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PREM 19/1482

Confidential Filip

Political Co-operation as discussed at meeting of Foreign Ministers at Venice in May 1981

EUROPEAN
POLICY

May 1981

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
8.5.81							
8.6.81							
15.10.81							
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16.11.81							
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23.4.81							

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B.C.

TF

Can we get the working in para. 3 into the briefing for PM's questions on Thursday.

MR POWELL

EUROPEAN COMMUNITY: VISIT OF EUROPEAN PARLIAMENTARY DELEGATION TO LONDON

CP

A delegation of six members of the European Parliament is in London this week in order to advocate the draft treaty on European Union (the so-called Spinelli draft) adopted by the European Parliament in February 1984. The delegation is having meetings with the Foreign and Commonwealth Secretary and with representatives of the political parties, the CBI, the TUC and other organisations. The meeting with the Foreign and Commonwealth Secretary will take place tomorrow afternoon and the delegation is giving a press conference at 11.45 am tomorrow morning.

2. This visit may give rise to further press and parliamentary comment about a new treaty and may include speculation (on the lines of the attached press release by the European Parliament's Information Office in London) that Britain is "in the slow lane". I note that Mr Steel and Dr Owen have already put down an early day Motion (attached) about an inter-governmental conference.

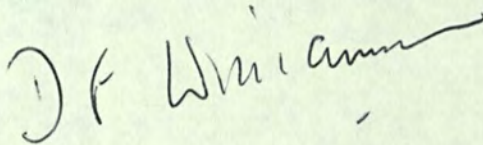
3. I would propose that if there is further comment today or tomorrow about "Britain in the slow lane" and you did wish to comment, it might be on the following lines:-

"This is a misunderstanding of the United Kingdom's role in the Community following the Fontainebleau settlement. It has been already agreed at the March European Council that the report of the Dooge Committee on the future of the Community must now be the subject of discussions between

/the

the governments of member states. This consultation is now under way. On a number of major issues - in particular, political cooperation and the completion of the common market - the United Kingdom will continue to set the pace in the Community."

I am sending copies to Colin Budd (FCO) and to Sir Robert Armstrong.

A handwritten signature in dark ink, appearing to read 'D F Williamson', with a long, sweeping underline.

D F WILLIAMSON

23 April 1985

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GRS 140
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FM BONN 061530Z JUNE 84
TO PRIORITY FCO
TELEGRAM NUMBER 565 OF 06 JUNE
INFO ROUTINE UKREP BRUSSELS, ATHENS, EMBASSY BRUSSELS, COPENHAGEN,
DUBLIN, LUXEMBOURG, PARIS, ROME, THE HAGUE

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PRIME MINISTER'S INTERVIEW WITH THE DAILY EXPRESS: EUROPEAN UNION

1. UNDER HEADLINES SUCH AS "UNIFICATION OF EUROPE IS LAUGHABLE" AND "THATCHER AGAINST UNIFICATION OF EUROPE" A NUMBER OF PAPERS HAVE CARRIED BRIEF AGENCY REPORTS OF THE PRIME MINISTER'S REMARKS ON EUROPEAN UNION.
2. THE PRIME MINISTER IS REPORTED TO HAVE SPOKEN OUT DECISIVELY AGAINST THE JOINING TOGETHER OF WESTERN EUROPEAN DEMOCRACIES IN A UNITED STATES OF EUROPE. IT WAS "ABSOLUTELY LAUGHABLE" TO TALK OF UNIFICATION OF EUROPEAN STATES ON THE MODEL OF THE USA. HER BELIEF IN A EUROPE OF DIFFERENT STATES EACH WITH ITS OWN CHARACTER AND IDENTITY WORKING TOGETHER IN A COMMON MARKET IS ALSO RECORDED AS IS HER STATEMENT THAT WE HAVE NOT YET A COMMON MARKET AND ARE A LONG WAY FROM IT.
3. WHEN THE AMBASSADOR SAW LAUTENSCHLAGER (AUSWAERTIGES AMT) AND STABREIT (KANZLERAMT) ON 4 JUNE, BOTH REFERRED TO THE PM'S REMARKS WITH REGRET.

MALLABY

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NEWS D
SIR J BULLARD
MR JENKINS
MR RENWICK

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No. 10 DOWNING STREET

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10 DOWNING STREET

From the Private Secretary

7 February, 1984

EUROPEAN PARLIAMENT'S TREATY ON EUROPEAN UNION

Thank you for your letter of 6 February. The Prime Minister has noted its contents, including the line which you propose should be taken publicly on the draft Treaty on European Union prepared by the European Parliament.

I am sending a copy of this letter to Richard Hatfield (Cabinet Office).

A. J. COLES

R.B. Bone, Esq.,
Foreign and Commonwealth Office

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Foreign and Commonwealth Office

Prime Minister.

London SW1A 2AH

To be aware.

Content with line at 6 February 1984

Gen John,

A.F.C. 6.

mf

European Parliament's Treaty on European Union

I wrote to you on 12 September 1983 to say that the European Parliament was about to adopt a Resolution containing the 'principles and guidelines' for a Treaty on European Union. The Parliament duly adopted the Resolution on 14 September 1983, and instructed its Institutional Affairs Committee to turn the 'principles and guidelines' into a draft Treaty. The Committee agreed a draft of a Treaty on 14 December and this is to be debated and voted on by the Parliament as a whole on 14/15 February. The draft Treaty is unchanged in substance from the proposals adopted by the Parliament in September last year and which were summarised in my earlier letter. It is almost certain to be adopted by the Parliament by a large majority. The EDG have decided to have a free vote on this question. Most of its members are likely to abstain, but some will vote in favour.

There is, of course, no obligation on Member Governments to take account of the Parliament's draft Treaty, but critics of the Community in this country are bound to make much of it and to allege that it represents a lurch towards federalism, supra-nationalism etc. The Prime Minister will therefore wish to be aware of this development, particularly as the draft Resolution containing the text of the Treaty calls on the Parliament's President to visit Member States' capitals 'as soon as possible' to deliver the draft Treaty to Member governments and urge its adoption. We may therefore expect to hear from Mr Dankert in due course.

If we are asked about the Treaty, we propose to take the following line:

'The European Parliament is entitled to express its views on how to promote European unification and to present these to Member States.'

The existing Treaties are clearly designed to be steadily developed. We are not convinced of the case for a new Treaty on European Unity. But the option will no doubt be raised in the context of the review of the Solmn Declaration on European Union which is due to take place within five years of its signature i.e. before 19 June 1988. (The Solemn Declaration was signed at the Stuttgart European Council on 19 June 1983.)'

/This

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This is deliberately low key; we have nothing to gain from taking a line which would antagonise the Parliament at a time when we want their cooperation over our refunds. Naturally if asked we shall make it clear that there was no obligation on us to take account of Parliament's draft.

I am copying this letter to Richard Hatfield (Sir Robert Armstrong's office).

You see
R B Bone

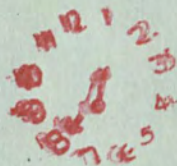
(R B Bone)
Private Secretary

A J Coles Esq
10 Downing Street

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Euro. Pol. : Political Co-op. as discussed
at Venlo 5/81

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15 September 1983

SPINELLI COMMITTEE: TREATY ON EUROPEAN UNION

The Prime Minister has noted the contents of your letter of 12 September.

A. J. COLES

R. B. Bone, Esq.,
Foreign and Commonwealth Office.

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cc RI

(2)



Foreign and Commonwealth Office

London SW1A 2AH

Prime Minister

To note.

12 September 1983

A.S.C. 13. / 9

John T. ...

Spinelli Committee: Treaty on European Union

You will wish to be aware that on 13 September, at its session in Strasbourg, the European Parliament will debate and almost certainly adopt a resolution containing the 'principles and guidelines' for a treaty on European Union.

