

THE EUROPEAN COUNCIL

**BRUSSELS
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Documents in the dossier include:

Brussels European Council

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I — Brussels European Council

Brussels, 29 October

1.1. The meeting of Heads of State or Government held in Brussels on 29 October was chaired by Mr Jean-Luc Dehaene, President of the Council and Prime Minister of Belgium, and attended by Mr Delors, President of the Commission. It was preceded by an address by Mr Klepsch, President of Parliament.

On the eve of entry into force of the Treaty on European Union on 1 November the European Council adopted a solemn declaration in which it welcomed the important step forward towards greater economic prosperity, greater external ambition, greater effectiveness and greater democracy, and confirmed its commitment to a Europe close to the citizen with the Community intervening only where necessary in pursuit of the common interest (→ point 1.1.1).

The European Council also laid down a series of guidelines for implementation of the Treaty. It confirmed 1 January 1994 as the start date for the second stage of economic and monetary union, in the course of which the coordination of monetary policies is to be significantly improved and control of the process of convergence strengthened by the mechanisms for coordinating economic policies. It also decided that the European Monetary Institute (EMI) is to be headed by Baron Lamfalussy and located in Frankfurt.

With a view to the gradual and pragmatic development of the common foreign and security policy, the European Council asked the Council to define the conditions and procedures for joint action in the following five areas: promotion of stability and peace in Europe, accompanying of the Middle-East peace process, support for the transition

towards multiracial democracy in South Africa, contribution to the implementation of a peace plan and support for humanitarian action in former Yugoslavia, and support for the democratic process in Russia.

Turning to the field of justice and home affairs the European Council asked for an action plan to be produced in time for its December meeting, to cover Europol, which it would like to see set up quickly, measures to combat drugs, the right of asylum, visa policy and judicial cooperation. It would also like to see rapid implementation of the social provisions of the new Treaty and advocated a strengthening of democracy and transparency.

Looking ahead to the Commission White Paper on growth, competitiveness and employment, the European Council decided to strengthen the growth initiative decided on in Edinburgh by extending the Edinburgh financial mechanism to projects in the fields of transport, energy production and urban renewal.

On the external relations front the European Council stressed the need to speed up negotiations with the applicant countries with a view to completion by 1 March 1994 and agreed to examine the institutional changes required by accession at its December meeting.

The European Council also adopted a Decision on the location of the seats of various Community bodies.

Presidency conclusions

Implementation of the Treaty on European Union

1.2. With a view to the Treaty's entry into force on 1 November, we have today approved the Council's

conclusions adopted on 26 October 1993 on the legal and practical procedures for implementing the Treaty.

We call upon the Council, in its various compositions, to follow the guidelines set out below for the rapid implementation of the measures which we regard as priorities under the new Treaty.

Economic and monetary union (EMU)

I.3. We confirm the aim of establishing an economic and monetary union within the period laid down in the Treaty, while recalling the specific position of two Member States as to their participation in the final stage of EMU. Compliance with all the criteria set out in the Treaty on European Union will be a key element in the process.

The second stage of EMU will begin on 1 January 1994. It must be used to the full. We have decided that the seat of the European Monetary Institute will be at Frankfurt and we have nominated Baron Lamfalussy as its President. The European Parliament's opinion has been requested on this nomination in order to allow the President of the EMI to be appointed by 1 January 1994.

The activity of the European Monetary Institute should substantially strengthen the mechanisms for coordinating Member States' monetary policies. In parallel, the mechanisms for coordinating economic policies laid down in the Treaty should strengthen control of the process of convergence with the aim of returning to growth and reducing unemployment. The multilateral surveillance procedure must produce a more direct and more open debate under which the Member States are fully committed. It is the European Council's intention, in accordance with the Treaty, to play an active role in that process of strengthening economic policy.

Common foreign and security policy

I.4. Common foreign and security policy is the framework which must enable the Union to fulfil the hopes born at the end of the cold war and the new challenges generated by the upheavals on the international scene, with the resultant instability in areas bordering the Union. The aim of the common foreign and security policy is to enable the Union to speak with a single voice and to act effectively in the service of its interests and those of the international community in general.

Foreign and security policy covers all aspects of security. European security will, in particular, be directed at reducing risks and uncertainties which might endanger the territorial integrity and political independence of the Union and its Member States, their democratic character, their economic stability and the stability of neighbouring regions. In this context the Western European Union (WEU) will shortly implement the various provisions embodied in the Treaty and the statement on the WEU.

The CFSP will be developed gradually and pragmatically according to the importance of the interests common to all Member States; the European Council asks the Council, as a matter of priority, to define the conditions and procedures for joint action to be undertaken in the following areas:

Promotion of stability and peace in Europe

Stability, reinforcement of the democratic process and development of regional cooperation in Central and Eastern Europe. A stability pact to resolve the problem of minorities and to strengthen the inviolability of frontiers will be a staple component of these measures.

