of the process of negotiation on the new constitution leading to the establishment of a new, united, democratic and non-racial South Africa and calls on all parties to make common efforts to resolve all outstanding questions so as to enable negotiations between all political forces to begin as soon as possible.

The European Council notes nevertheless that obstacles remain on this path. It expresses the hope that a rapid solution can be found to the problem of political prisoners and to that of the return of exiles. It reiterates its concern about the violence in South Africa and calls on the South African government to spare no effort to uphold the law and public order. It notes with hope the consultations on this grave problem and calls on all parties to display moderation.

The European Council, conscious of the significant influence of the role which sport might be called on to play in the emergence of a South African nation, notes with satisfaction the progress achieved in desegregation in the sporting field. It hopes that all the conditions set by the International Olympic Committee for the readmission of South Africa will be fulfilled as soon as possible. It proposes, while respecting the independence of sporting organisations, to support the principle of renewing sporting contacts at the international level on a case by case basis, where unified and non-racial sporting bodies have been set up.

#### **Annex V Declaration on human rights**

Recalling the 1986 declaration of Foreign Ministers of the Community on Human Rights (21 July 1986), the European Council reaffirms that respecting, promoting and safeguarding human rights is an essential part of international relations and one of the cornerstones of European cooperation as well as of relations between the Community and its member States and other countries. In this regard the European Council stresses its attachment to the principles of parliamentary democracy and the primacy of law.

The European Council welcomes the considerable progress made in recent years in the field of human rights, and the advances in democracy in Europe and throughout the world, particularly in certain developing countries. It welcomes the growing prominence of demands of peoples for freedom and democracy throughout the world.

They deplore, however, the persistence of flagrant violations of human rights in many countries. The Community and its member States undertake to pursue their policy of promoting and safeguarding human rights and fundamental freedoms throughout the world. This is the legitimate and permanent duty of the world community and of all States acting individually or collectively. They recall that the different ways of expressing concern about violations of rights, as well as requests designed to secure those rights, cannot be considered as interference in the internal affairs of a State and constitute an important and legitimate part of their dialogue with third countries. For their part, the Community and its member States will continue to take up violations wherever they occur.

The European Community and its member States seek universal respect for human rights. Many international instruments have been elaborated in the last decades, first among which rank the Universal Declaration of Human Rights and the Covenants on civil and political rights and on economic, social and cultural rights. No specific provision based on national, cultural or religious factors can validly be invoked to detract from the principles established by these instruments. The European Council calls on all States to become a party to the international instruments in force.

In the field of human rights, the effective and universal implementation of existing instruments and the strengthening of international mechanisms of control is a priority. The Community and its member States will continue to work for the efficient functioning of such mechanisms in their administrative, organisational and financial aspects. Moreover, they undertake, in the context of these mechanisms, to push for an improvement in the transparency of procedures. The European Council is well disposed towards the possibility of enabling individuals to be involved in the protection of their rights. The European Council calls for the cooperation of States with the intergovernmental organisations to which they belong in monitoring the implementation of human rights, in particular in the framework of the Commissions created by UN agreements and in regional institutions.

Tensions and conflicts arising from flagrant and systematic violations of human rights and fundamental freedoms in one country or in a specific region are often a threat to international peace and security.

The protection of minorities is ensured in the first place by the effective establishment of democracy. The European Council recalls the fundamental nature of the principle of non-discrimination. It stresses the need to protect human rights whether or not the persons concerned belong to minorities. The European Council reiterates the importance of respecting the cultural identity as well as rights enjoyed by members of minorities which such persons should be able to exercise in common with other members of their group. Respect of this principle will favour political, social and economic development.

The European Council recalls the indivisible character of human rights. The promotion of economic, social and cultural rights, as of civil and political rights, and of respect for religious freedom and freedom of worship, is of fundamental importance for the full realisation of human dignity and of the legitimate aspirations of every individual. Democracy, pluralism, respect for human rights, institutions working within a constitutional framework, and responsible governments appointed following periodic, fair elections, as well as the recognition of the legitimate importance of the individual in a society, are essential prerequisites of sustained social and economic development.

The European Council deplors the fact that countless people in the world are victims of hunger, illness, illiteracy and extreme poverty and are thus deprived of the most basic economic and social rights. It notes moreover that special attention should be paid to the most vulnerable categories of people, for example, children, women, old people, migrants and refugees.

The European Council believes that it is an affront to human dignity to deny help to victims in emergency situations or in extreme distress, particularly in cases of violence against innocent civilians and refugees. To the victim's need for humanitarian assistance corresponds a duty of solidarity of the States concerned and of the international community.

All lasting development should be centred on man as the bearer of human rights and beneficiary of the process of development. Violations of human rights and suppression of individual freedoms impede an individual from participating in and contributing to this process. Through their policy of cooperation and by including clauses on human rights in economic and cooperation agreements with third countries, the Community and its member States actively promote human rights and the participation, without discrimination, of all individuals or groups in the life of society, bearing in mind particularly the role of women.