The resolution is the work of Parliament's Institutional Affairs Committee, usually known as the 'Spinelli Committee' after its 'coordinating rapporteur' Altiero Spinelli, the former Italian member of the Commission who, though not himself a member of the Italian Communist Party, is a member of the European Parliament Communist Group. Spinelli is well known for his federalist views. Derek Prag is the EDG spokesman on the Committee. Other EDG Members on the Committee are Christopher Jackson and Stanley Johnson.

The Committee does not expect Member Governments to adopt the Treaty in the immediate future, but it is quite likely that the Parliament will press for its adoption in the context of the review of the Genscher/Colombo Solemn Declaration, which is supposed to take place 'not later than five years from signature' (which took place on 19 July 1983).

The Committee's proposals are less ambitious than had earlier seemed likely and the EDG members of the Committee have worked hard to help bring this about. The emphasis on the 'evolutionary nature' of the unification process and the need for a 'flexible and gradual approach' is welcome. Nevertheless there are numerous points in the draft treaty which we do not find acceptable. These include the provision that a Member State's right to have a majority decision deferred on grounds of 'vital national interest' should be phased out after ten years, and an expanded role for the European Parliament. As we made clear during the negotiation of the review clause of the Solemn Declaration, we are not in any case prepared to commit ourselves to a future treaty on European Union.

Malcolm Rifkind made our views clear to Derek Prag when he saw him on 31 August, and Lady Young took the same line at

/the EDG Group

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the EDG Group meeting in Biarritz on 7/8 September. The EDG are therefore in no doubt that the Government does not favour the report or the resolution. The EDG seem to be divided between the more 'integrationist' members such as Derek Prag, who will probably vote for the resolution, and those who are inclined to share our views and who will probably abstain.

Although we remain opposed to a treaty and dislike many of the Committee's specific proposals, we do not think we need to go further than we have already in being openly negative about the Committee's proposals or in encouraging, and probably failing to get, the EDG to oppose them en bloc. There is no obligation on Member States to pay much attention to the resolution and it is clear that the proposals are not intended for immediate adoption. Our reaction could give them greater authority than they deserve. It is also desirable to avoid unnecessarily antagonising the Parliament, since we shall need its cooperation over our 1982 and 1983 refunds.

In reply to any press enquiries following adoption of the resolution, Ministers have agreed that we should take the line that it is merely an expression of the Parliament's views about the future development of the Community; that Member States are not obliged to follow it; that we do not at present see the need for a new Treaty; and that there are a number of specific proposals in the resolution which are not acceptable to us.

Sir G Howe has not seen these papers: I shall be showing him a copy of this letter on his return. I am also copying this letter to the Private Secretary to Sir Robert Armstrong.

[Handwritten signature]
 (R B Bone)
Private Secretary

A J Coles Esq
 10 Downing Street



Foreign and Commonwealth Office

London SW1A 2AH

15 June, 1983

Prime Minister

To note.

mf

Dear Sir,

A.J.C. 19/6.

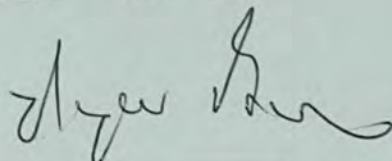
Genscher/Colombo Proposals

The text of the Genscher/Colombo 'Solemn Declaration' has now been agreed apart from a number of Danish and Greek reserves. The German and Italian Foreign Ministers are anxious that formal adoption and signature (to which, as we know, they attach importance) should take place at the European Council in Stuttgart on 17-19 June. In your letter of 1 March, you said that the Prime Minister agreed in principle to signature. She will wish to know whether the final text is now satisfactory from our point of view.

Our earlier difficulties concerning the sections on majority voting and the European Parliament have been satisfactorily resolved. On majority voting (paragraph 2.2.2) it was decided to drop the sub-paragraph containing the statement that recourse to voting should become normal practice where the Treaties so provide. This made it unnecessary for us to insist on explicit provision in the text for the safeguarding of very important interests (ie the veto). In order fully to safeguard our position, however, we asked for an entry in the minutes recording our view that, where Member States' very important interests are at stake, discussion should be continued until unanimous agreement is reached. The European Parliament section (section 2.3) has been further watered down to meet UK and other Member States' objections. For example, it no longer provides for the Parliament to hold an 'investiture' or 'confidence' debate on the Commission's programme.

In these circumstances, the Prime Minister can be assured that our earlier anxieties have been laid to rest. The final decision on adoption and signature can, therefore, now be taken at Stuttgart.

I am copying this to the Private Secretaries of other members of OD and to Sir Robert Armstrong.

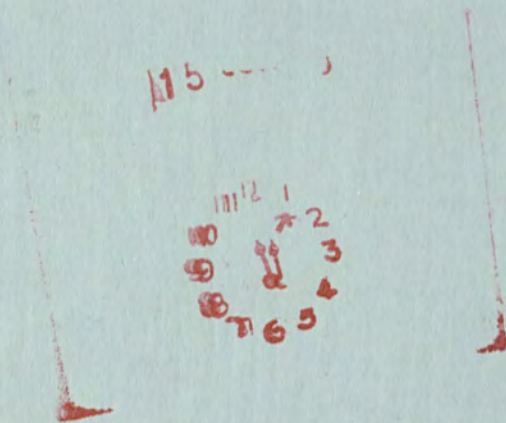
Yours very truly


(R B Bone)
 Private Secretary

A J Coles Esq
 10 Downing Street

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Political Cooperation



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10 DOWNING STREET

From the Private Secretary

9 May 1983

GENSCHER/COLOMBO PROPOSALS: MAJORITY VOTING

Thank you for your letter of 6 May.

The Prime Minister agrees that it would be acceptable for a text of the kind proposed in your letter to be embodied in a separate protocol provided that the protocol is published simultaneously with, and has the same status as, the main text of the Solemn Declaration. It would be clear from the text that the reference to the Luxembourg Compromise was endorsed by all Member States and was not just a unilateral statement of the UK position.

The Prime Minister further agrees that the Foreign and Commonwealth Secretary could make use of this proposal at the informal Foreign Ministers meeting on 14/15 May.

A. J. COLES

R. B. Bone, Esq.,
Foreign and Commonwealth Office.

NR

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Prime Minister

①

Agree to X, Y and Z

below?

A.F.C. $\frac{6}{5}$

Foreign and Commonwealth Office

London SW1A 2AH



6 May, 1983

Yes

John Smith

Genscher/Colombo Proposals: Majority Voting

You will recall that at the Anglo-German Summit on 22 April, the Prime Minister and the Secretary of State were pressed very hard by Kohl and Genscher to adopt a more flexible position on majority voting in the interests of securing early adoption of the final text of the Solemn Declaration. Genscher made clear that he would not accept any reference to the Luxembourg Compromise in the main body of the text and suggested that this might be covered in a separate protocol. Without giving any indication that we could change our position, the Prime Minister nevertheless agreed to reflect on the matter.

With the Prime Minister's approval, we subsequently sent a telegram to Community posts (FCO telno 218 of 29 April) asking them to explain and clarify our position to host governments and to report reactions. These were much as expected. The French, Danes, Greeks and Irish confirmed that the position remained broadly the same as ours. The Germans, Italians and Dutch made clear that they were opposed to a reference to the Luxembourg Compromise in the main body of the text. The Germans repeated their idea for a separate protocol, which would safeguard our position on the Luxembourg Compromise. We have consulted FCO Legal Advisers, who take the view that our position could be safeguarded if the protocol met the following conditions:

- X (i) it was published simultaneously with, and had the same status as, the main text of the Solemn Declaration;
- Y (ii) it contained a reference to the Luxembourg Compromise endorsed by all member states, and was not just a unilateral statement of the UK position.

Z We envisage a text along the following lines: 'The member governments note that paragraph 2.2.2 of the Solemn Declaration [which provides for increased majority voting where the Treaties so provide] does not affect their respective positions regarding the conclusions reached in Luxembourg on 28 January 1966'.