Middle East

Accompanying the Middle-East peace process by use of the political, economic and financial means provided by the Union in support of a comprehensive peace plan.

South Africa

Support for the transition towards multiracial democracy in South Africa through a coordinated programme of assistance in preparing for the elections and monitoring them, and through the creation of an appropriate cooperation framework to consolidate the economic and social foundations of this transition.

Former Yugoslavia

Search for a negotiated and durable solution to the conflict; contribution to the implementation of a peace plan and support for humanitarian action.

Russia

Support for the democratic process initiated in Russia; in accordance with the wishes of the Russian authorities, dispatch of a team of observers for the parliamentary elections on 12 December. This action will be coordinated with the European Parliament and the international organizations that will also be involved.

The European Council also adopted the Declaration on the situation in former Yugoslavia and on humanitarian aid for Bosnia-Herzegovina set out in Annex I.

Justice and home affairs

1.5. The Treaty on European Union has introduced the principle of greater cooperation in justice and home affairs. The aim of such cooperation is that the policy of the Union on such sensitive matters should provide citizens — who are directly concerned in their day-to-day life — not only with an assurance that the creation of an area without frontiers will not be achieved at the expense of their security, but that the latter will be guaranteed more effectively in future thanks to this systematic cooperation organized between the Member States.

The fact that all of these issues will be dealt with from now on within the new single institutional framework, with the Commission and the Secretariat playing a greater role, will ensure increased consistency between the various levels of action — Community or intergovernmental — and will thereby improve the overall effectiveness of action by the Union.

We ask the Council to prepare for our December meeting a precise action plan covering the following points, *inter alia* (the Council — justice and home affairs — will meet for this purpose):

- steps to ensure that Europol is set up quickly. The Europol Convention must be concluded and the Drugs Unit must be operational by October 1994;
- effective measures to combat drugs, including measures to counter the laundering of profits from illegal activities;
- common action in the field of asylum laws in accordance with the Declaration annexed to the Treaty;

the establishment, in accordance with the new provisions of the Treaty, of the list of third countries whose nationals require visas;

strengthening judicial cooperation, with particular reference to extradition;

guidelines for taking account of the objectives of the fight against drugs, asylum policy and immigration policy in the Union's external relations. In this connection, the question of the readmission of illegal immigrants is of particular importance.

We will examine the results of this work at our meeting in December, in order to lay down the necessary guidelines.

The social dimension

1.6. The Union Treaty offers new foundations for social policy, subject to the provisions of the Protocol annexed to the Treaty. We are aware of the importance of this aspect of the Community's activities, particularly in the present circumstances, and we have decided to implement — in all their forms — the possibilities afforded by the Treaty for a more mutually supportive Community.

The European Council confirmed the creation of an Agency for Health and Safety at Work, to be responsible for providing Community authorities with all the data relating to the assessment of situations and the expertise necessary for the improvement of working conditions.

Democracy and transparency

1.7. The new Treaty contains a number of provisions intended to reinforce the democratic legitimacy of the Union.

The European Parliament will be more closely involved in the preparation of Community legislation and its powers relating to the political and administrative control of the executive will be increased.

Democratic principles also require that decisions be taken as close as possible to the citizens. The Treaty makes provision for a regular dialogue between national parliaments and the European Parliament, and a new Committee will speak for the regions. The Committee will meet for the first time not later than 15 January 1994.

In accordance with the conclusions of the European Council held in Edinburgh we will, in December,

discuss the Commission's report on the results of the re-examination of certain Community rules and proposals with a view to adapting them to the principle of subsidiarity.

The citizen is and must remain the final beneficiary of efforts towards European integration and the Union Treaty has laid the foundations for a Union citizenship which will complement national citizenship without replacing it.

We ask all the institutions and political bodies to combine their efforts for the purpose of effectively promoting — in the letter and in the spirit — the democratic dimension of the Union. In this connection we welcome the important interinstitutional agreements initialled this very day by the President of the European Parliament, the President of the European Council and the President of the European Commission, which augur well for future cooperation between the institutions.

The forthcoming elections to the European Parliament to be held from 9 to 12 June 1994, which will allow everyone to vote in their country of residence, whatever their nationality, will be a particularly important moment for the democratic life of the Union. We hope that the debate which will take place in all the Member States in connection with these elections will help to advance the construction of Europe.

Growth and employment

1.8. Our meeting in December will be mainly devoted to developing a strategy for growth, competitiveness and employment. In this connection we consider it more necessary than ever to do our utmost to reach a global, durable and balanced agreement in the Uruguay Round negotiations in accordance with the conclusions and guidelines laid down by the Council on 20 September and 4 October 1993.