The Council of Europe plays a leading role in the field of human rights with its expertise, its numerous projects in this field, training and educational activities, and programmes of cooperation with the countries of Central and Eastern Europe which possess or are seeking to possess democratic institutions. Under its aegis, the European Convention on the Protection of Human Rights and Fundamental Freedoms, given the binding character of its norms and the strictness and reliability of its provisions of control, is both an advanced, effective system of protection and a point of reference for other regions of the world. The European Council welcomes the readiness of the Council of Europe to put its experience at the service of the CSCE.

The Community and its Member States stress the importance they attach to the human dimension of the CSCE process, to its important contribution to democratic reforms in Europe, and to its considerable influence on the development of human rights in the European space. The European Council recalls the prospects opened up by the Final Document of the Copenhagen Conference in 1990 and the commitments undertaken when the Paris Charter was adopted. The mechanism of the Conference on the Human Dimension reflects participating States' conviction that upholding undertakings in the human rights field is the legitimate concern of the whole international community.

Individuals and non-governmental organisations throughout the world are making valuable and courageous contributions to safeguarding and promoting human rights. The European Council pays tribute to this commitment and deplors the fact that defenders of human rights are too often the first victims of the arbitrary treatment which they denounce. It calls on all States to enhance the attachment of their publics to the cause of human rights through educational programmes, and by allowing non-governmental organisations free access to information and free distribution of information on human rights. By drawing the attention of the public at large to governments' failings, the NGO's contribute significantly to the protection of individuals and the promotion of human rights in general.

The European Council reiterates the commitment of the Community and its member States to support and promote in regional and international bodies, that respect for human rights and fundamental freedoms without which peace and lasting security cannot be established.

## **Annex VI**

### **Improvement of emergency assistance within the UN framework**

The European Council expresses its deep sympathy for the victims of catastrophes on an international scale, including the recent cyclone in Bangladesh, the crisis in the Horn of Africa and the massive exodus of Iraqi refugees from their country.

The Community and its Member States have responded to these catastrophes with substantial aid programmes to assist the victims. They have a responsibility to ensure that their aid is channelled as directly and efficiently as possible. The European Council invites the member States and the Commission to pursue the implementation of their emergency aid programmes and to draw the lessons of the experience acquired in this regard.

The European Council believes that in the light of experience it is essential to strengthen the coordination mechanisms for emergency actions undertaken within the UN.

To this end, and without prejudging other reforms of the UN Secretariat, the European Council recommends the appointment of a high level coordinator for emergency humanitarian aid.

With the authority of the Secretary General behind him and enjoying direct access to him in New York, and with the confidence of donor countries and organisations involved in emergency aid, it will be the task of the coordinator to set up and maintain, on the political and administrative level, the links, impetus and direction needed to ensure that aid missions proceed smoothly. This strengthened coordination will be carried out in Geneva and should involve all humanitarian agencies within the UN system - without excluding specific links with other agencies not belonging to this system - as well as non-governmental organisations active in this field.

In particular, it would be the task of the coordinator to:

- chair an interagency standing committee based in Geneva which would coordinate assistance efforts and provide a meeting point for donors and would include representatives of all humanitarian agencies, with a standing invitation to the ICRC and ICM;
- have direct access to a future emergency fund enabling an immediate initial response to be made to international catastrophes;
- maintain an up-to-date register of all the resources available within the UN framework, States, and non-governmental organisations for mobilisation at short notice in different emergency situations.

## **Annex VII**

### **Declaration on non-proliferation and arms exports**

The European Council is deeply concerned at the danger arising from the proliferation of weapons of mass destruction throughout the world. The recent Gulf War showed the absolute necessity of further enhancing the effectiveness of regimes of non-proliferation.

The Community and its member States support a strengthening of the regime of nuclear non-proliferation and call for all States to become parties to the NPT. They look to an agreement in the near future on a convention on chemical weapons and to the strengthening of the Convention on biological and bacteriological weapons.

The European Council is also alarmed by the stockpiling of conventional weapons in certain regions of the world. To prevent situations of instability recurring in entire regions as a result of such over-armament, the European Council believes that far-reaching international action is needed immediately to promote restraint and transparency in the transfers of conventional weapons and of technologies for military use, in particular towards areas of tension.

The European Council notes with satisfaction that work in progress in the organs of European political cooperation has already, by comparing national policies on arms exports, identified a number of common criteria on which these policies are based, such as:

- respect for the international commitments of the member States of the Community, in particular the

sanctions decreed by the Security Council of the United Nations and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations;

- the respect of human rights in the country of final destination;
- the internal situation in the country of final destination, as a function of the existence of tensions or internal armed conflicts;
- the preservation of regional peace, security and stability;
- the national security of the member States and of territories whose external relations are the responsibility of a member State, as well as that of friendly and allied countries;
- the behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances, and respect for international law;
- the existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In the perspective of Political Union, the European Council hopes that on the basis of criteria of this nature a common approach will be made possible leading to a harmonisation of national policies.

The Community and its member States attach particular importance in the framework of their internal consultations and within the competent international fora to transparency in conventional arms transfers. They will attach priority to the establishment of a United Nations register on conventional arms transfers and will table a draft resolution in this sense at the next UN General Assembly.

The European Council calls on all States to support this initiative and others which aim to prevent the uncontrolled spread of weapons and military technologies.