I should be grateful if you could let me know whether the Prime Minister is content with this approach. If she agrees, the Secretary of State could respond with this proposal at the informal Foreign Ministers meeting on 14/15 May, in response to any less acceptable ideas which the Germans or others might put forward.

Yours ever

A handwritten signature in cursive script, appearing to read 'R B Bone', with a horizontal line underneath the name.

(R B Bone)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street



6 MAY 1965

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OUT TELEGRAM

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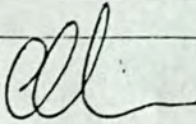
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AND TO IMMEDIATE ROME, BURSSELS, THE HAGUE, LUXEMBOURG, PARIS,
COPENHAGEN, DUBLIN, ATHENS
RFI IMMEDIATE UKREP BRUSSELS
GENSCHER/COLOMBO PROPOSALS: MAJORITY VOTING
1. At the Anglo-German Summit on 22 April, the Prime Minister
and the Secretary of State came under pressure from both Kohl and
Genscher to adopt a more flexible position on majority voting in
order to facilitate early adoption of the final text of the
Solemn Declaration on European Union. It seems clear from the
discussion, however, that Herr Genscher has misunderstood our
position regarding the text on majority voting. The text at
present on the table is that contained in the Presidency's
"Non-Paper" in which the sentence "recourse to voting should
become the normal practice where the Treaties so provide" is
followed by the sentence "this does not affect the respective
positions of Member States regarding the conclusions reached in
Luxembourg on 28 January 1966". This last sentence was put

28.4.83

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File number	Dept	Distribution
Drafted by (Block capitals) PRIVATE SECRETARY		
Telephone 2334641		
Authorised for despatch 		
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OUT TELEGRAM (CONT)

Classification and Caveats
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 2 forward by the UK, in a spirit of compromise, following earlier
 3 unsuccessful attempts to reach agreement on a text providing for
 4 increased majority voting but which explicitly committed all
 5 member states to respecting the Luxembourg Compromise. This
 6 was unacceptable to Germany, Italy and the Benelux countries.
 7 The text in the non-paper was based on a similar formula
 8 accepted by all Member States at the Paris Summit Conference of
 9 December 1974 and included in the communique. It was expressly
 10 (next word underlined) not our intention that any Member State
 11 would be required to change its position regarding the Luxembourg
 12 Compromise. In the discussions with the Prime Minister and the
 13 Secretary of State, however, Herr Genscher said that Germany
 14 and the older members of the Community would not agree to a
 15 formula which they had not accepted in Luxembourg and that
 16 it would be wrong to expect Germany or Belgium now to adopt a
 17 position which they had never previously taken up.
 18 2. It is clear that the Germans are going to try to settle
 19 this question at the informal foreign ministers' meeting on the
 20 14/15 May, or, if this fails, in the run up to the Stuttgart
 21 European Council on 6/7 June. Herr Genscher implied that our
 22 attitude would influence the German position on the UK budget
 23 problem. The Prime Minister made it clear we rejected any
 24 link of this sort. But she agreed to reflect on the matter. It
 25 is important that there should be no misunderstanding about the
 26 UK position.
 27 3. You should therefore take action now with Herr Genscher,
 28 making it clear that you are following up last week's Anglo-
 29 German discussions. You should say that in putting forward
 30 the sentence referring to the Luxembourg conclusions we were
 31 (next word underlined) not asking the Germans or anyone else
 32 to change their position on the Compromise. You should say
 33 that the Germans would presumably accept that certain
 34 conclusions regarding majority voting were reached at the

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OUT TELEGRAM (CONT)

Classification and Caveats
CONFIDENTIAL

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 2 meeting in Luxembourg on 28 January 1966 but that there has always
 3 been a difference of view about what these conclusions meant in
 4 practice. Germany, Italy and the Benelux countries took one
 5 view, France (and now the UK, Denmark, Ireland and Greece) took
 6 another. All that we are proposing is that this position (ie an
 7 "agreement to disagree" about majority voting where very
 8 important interests are involved) should continue and should
 9 not be affected by Genscher/Colombo. But we fully support the
 10 objective of increased majority voting where the treaties so
 11 provide in the interests of speedier decision-taking.
 12 4. You should make it clear that we are not wedded to the
 13 text in the "Non-Paper", if this is not acceptable to the
 14 Germans or other Member States. We are willing to consider any
 15 alternatives as long as the exhortation to increased majority
 16 voting is in some way balanced by language which safeguards the
 17 view that we and a number of other member states hold that
 18 discussion should continue and a vote not be taken where an
 19 important national interest is at stake. We are not clear about
 20 the German suggestion for putting the reference to the
 21 Luxembourg Compromise in a separate protocol, but would not
 22 favour it if it gave a lesser status than a reference in the
 23 main body of the text to majority voting. You should suggest
 24 that it might be helpful if the Germans could now reflect on
 25 this issue and circulate what they propose in a precise form.
 26 5. You should gently remind Genscher that, in the discussions
 27 up to now, France, Denmark, Ireland and Greece have all taken a
 28 similar position to the UK on this question and say that we have
 29 received no indication that any of them have changed their views.
 30 It is not appropriate therefore to present the problem as the
 31 UK holding out against something which is acceptable to all other
 32 Member States.
 33 6. Rome, Brussels, The Hague and Luxembourg should also take
 34 action at an appropriately senior level to ensure that host

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telegram

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Catchword

Governments

OUT TELEGRAM (CONT)

Classification and Caveats
CONFIDENTIAL

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 2 Governments realise that the text in the Non-Paper would not
 3 require any of them to change their position regarding the
 4 Luxembourg Compromise and that we fully support increased
 5 majority voting, where the Treaties so provide, in the interests
 6 of speedier decision-taking. They can explain our position on
 7 the lines of para 2 and 3 above.
 8 7. Paris, Copenhagen, Dublin and Athens should tell host
 9 Governments that we have come under considerable pressure from
 10 the Germans to adopt a more flexible position on majority voting
 11 and enquire whether they have been approached by the Germans.
 12 You should stress that our position remains that any exhortation
 13 to increased majority voting must be balanced by continued
 14 provision for safeguarding Member States' very important
 15 interests; that we continue to regard the text in the
 16 Presidency's "Non-Paper" as the best way of achieving this
 17 without seeking to prejudice the German/Italian/Benelux position
 18 on the Luxembourg Compromise; but that we are perfectly willing
 19 to consider alternatives provided they are balanced. You
 20 should enquire how those Member States which have up to now
 21 taken a similar position to ours intend to approach this
 22 question at the Gymnich meeting.
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CONFIDENTIAL



10 DOWNING STREET

From the Private Secretary

28 April 1983

Genscher/Colombo

Thank you for your letter of 27 April. The Prime Minister agrees with the view of the Foreign and Commonwealth Secretary that before the informal meeting of Foreign Ministers on 14/15 May a telegram on the lines of the draft enclosed with your letter should be despatched so that our views on this issue should be made plain to our partners in good time.

Brian Fall, Esq.,
Foreign and Commonwealth Office.

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Prime Minister

Foreign and Commonwealth Office

Agree that we should
take action with Genscher and
others on the lines of the attached
telegram?

London SW1A 2AH

27 April 1983

A.J.C. $\frac{22}{4}$

Yes m

Don John

As you know, during the discussion of Genscher/Colombo at the Anglo/German Summit, the Prime Minister and the Secretary of State were pressed to show flexibility on majority voting in the interests of early adoption of a final text of the 'Solemn Declaration'. It was implied that our attitude on this question would influence the German position on the UK Budget problem. While firmly rejecting such a link, the Prime Minister agreed to look again at this question.