The European Council heard a statement from the President of the Commission on the European growth initiative and on progress with preparing the White Paper. The latter will include proposals on the implementation of the infrastructure networks as provided for in Articles 129b to 129d of the new Treaty as an essential contribution to greater competitiveness in our economies, growth and the creation of jobs. Those programmes will cover, *inter alia*, transport, energy and information and communications technologies.

We consider that a situation in which the Community has 17 million unemployed workers, and where

a major proportion of the population is cut off from the labour market on a long-term basis, is intolerable and every effort must be undertaken, as a matter of priority, to remedy that situation. We therefore call upon the Commission and the Council to enable us to draw a number of concrete conclusions at our December meeting. Our economies are now so closely dependent on each other that we can only remedy the situation together.

These conclusions must relate to a medium-term strategy based on the Commission's White Paper and on the broad economic-policy guidelines of the Member States and the Community. We regard the adoption of the fourth research programme as a major element in that strategy and we invite the Parliament and the Council to take a decision on that subject by the end of the year. In the same way we are convinced of the particularly important role to be played by the Structural Funds and trans-European networks in that connection.

We have decided today to strengthen the measures taken under the Edinburgh growth initiative and thus to support the signs of recovery now becoming apparent. In this connection we have decided that the criteria for selecting projects for financing by the Edinburgh facility should be extended to transport, energy production and urban renewal. We have also called upon the Council (economic and financial affairs) to ensure that an interest-rate subsidy mechanism is set up for SMEs in accordance with the guidelines adopted by the Copenhagen European Council and within the limits fixed in the 1994 budget. We have undertaken to do everything in our power to ensure that the national ratification procedures relating to the creation of the European Investment Fund are completed before the end of the year.

Enlargement

1.9. We consider that the negotiations with Austria, Finland, Norway and Sweden must be expedited so that these countries can accede on 1 January 1995. The objective is to complete the negotiations by 1 March 1994. It is our hope, among others, that the negotiations with the applicant countries will produce results before the end of the year in the fields of common foreign and security policy, home and judicial affairs and economic and monetary union.

Negotiations with the applicant countries on their place in the institutions must also be initiated by the end of the year. We therefore hope that the position

of the Member States will be defined at our December meeting at the latest after discussions in the Council (general affairs). We call upon the Presidency and the Secretariat to prepare a proposal on the requisite adjustments, on the basis of the Lisbon and Copenhagen conclusions.

Seats of the institutions

1.10. We have taken a decision concerning the seats of a number of bodies which supplements the decision adopted in Edinburgh, the provisions of which must be complied with in every particular. The formal decision is set out in Annex II to these conclusions. The establishment of those bodies will make it possible for the Union to develop its activities in several important areas such as EMU (the European Monetary Institute), the protection of the environment (the European Environment Agency), the internal market (the Agency for Medicinal Products, the Office for Veterinary Inspection and the Trade Marks Office), action to help the countries of Central and Eastern Europe (the European Training Foundation) and the fight against crime and drug addiction (Europol and the European Monitoring Centre for Drugs).

Annex I

Declaration on the situation in former Yugoslavia and on the conveying of humanitarian aid in Bosnia-Herzegovina

1.11. The European Council notes with concern the stagnation of the negotiating process in former Yugoslavia. It appeals once more to the parties to resume the negotiations without delay in order to reach a fair and durable agreement and asks them to refrain from any act of hostility and halt the violence. The European Council condemns the atrocities recently perpetrated by the Croatian forces in Stupni Do.

The European Council expresses its great anxiety at the deterioration of the humanitarian situation in Bosnia-Herzegovina. It condemns in the strongest possible terms the acts of deliberate aggression perpetrated on humanitarian-aid convoys in Bosnia-Herzegovina and in particular the most recent attack which left a number of casualties amongst humanitarian-aid personnel and led to the United Nations suspending humanitarian aid to central Bosnia.

The international community has deployed considerable efforts to reduce the misery and suffering of the civilian population. A number of people of remarkable courage and devotion have been killed or wounded in carrying out their international-solidarity mission. We must act to remove all obstacles to free access for humanitarian aid so that that aid can continue.

The European Council holds the parties to the conflict directly responsible for establishing the conditions essential for any continuation of humanitarian aid, particularly as winter approaches. In this connection it demands firm and credible guarantees, which must be given effect, and requests Lord Owen to communicate those demands with urgency and insistence to the leaders of the three parties, who are responsible for passing on the necessary orders to local leadership.