It seems clear from the way Herr Genscher presented the issue, that he is either misunderstanding or misrepresenting our position. Mr Pym sees merit in setting the record straight before discussion resumes at the informal Foreign Ministers' meeting at Gymnich on 14/15 May, by sending a telegram to Bonn and other Community posts along the lines of the attached draft explaining that we support increased recourse to majority voting where the Treaties so provide, subject to continuing provision for safeguarding member states' very important interests; that we consider the text in the Presidency's non-paper the best way of doing this (emphasising that this would not require anyone to change their position on the Luxembourg Compromise), but that if this is not acceptable to the Germans or other member states, we are perfectly willing to consider alternatives, provided they are balanced. (The last point is intended to indicate to the Germans that we are responding to the Prime Minister's undertaking to Herr Kohl that she would look at the position.)

Manager

(B J P Fall)
Private Secretary

A J Coles Esq
10 Downing Street

File No.....

Department ECD(-I).....

Drafted by E C Hallett
(Block Capitals).....

Tel. Extn.....

OUTWARD

TELEGRAM

Security Classification CONFIDENTIAL
Precedence IMMEDIATE
DESKBYZ

FOR COMMS. DEPT. USE	Despatched (Date) (Time)Z	POSTBYZ
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PREAMBLE

(Time of Origin) Z (G.M.T.) (Restrictive Prefix).....

(Security Class.) (Caveat/ Privacy marking)

(Codeword) (Deskby)..... Z

TO IMMEDIATE BONN Tel. No. of
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REPEATED TO (for info) IMMEDIATE UKREP BRUSSELS

SAVING TO (for info)

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[TEXT]

GENSCHER/COLOMBO PROPOSALS: MAJORITY VOTING

At the Anglo-German Summit on 22 April, the Prime Minister and the Secretary of State came under pressure from both Kohl and Genscher to adopt a more flexible position on majority voting in order to facilitate early adoption of the final text of the Solemn Declaration on European Union. It seems clear from the discussion, however, that Herr Genscher has misunderstood our position regarding the text on majority voting. The text at present on the table is that contained in the Presidency's 'Non-Paper' in which the sentence 'recourse to voting should become the normal practice where the Treaties so provide' is followed by the sentence 'this does not affect the respective positions of Member States regarding the conclusions reached in Luxembourg on 28 January 1966'. This last sentence was put forward by the UK, in a spirit of compromise, following earlier unsuccessful attempts

/to

Copies to:-

to reach agreement on a text providing for increased majority voting but which explicitly committed all member states to respecting the Luxembourg Compromise. This was unacceptable to Germany, Italy and the Benelux countries. The text in the non-paper was based on a similar formula accepted by all Member States at the Paris Summit Conference of December 1974 and included in the communiqué. It was expressly not our intention that any Member State would be required to change its position regarding the Luxembourg Compromise. In the discussions with the Prime Minister and the Secretary of State, however, Herr Genscher said that Germany and the older members of the Community would not agree to a formula which they had not accepted in Luxembourg and that it would be wrong to expect Germany or Belgium now to adopt a position which they had never previously taken up.

2. It is clear that the Germans are going to try to settle this question at the informal foreign ministers meeting on the 14/15 May, or, if this fails, in the run up to the Stuttgart European Council on 6/7 June. Herr Genscher implied that our attitude would influence the German position on the UK budget problem. The Prime Minister made it clear we rejected any link of this sort. But she agreed to reflect on the matter. It is important that there should be no misunderstanding about the UK position.

3. You should therefore take action now with Herr Genscher, making it clear that you are following up last week's Anglo-German discussions. You should say that in putting forward the sentence referring to the Luxembourg conclusions we were not asking the Germans or anyone else to change their position on the Compromise. You should say that the Germans would presumably accept that certain conclusions regarding ~~the~~ majority

/voting

voting were reached at the meeting in Luxembourg on 28 January 1966 but that there has always been a difference of view about what these conclusions meant in practice. Germany, Italy and the Benelux countries took one view, France (and now the UK, Denmark, Ireland and Greece) took another. All that we are proposing is that this position (ie an 'agreement to disagree' about majority voting where very important interests are involved) should continue and should not be affected by Genscher/Colombo. But we fully support the objective of increased majority voting where the treaties so provide in the interests of speedier decision taking.

4. You should make it clear that we are not wedded to the text in the 'Non Paper', if this is not acceptable to the Germans or other Member States. We are willing to consider any alternatives as long as the exhortation to increased majority voting is in some way balanced by language which safeguards the view that we and a number of ^{other} member states hold that discussion should continue and a vote not be taken where an important national interest is at stake. We are not clear about the German suggestion for putting the reference to the Luxembourg Compromise in a separate protocol but would not favour it if it gave it a lesser status than a reference in the main body of the text to majority voting. You should suggest that it might be helpful if the Germans could now reflect on this issue and circulate what they propose in a precise form.

5. You should gently remind Genscher that, in the discussions up to now, France, Denmark, Ireland and Greece have all taken a similar position to the UK on this question and say that we have received no indication that any of them have changed their views. It is not appropriate therefore to present the problem as the UK holding out against something which is acceptable to all other Member States.

6. Rome, Brussels, The Hague and Luxembourg should also take action at an appropriately senior level to ensure that host Governments realise that the text in the non-paper would not require any of them to change their position regarding the Luxembourg Compromise and that we fully support increased majority voting, where the Treaties so provide, in the interests of speedier decision-taking. They

can explain our position on the lines of para 2 and 3 above.

7. Paris, Copenhagen, Dublin and Athens should tell host Governments that we have come under considerable pressure from the Germans to adopt a more flexible position on majority voting and enquire whether they have been approached by the Germans. You should stress that our position remains that any exhortation to increased majority voting must be balanced by continued provision for safeguarding Member States' very important interests; that we continue to regard the text in the Presidency's 'Non-Paper' as the best way of achieving this without seeking to prejudice the German/Italian/Benelux position on the Luxembourg Compromise; but that we are perfectly willing to consider alternatives provided they are balanced. You should enquire how those Member States which have up to now taken a similar position to ours intend to approach this question at the Gymnich meeting.

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CONFIDENTIAL

bc AP
E. P.



10 DOWNING STREET

From the Private Secretary

1 March 1983

Dear John,

GENSCHER/COLOMBO PROPOSALS

The Prime Minister has seen the minute of 28 February by the Foreign and Commonwealth Secretary in which Mr. Pym recommends that we should not object to signature, rather than adoption, of the Genschler/Colombo proposals.

As I told you on the telephone this morning, the Prime Minister accepts this recommendation. You undertook to convey this to Mr. Douglas Hurd in Brussels, together with my cautionary advice that the Prime Minister's decision was at this stage a technical rather than a substantive one, i.e. Mrs. Thatcher agrees to follow the procedure of signature rather than adoption, though at this stage, when the final text of the proposals is not available, she has not taken a definitive decision on whether or not to sign.

I am copying this letter to the Private Secretaries to other members of OD, and to Sir Robert Armstrong.

John
John

John Holmes, Esq.,
Foreign and Commonwealth Office.



PM/83/18

PRIME MINISTERGenscher/Colombo Proposals

1. Your Private Secretary's letter of 22 February asked whether the European Council could not simply adopt, rather than sign, the final text of the Genscher/Colombo proposals.
2. I should explain first of all that the question of signature does not alter the legal status of the document. It is agreed by all that it is not a legal instrument and signature would not change this.
3. When the question of signature was discussed at the ad hoc group meeting on 8 February, the Germans and Italians made clear that their Foreign Ministers attached great importance to signature by Heads of Government. Other delegations which spoke indicated that signature was not likely to cause difficulty to their Prime Ministers. The Danes, who have been the most negative member state all through this negotiation, said that if their Ministers decided to agree to the substance, which was not certain, they would not object to signature. I believe we might well find we were alone in resisting signature. The Ministerial meeting which will discuss this on 1 March is to be held in Bonn only a few days before the German election on 6 March. There may well be strong German press interest and a British statement that you were unwilling to sign a document which Dr Kohl has said is important would quickly become known and interpreted as a personal rebuff to him and to Genscher.

Prime Minister:

The Foreign Secretary argues that we should sign rather than adopt the proposals for Community and domestic reasons. Agree?

TJ Yes
28/2 mt



4. There is also a domestic point. The appearance of the document will doubtless prompt some discussion but I do not think we should have much trouble in demonstrating that it has little real content. If, on the other hand, we were to refuse to sign, we would in my judgement run the risk of appearing to attach more credibility to the document than it either warrants or deserves.

5. For all these reasons I believe it would be better for us in domestic as well as in Community terms not to object to signature.

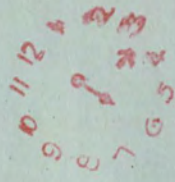
7. I am copying this minute to other members of OD and to Sir Robert Armstrong.

(FRANCIS PYM)

Foreign and Commonwealth Office
28 February 1983

Europe Pol,
May (61)
Political Cooperation
as discussed at Venlo.

28 FFA 1983



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10 DOWNING STREET

cc: LCO
HO
HMT
L.Pres.
MOD
LPS
DOT

FILE SW
CDL
CO

bcc:
Sir Anthony Parsons

From the Private Secretary

22 February, 1983

Genscher/Colombo Proposals

The Prime Minister has seen Nick Huxtable's letter of 21 February conveying the Lord President's advice on the question of whether the text of the Genscher/Colombo proposals should be laid before Parliament prior to signature at the European Council on 21/22 March.

Mrs. Thatcher notes the Lord President's advice that the document need not be laid before Parliament before the Council but she considers that, if this has not already been done, we should at least put a copy of the latest version of the proposals in the Library of the House.

As regards the meeting of EC Foreign Ministers on 1 March, the Prime Minister agrees with the recommendations of the Foreign and Commonwealth Secretary in his letter of 16 February as to the line which Mr. Douglas Hurd should take. That is to say, we should continue to insist on "declaration" as the title of the document; we should support the text on majority voting which allows Member States to maintain their existing positions on the Luxembourg compromise; and we should continue to oppose the provision for the European Parliament to hold a "confidence" debate on the programme drawn up for the new Commission, following its appointment.

As regards the question of signature of this document at the European Council, the Prime Minister has asked whether the Council could not simply adopt rather than sign it. I note that the final provision of the proposals refers to adoption as an alternative to signature. The Prime Minister finds the language of the proposals at a number of points a good deal less than ideal and believes that if the document does become the subject of debate in the House after adoption, there will be considerable opposition to it. I think she would therefore like Mr. Hurd to argue strongly at the meeting on 1 March that the procedure for endorsement should be one of adoption.

/ I am

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-2-

I am copying this to the Private Secretaries to the other members of OD and to Sir Robert Armstrong.

A. J. COLES

R. B. Bone, Esq.,
Foreign and Commonwealth Office

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PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

21 February 1983

Dear John

The Lord President has seen a copy of your letter of 17 February to Roger Bone in which you recorded the Prime Minister's request for advice on whether the text of the Genscher/Colombo proposals should be laid before Parliament before signature (if the Presidency's hopes are fulfilled) at the European Council on 21/22 March. *attached*

We have confirmed from the FCO Legal Advisers that these proposals for a Declaration on European Union do not constitute a Treaty. There is therefore no legal requirement for them to be laid before either House before signature. On the recommendation of the Scrutiny Committee, an earlier text of the proposals was debated on a take note motion on 17 June last year, at a time when there was still thought to be a chance that the proposals would be approved at the meeting of the European Council later that month. At the end of the debate, an Opposition amendment declining to approve the "proposals on European Union which would confer additional supra-national powers on the institutions of the EEC and further infringe the sovereignty of the United Kingdom and the powers of this House" was defeated by 290 votes to 185 and the Government motion was approved without a further division.

The Lord President understands that the latest text of the proposals is a materially watered down version of the document debated last June. He does not believe that the changes which have been made require the Government to provide time for a further debate. Nevertheless, the final text of the proposed Declaration on European Union will be of undoubted political significance and the position might therefore need to be looked at again if widespread support for a debate on the final text were to emerge. The Lord President assumes that the document which it is hoped will emerge from the European Council on 21/22 March will be sent to the Scrutiny Committee in the normal way and any views they may express would also have to be taken into account. But for the present he considers that the Government may properly rest on the fact that time has already been provided for a debate on the draft proposals as recommended by the Scrutiny Committee, and that there is no legal requirement for this document to be laid formally before Parliament before signature.

I am copying this letter to the recipients of yours.

yours ever
Nick Huxtable

N P M HUXTABLE
Private Secretary

John Coles Esq

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BRITISH COUNCIL OFFICE
WHITEHALL, LONDON, E.C. 4

ms. 11

21 FEB 1963

BRITISH COUNCIL
LONDON

BRITISH COUNCIL OFFICE
WHITEHALL, LONDON, E.C. 4

PRIME MINISTER

mt

GENSCHER/COLOMBO PROPOSALS

You asked whether these proposals should be laid before Parliament before the agreed text is signed at the European Council in Brussels on 21/22 March.

I attach the Lord President's advice. He considers that the Government can rest on the fact that there was a take-note debate on 17 June last year and that there is no legal requirement for the document to be laid formally before Parliament before signature. He adds that if when the signed document is sent to the Scrutiny Committee in the normal way ~~and~~ there is then widespread support for debate, the Government might have to consider this again.

In the light of this advice do you agree that:-

If it is laid before Parliament - there will be fresh opposition?

(a) The document need not be laid before Parliament before signature?

We ought at least to put a copy in the library.

(b) At the EC Foreign Ministers' Meeting on 1 March, Douglas Hurd should:

- (i) continue to insist that the document is called a "declaration" and not an "act"? *Yes*
- (ii) On majority voting, argue for a text which supports the existing Luxembourg compromise (see text at Flag A)? *Yes*
- (iii) Continue to oppose provision for the Parliament to hold a "confidence" debate on the programme drawn up by the new Commission following ~~this~~ ^{its} appointment? *Yes*

Do we have to sign it. Can we just adopt it. It is a draft document.

(c) Subject to a satisfactory outcome on 1 March on these points, we should sign the document at the European Council?

A. J. C.

21 February 1983



10 DOWNING STREET

From the Private Secretary

VS
bc Sir A. Parsons
c. CDL LCO
D/TRADE HO
LPSO
MOD
LPO
HMT

17 February 1983

Genscher/Colombo Proposals

The Prime Minister has seen the minute of 16 February by the Foreign and Commonwealth Secretary about the status of the Genscher/Colombo proposals and the likelihood that, if outstanding points are resolved, the agreed text will be put to the European Council on 21/22 March for formal approval and signature by Heads of State and Government.

The Prime Minister has asked whether the text ought to be laid before Parliament before signature. She would be grateful for the views of the Lord President as soon as possible on this question.

In the light of those views the Prime Minister will consider again the recommendations of the Foreign and Commonwealth Secretary as to the line which Mr. Hurd should take at the meeting of EC Foreign Ministers on 1 March.

I am copying this letter to the Private Secretaries to the other members of OD and to Sir Robert Armstrong.

A. J. COLES

R.B. Bone, Esq.,
Foreign and Commonwealth Office.

B

I think this ought ①



to be laid
before
Parliament

10 DOWNING STREET

before we

sign it.

Prime Minister

Ask the L.P. Mr

You may prefer to leave this till
the weekend.

2. I do not think it will do any
harm to sign this verbose
document and Kohl will be
upset if we make difficulties.

3. Agree:-

(a) that Mr. Hurd should, on 1
March, take the line in para. 4

(b) that provided our views are met
on the outstanding points you will
sign the document at the European
Council on 21/22 March?