The European Council agrees to support the conveying of humanitarian aid in Bosnia-Herzegovina on the basis of the following guidelines:

- a greater financial effort to help the population under pressure combined with intervention with non-member countries to contribute;
- the identification and restoration of priority routes, in particular to Sarajevo;
- obtaining the agreement of all parties to the preservation of those humanitarian routes;
- the use of all appropriate means to support the conveying of humanitarian aid;
- reinforcing Unprofor so that more troops are available to protect the aid routes.

The European Council consequently invites the Council to adopt detailed provisions for joint action on the basis of the above, while maintaining close coordination with the United Nations.

Annex II

Decision taken by common agreement between the Representatives of the Governments of the Member States, meeting at Head of State or Government level, on the location of the seats of certain bodies and departments of the European Communities

1.12 The Representatives of the Member States, meeting at Head of State or Government level,

Having regard to Article 216 of the Treaty establishing the European Economic Community, Article 77 of the Treaty establishing the European Coal and Steel Community and Article 189 of the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC) No 1210/90 of 7 May 1990 on the establishment of the European Environment Agency and the European environment information and observation network, and in particular Article 21 thereof,

Having regard to Council Regulation (EEC) No 1360/90 of 7 May 1990 establishing a European Training Foundation, and in particular Article 19 thereof,

Having regard to the Decision of 18 December 1991 under which the Commission approved the establishment of the Office for Veterinary and Plant-Health Inspection and Control,

Having regard to Council Regulation (EEC) No 302/93 of 8 February 1993 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction, and in particular Article 19 thereof,

Having regard to Council Regulation (EEC) No 2309/93 of 22 July 1993 establishing a European Agency for the Evaluation of Medicinal Products,

Whereas, further to the action programme adopted by the Commission on 20 November 1989 relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers, the European Council made provision for creating the Agency for Health and Safety at Work;

Whereas the Treaty on European Union, which was signed on 7 February 1992 and will enter into force on 1 November 1993, provides for the establishment of the European Monetary Institute and the European Central Bank;

Whereas the institutions of the European Communities envisage the establishment of an Office for Harmonization in the Internal Market (trade marks, designs and models);

Whereas, further to the conclusions of the Maastricht European Council, the Member States envisage concluding a Convention on Europol (European Police Office), which will create Europol and also replace the ministerial agreement of 2 June 1993, which set up the Europol Drugs Unit;

Whereas the location of the seats of these different bodies and departments should be determined;

Recalling the Decisions of 8 April 1965 and 12 December 1992,

Have decided as follows:

Article 1

(a) The European Environment Agency shall have its seat at Copenhagen;

(b) The European Training Foundation shall have its seat at Turin;

(c) The Office for Veterinary and Plant-Health Inspection and Control shall have its seat in a town in Ireland to be determined by the Irish Government;

(d) The European Monitoring Centre for Drugs and Drug Addiction shall have its seat at Lisbon;

(e) The European Agency for the Evaluation of Medicinal Products shall have its seat at London;

(f) The Agency for Health and Safety at Work shall have its seat in Spain, in a town to be determined by the Spanish Government;

(g) The European Monetary Institute and the future European Central Bank shall have their seat at Frankfurt;

(h) The Office for Harmonization in the Internal Market (trade marks, designs and models), including its Board of Appeal, shall have its seat in Spain, in a town to be determined by the Spanish Government;

(i) Europol, and the Europol Drugs Unit, shall have their seat at The Hague.

Article 2

This Decision, which will be published in the *Official Journal of the European Communities*, shall enter into force on this day.

Declarations

I.13. When adopting the above Decision on 29 October 1993, the Representatives of the Governments of the Member States adopted the following declarations by common agreement:

□ Under Council Regulation (EEC) No 337/75 of 10 February 1975, which was adopted unanimously by the Council on a proposal from the Commission and after consulting the European Parliament, the seat of the European Centre for the Development of Vocational Training was located in Berlin. The

Representatives of the Governments of the Member States call upon the institutions of the European Community to provide that that seat shall be determined, as soon as possible, in Thessaloniki.

The Commission stated that it was willing to submit a proposal to that effect in the very near future.

A Translation Centre for the bodies of the Union will be set up within the Commission's Translation Departments located in Luxembourg and will provide the necessary translation services for the operation of the bodies and departments whose seats have been determined by the above Decision of 29 October 1993, with the exception of the translators of the European Monetary Institute.

The Member States undertake to support the candidacy of Luxembourg as seat of the Common

Appeal Court for Community Patents as provided for in the Protocol on the Settlement of Litigation concerning the Infringement and Validity of Community Patents annexed to the Community Patent Agreement of 15 December 1989.

At the Conference of the Representatives of the Governments of the Member States the Commission confirmed that it intends to consolidate the establishment of those of its departments that are located in Luxembourg.

Finally, the Member States noted that budgetary resources are available to enable the European Foundation for the Improvement of Living and Working Conditions in Dublin to perform a number of new tasks.