I dislike it
intensely.

Mr A.S.C. 16.
2



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PM/83/16

PRIME MINISTER

Genscher/Colombo Proposals

1. Consideration of the Genscher/Colombo proposals is now in its final stages. The last meeting of the ad hoc group of officials which has been examining the text took place on 8 February. The German Presidency propose that the remaining outstanding points should be considered by Foreign Ministers on 1 March. I shall be in the United States accompanying The Queen on Her State Visit, and therefore unable to attend this meeting. Douglas Hurd will go in my place.
- / 2. We need to decide what line he should take. I attach a copy of the latest complete text of the proposals, circulated by the Presidency at the start of the ad hoc Group meeting on 8 February. The text has been annotated to take account of developments at that meeting. The German Presidency are likely to put the agreed text for formal approval and signature by Heads of State and Government at the European Council in Brussels on 21/22 March.
3. In the examination of the proposals, which were first presented by the German and Italian Foreign Ministers in November 1981, we have achieved our main objectives of ensuring that no Treaty amendment or increase in the powers of the Community Institutions as laid down in the Treaties would be involved. We have cut out a number of the more ambitious and unacceptable suggestions in the original proposals. The text as it now stands has little real substance. While it is not the sort of thing we should have put forward ourselves, it contains nothing which should cause us substantive difficulty in the House of Commons, which has already held a scrutiny debate on the proposals in June last year. The changes which have taken place in the text since then have made it even more anodyne. Nevertheless, the authors of the proposals still attach importance to them and the Germans, in particular, will be anxious to see the early adoption of a final text.



4. There are relatively few outstanding points which Ministers will have to consider on 1 March. I recommend that our line on these should be as follows:-

(i) The Title

The Germans and Italians gave their proposals the title 'Act'. While there is no dispute that these proposals are not designed to create legal obligations, we have resisted this title on the grounds that the term 'Act' has been used in the past to describe a document creating legal obligations, eg the Act of 1976 'concerning the Election of the Representatives of the Assembly by Direct Universal Suffrage'. It is also, of course, the term used in the UK to denote legislation. Its use in the present context could therefore give rise to ambiguity. Of the alternatives which have been suggested, we favour 'Declaration'. We are supported by France, Denmark, Greece and Ireland. The latest Presidency suggestion, on which Ministers will be asked to decide, is a two-line title 'European Act/Declaration on European Union'. I recommend that we should continue to insist on 'Declaration' alone.

(ii) Majority Voting (section 2.2.2)

This is the most sensitive of the outstanding points. You will recall from our discussion of this in OD in June last year that there were four alternative texts of the passage dealing with increased use of the Treaty provisions on majority voting and the safeguarding of important national interests (page 10 of the text). It has become clear from the discussions in the ad hoc group that there is no prospect of reaching agreement on any of these. While we do not oppose increased use of majority voting, we will not accept any weakening of a member state's ability to insist on unanimity when an important national interest is at stake; nor will the French, Danes or Greeks. The other member states will not accept any formalisation of the existing agreement to disagree. The only possibility, in my view, is a text which allows member states to maintain their existing positions regarding the Luxembourg Compromise. Such a text is now on the table:



Text
on Luxembourg
Compromise.

'The Presidency will bear particular responsibility for speedy decision-making procedures. Recourse to voting should become the normal practice where the Treaties so provide. This does not affect the respective positions of member states regarding the conclusions reached in Luxembourg on 28 January 1966'.

This text received a good deal of support in the ad hoc Group on 8 February and, while not yet agreed, will be submitted to Ministers as the basis for discussion. I think we should accept it provided there is no attempt to remove or amend the last sentence on the Luxembourg Compromise.

(iii) The European Parliament

As a result of further watering-down of this section of the proposals, the only point now in dispute is the provision for the Parliament to hold a 'confidence' debate on the programme drawn up by the new Commission following its appointment. France, Denmark, Greece, Ireland and Luxembourg are, like us, opposed to the use of this term, and I see no reason to change our position.

4. There remains the question of the formal adoption of the document. Assuming agreement can be reached by Ministers on 1 March on the outstanding points in dispute (and this is by no means certain since the Danes still have a large number of reserves), the Presidency will propose that Heads of Government should sign the document at the European Council on 21/22 March. I expect Kohl will attach a good deal of importance to this. I hope therefore that you would be prepared to sign the document at the European Council, if it has been agreed by then.

5. As I said in my minute of 13 January, I see this as a case where it would be worth while to swallow a certain amount of Continental rhetoric in order to reinforce our European

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credentials and thus improve the chances of securing our own European objectives.

6. I am copying this to other members of OD and to Sir Robert Armstrong.

A handwritten signature in dark ink, appearing to be 'F.P.', written in a cursive style.

(FRANCIS PYM)

Foreign and Commonwealth Office

16 February, 1983

CONFIDENTIAL

26 January 1983

DRAFT [EUROPEAN ACT
DECLARATION ON EUROPEAN UNION] ⁽¹⁾

P R É A M B L E

The Heads of State or Government of the Member States
of the European Communities, meeting within the European Council:

- resolved to continue the work begun on the basis of the Treaties of Paris and Rome and to create a united Europe, which is more than ever necessary in order to meet the dangers of the world situation, capable of assuming the responsibilities incumbent on it by virtue of its political role, its economic potential and its manifold links with other peoples;
- considering that the European idea, the results achieved in the fields of economic integration and political co-operation, and the need for new developments correspond to the wishes of the democratic peoples of Europe, for whom the European Parliament, elected by universal suffrage, is an indispensable means of expression;
- determined to work together to promote democracy on the basis of the fundamental rights recognized in the constitutions and laws of the Member States, in the European Convention for the Protection of Human Rights and the European Social Charter notably freedom, equality and social justice;

⁽¹⁾ Reservation by the United Kingdom
Provisional reservation by Belgium
(Pages 2 and 25 will have to be modified accordingly)

- convinced that, in order to resolve the serious economic problems facing the Member States, the Community must strengthen its cohesion, regain its dynamism and intensify its action in areas hitherto insufficiently explored;
- resolved to accord a high priority to the Community's social policy and in particular to the problem of employment, thus progressively developing the social policy of the European Community;
- convinced that, by speaking with a single voice in foreign policy, including political aspects of security, Europe can contribute to the preservation of peace;
- recalling their decisions taken in Paris on 21 October 1972 and 10 October 1974, the Document on the European Identity of 14 December 1973 and the statement made by the European Council in The Hague on 30 November 1976 concerning the progressive construction of European Union;
- determined to achieve a comprehensive and coherent common political approach and reaffirming their will to transform the whole complex of relations between their States into a European Union,

THE FOLLOWING:
HAVE ADOPTED THIS ~~ACT~~:

1. OBJECTIVES

- 1.1. The Heads of State or Government, on the basis of an awareness of a common destiny and the wish to affirm the European identity, confirm their commitment to progress towards an ever closer union among the peoples and Member States of the European Community.
- 1.2. The Heads of State or Government reaffirm the Declaration on Democracy adopted by the European Council on 8 April 1978 which stated that respect for and maintenance of representative democracy and human rights in each Member State are essential elements of membership of the European Communities.
- 1.3. In order to achieve ever increasing solidarity and joint action the construction of Europe must be more clearly oriented towards its general political objectives, more efficient decision-making procedures, greater coherence and close co-ordination between the different branches of activity, and the search for common policies in all areas of common interest, both within the Community and in relation to third countries.

1.4. Desiring to consolidate the progress already made towards European Union in both the economic and political fields, the Heads of State or Government reaffirm the following objectives:

1.4.1. to strengthen and continue the development of the Communities, which are the nucleus of European Union, by reinforcing existing policies and elaborating new policies within the framework of the Treaties of Paris and Rome;

1.4.2. to strengthen and develop European political co-operation through the elaboration and adoption of joint positions and joint action on the basis of intensified consultations in the area of foreign policy, including the co-ordination of the positions of Member States on the political aspects ^{of security,} ~~and certain economic aspects of security~~ so as to promote and facilitate the progressive development of ^{common European} ~~foreign policy~~ ^{policies} in a growing number of ^{fields.}¹

(2)

Reservation

by France and Denmark

1.4.3. to promote, to the extent that these activities cannot be carried out within the framework of the Treaties:

- closer co-operation on cultural matters, in order to affirm the awareness of a common cultural heritage as an element in the European identity;
- ? approximation of certain areas of the legislation of the Member States in order to facilitate relationships between their nationals;
- a common analysis and concerted action to deal with international problems of law and order, serious acts of violence, organized international crime and international lawlessness generally.

2. INSTITUTIONS

The Heads of State or Government emphasize the importance of greater coherence and close co-ordination between the existing structures of the European Communities and European political co-operation at all levels so that comprehensive and consistent action can be taken to achieve European Union.

Matters within the scope of the European Communities are governed by provisions and procedures laid down in or pursuant to the Treaties of Paris and Rome and in agreements supplementing them. In matters of political co-operation, procedures apply which were agreed on in the Luxembourg (1970), Copenhagen (1973) and London (1981) reports, and other procedures to be agreed on if necessary.

1. THE EUROPEAN COUNCIL

1.1. The European Council brings together the Heads of State or Government and the Ministers for Foreign Affairs of the Member States, as well as the President and a member of the Commission.

1.2. In the perspective of European Union, the European Council:

- provides a general political impetus to the construction of Europe;
- defines approaches to further the construction of Europe and issues general political guidelines for the European Communities and European political co-operation;

- deliberates upon matters concerning European Union in its different aspects with due regard to consistency among them;
- initiates co-operation in new areas of activity;
- solemnly expresses the common position in questions of external relations.

2.1.3. When the European Council acts in matters within the scope of the European Communities, it does so in its capacity as the Council within the meaning of the Treaties.

2.1.4. The European Council will address a report to the European Parliament after each of its meetings. This report will be presented at least once during each Presidency by the President of the European Council.

The European Council will also address a written annual report to the European Parliament on progress towards European Union.

In the debates to which these reports give rise the European Council will normally be represented by its President or one of its members.

2.2. THE COUNCIL AND ITS MEMBERS

- 2.2.1. The consistency and continuity of the work needed for the further construction of European Union as well as the preparation of meetings of the European Council are the responsibility of the Council (General Affairs) and its members.

With a view to bringing the institutional apparatus of the Community and that of political co-operation closer together, the Council deals with matters for which it is competent under the Treaties in accordance with the procedures laid down by the latter, and its members will deal also, in accordance with the appropriate procedures, with all other areas of European Union, particularly matters coming within the scope of political co-operation.

The Member States will arrange their representation as provided for in their respective constitutions.

2.2.2. The application of the decision-making procedures laid down in the Treaties of Paris and Rome is of vital importance in order to improve the European Communities' capacity to act.

Within the Council every possible means of facilitating the decision-making process will be used, including, in cases where unanimity is required, the possibility of abstaining from voting.

* either ⁽¹⁾ [The Presidency will have recourse to voting where the Treaties so provide, it being accepted that voting will be postponed if one or more Member States so request in order to defend a very important national interest.]

or ⁽²⁾ [The Presidency will have recourse to voting where the Treaties so provide, it being accepted that voting will be postponed if one or more Member States so request in order to defend an essential national interest directly related to the subject under discussion, which they confirm in writing.]

or ⁽³⁾ [The Presidency will have recourse to voting where the Treaties so provide, it being accepted that voting may be postponed exceptionally if one or more Member States so request in order to defend an essential national interest, giving reasons in writing. In such cases, the question is placed on the agenda for the next Council meeting, which then decides.]

or ⁽⁴⁾ [The Presidency will have recourse to voting where the Treaties so provide.]

-
- (1) Text preferred by three delegations.
(2) Text preferred by two delegations.
(3) Text preferred by three delegations.
(4) Text preferred by two delegations.

* It was agreed at the 8 February ad hoc Group meeting that the four texts in square brackets should not be further considered and that the text in paragraph 3(ii) of the Foreign and Commonwealth Secretary's minute should be submitted to Ministers as the basis for discussion.

2.2.3. To attain the objective of a Europe speaking with a single voice and acting in common in the field of foreign policy, the Member States will make a constant effort to increase the effectiveness of political co-operation and will seek, in particular, to facilitate the decision-making process, in order to reach common positions more rapidly.

They recently adopted new arrangements in the London report of 13 October 1981. In the light of experience they will continue in this direction, in particular by:

- strengthening the Presidency's powers of initiative, of co-ordination and of representation in relations with third countries;
- appropriately strengthening operational support for successive Presidencies, corresponding to the increasing tasks which they have to perform.

2.3. THE PARLIAMENT:

2.3.1. The European Parliament has an essential role to play in the development of European Union.

2.3.2. The European Parliament debates all matters relating to European Union, including European Political Co-operation. In matters relating to the European Communities, it deliberates in accordance with the provisions and procedures laid down in the Treaties establishing the European Communities and in agreements supplementing them.

2.3.3. In addition to the procedures of consultation provided for in the Treaties, the Council, its members and the Commission will, in keeping with their respective powers, respond to

- oral or written questions from Parliament,
- resolutions concerning matters of major importance and general concern, on which Parliament seeks their comments.

- 2.3.4. The Presidency will address the European Parliament at the beginning of its term of office and present its programme. It will report to the European Parliament at the end of its term on the progress achieved.

The Presidency keeps the European Parliament regularly informed through the Political Affairs Committee of the subjects of foreign policy examined in the context of European political co-operation.

Once a year the Presidency reports to the European Parliament in plenary session on progress in the field of political co-operation.

- 2.3.5. [Before the appointment of the President of the Commission the President of the Representatives of the Governments of the Member States seeks the Opinion of the enlarged Bureau of the European Parliament.] ⁽¹⁾

After the appointment of the members of the Commission by the Governments of the Member States a ~~[a]~~ ~~(investiture)~~⁽²⁾ (confidence)⁽³⁾ debate will be held on the Commission's programme.

⁽¹⁾ Reservation by Denmark.

~~⁽²⁾ Not acceptable to Denmark, France, United Kingdom, Ireland, Belgium, Luxembourg, the Netherlands, Greece.~~

⁽³⁾ Reservation by Denmark, Ireland, United Kingdom, France; acceptable to Germany, Greece, Italy and Luxembourg if a consensus can be reached on the compromise package.

2.3.6. ["The Council will enter into talks with the European Parliament and the Commission with the aim of improving the conciliation procedure provided for in the Joint Declaration of 4 March 1975 within the framework of a new agreement and of extending it on that basis"] (1)

2.3.7. [In addition to the consultations provided for in the Treaties with respect to certain international agreements, the European Parliament is [consulted](2) heard before

- the conclusion of other significant international agreements by the Community,
- the accession of a State to the European Community.

The existing procedures for providing the European Parliament with confidential and unofficial information on progress in negotiations will be extended, taking into account the requirements of urgency, to all significant international agreements concluded by the Communities.] (3)

(1) Reservation by Denmark, provisional reservation by France.

(2) Belgium, Germany, Italy, the Netherlands prefer "consulted" but would accept "heard" as part of the compromise package.

(3) Reservation by Denmark

4. THE COMMISSION

The Heads of State or Government underline the particular importance of the Commission as guardian of the Treaties of Paris and Rome and as a driving force in the process of European integration. They confirm the value of making more frequent use of the possibility of delegating powers to the Commission within the framework of the Treaties. In addition to the tasks and powers laid down in those Treaties, the Commission is fully associated with European political co-operation and, where appropriate, with other activities within the framework of European Union.

5. THE COURT OF JUSTICE

The Court of Justice of the European Communities has an essential role to play in progress towards European Union, by securing compliance with and development of Community law. Taking account of the respective constitutional provisions in their States, the Heads of State or Government agree to consider, on a case-by-case basis, the inclusion ^{as appropriate} in international conventions between Member States [~~provided for in the Treaty of Rome~~] ⁽¹⁾ of a clause conferring on the Court of Justice appropriate jurisdiction with regard to the interpretation of the texts.

⁽¹⁾ Addition requested by France.

SCOPE

3.1. European Communities

The Heads of State or Government emphasize, in order to give renewed impetus to the development of Community policies on a broad front, the importance of the following policies:

- 3.1.1. An overall economic strategy in the Community to combat unemployment and inflation and to promote convergence. Priority should be given to encouraging productive investment and raising competitiveness as a basis for creating durable jobs, bringing about sustained economic growth and reducing unemployment. In this context, effective action in the social field to alleviate unemployment should be taken at both the Community and the national levels;
- 3.1.2. Stronger economic disciplines and more effective co-ordination of the national economic policies, which are required for the achievement of the Community's overall objectives, in order to ensure that the main economic and sectoral objectives of the Member States are consistent with the maintenance and strengthening of the Community and with the object of consolidating the European Monetary System.

- 3.1.3. Strengthening of the European Monetary System, which is helping to consolidate an area of monetary stability in Europe and to create a more stable international economic environment, as a key element in progress towards Economic and Monetary Union and the creation of a European Monetary Fund.
- 3.1.4. Definition of Community instruments and mechanisms which will permit action geared to the situation and specific needs of the least prosperous Member States in an effort to tackle their structural problems and thereby to ensure the harmonious development of the Community.
- 3.1.5. Given the importance of the Community's external relations, strengthening of the common commercial policy and development of its external economic policy on the basis of common positions, the Community will, in this way, give effect to its special responsibility as the principal world trader and to its commitment to the open trading system.

In this context, improvement and co-ordination of national and Community development co-operation policies are needed in order to reflect more fully the needs of the developing countries and the interdependence between them and Europe, and so that Europe plays a stronger and more stimulating role in relations between the industrialized and developing countries.

- 3.1.6. Completion of the internal market in accordance with the Treaties, in particular the removal of the remaining obstacles to the free movement of goods, capital and services, as well as the further development of a common transport policy.
- 3.1.7. Continued development of the common agricultural policy in harmony with other policies, respecting its objectives as defined in the Treaty and the principles of unity of the market, Community preference and financial solidarity, and taking into account the need to ensure a fair standard of living for the agricultural community and the need to achieve a better market equilibrium in some sectors. The problems of less favoured agricultural regions, including Mediterranean areas, which are heavily dependent on rural occupations for employment, merit special attention.
- 3.1.8. The development of an industrial strategy at Community level in order to strengthen industry, make it competitive and create productive jobs in Europe, in particular by encouraging investment and innovation.

Efforts made by industry and Governments in the areas of energy and research will be complemented by co-ordination and appropriate actions at Community level.

- 3.1.9. Development of the regional and social policies of the Communities, which implies in particular the transfer of resources to less prosperous regions, so that all Community policies and instruments can play their full role and promote convergence and balanced development.

3.2.

FOREIGN POLICY

In order to cope with the increasing problems of international politics, the necessary reinforcement of European political co-operation must be ensured, in particular by the following measures:

- intensified consultations with a view to permitting timely joint action on all major foreign policy questions of interest to the Ten as a whole;
- prior consultation with the other Member States in advance of the adoption of final positions on these questions. The Heads of State or Government underline their undertaking that each Member State will take full account of the positions of its partners and give due weight to the adoption and implementation of common European positions when working out national positions and taking national action;
- development and extension of the practice by which the views of the Ten are defined and consolidated in the form of common positions which then constitute a central point of reference for Member States' policies;

- progressive development and definition of common principles and objectives as well as the identification of common interests in order to strengthen the possibilities of joint action in the field of foreign policy;
- co-ordination of positions of Member States on the political aspects of security ; *including economic security;*
- increased contacts with third countries in order to give the Ten greater-weight as an interlocutor in the foreign policy field;
- closer co-operation in diplomatic and administrative matters between the missions of the Ten in non-member countries;
- the search for common positions at major international conferences attended by one or more of the Ten and covering questions dealt with in political co-operation;
- increasing recognition of the contribution which the European Parliament makes to the development of a co-ordinated foreign policy of the Ten.

~~(1) Provisional reservation by several delegations~~

~~Alternative texts:~~

~~" - co-ordination of positions of Member States on the political aspects of security, including economic security"; (Denmark)~~

~~" - co-ordination of positions of Member States on the political aspects and certain economic aspects of security"; (original text)~~

3.

CULTURAL CO-OPERATION

With a view to complementing Community action and stressing that, as members of the Council of Europe, they maintain their firm support for and involvement in its cultural activities, the Heads of State or Government agree to promote, encourage or facilitate the following, taking account of respective constitutional provisions:

- development of the activities of the European Foundation and the European University Institute in Florence;
- closer co-operation between establishments of higher education including exchanges of teachers and students;
- intensified exchanges of experience, particularly among young people, and development of the teaching of the languages of the Member States of the Community;
- improving the level of knowledge about other Member States of the Community and of information on Europe's history and culture so as to promote a European awareness;
- examination of the advisability of undertaking joint action to protect, promote and safeguard the cultural heritage;
- examination of the possibility of promoting joint activities in the dissemination of culture, in particular as regards audio-visual methods;

- more extensive contacts between writers of the Member States and wider dissemination of their works both inside and outside the Community;

- closer co-ordination of cultural activities in third countries, within the framework of political co-operation.

3.4. APPROXIMATION OF LAWS

- 3.4.1. Approximation of laws in areas within the competence of the European Communities will be pursued and intensified through effective use of the measures provided for in the Treaties. In this context special attention should be given to further approximation in the field of the protection of industrial and commercial property, consumer protection and, whenever necessary, in the field of the law relating to companies.
- 3.4.2. With a view to complementing the approximation of laws within the European Communities, and having full regard, in particular, to the work of the Council of Europe, the Member States will endeavour to approximate their laws in other areas by having recourse to the appropriate instruments, including international conventions. A special effort will be made to implement or supplement without delay international conventions already negotiated between Member States in the Community framework, and notably those provided for by the Treaties.
- 3.4.3. Among new activities which can be conducive to the attainment of European Union, the following deserve special attention:
- the introduction of legal instruments which can strengthen co-operation among the judicial authorities of the Member States, notably in civil and commercial matters, and which can thereby make the administration of justice more efficient and less cumbersome;
 - [co-operation in the area of the suppression of infringements of Community law]; ⁽¹⁾
 - [co-operation in matters of criminal and procedural law.] ⁽²⁾*

⁽¹⁾ Reservation by Denmark.

⁽²⁾ Addition requested by France, Italy and Germany.

* Now replaced by:

- [identification of areas of criminal and procedural law in which cooperation between member states might be desirable especially in order to facilitate free movement of persons, services and capital between Member States]

4. FINAL PROVISIONS

4.1. The Heads of State or Government stress the link between membership of the European Communities and participation in the activities described in this text.

4.2. European Union is being achieved by deepening and broadening the scope of European activities so that they coherently cover, albeit on a variety of legal bases, a growing proportion of Member States' mutual relations and of their external relations.

4.3. Five years from its [signature] [adoption] ⁽¹⁾, the Heads of State or Government will subject the present provisions to a general review in order to take stock of the progress achieved towards European unification. In the light of this review they will decide whether the progress should be achieved should be incorporated in a Treaty on European Union.

(2)

The Opinion of the European Parliament will be sought on this subject.

(1) Still to be decided.

(2) General reservation by one delegation.

(3) Text supported by several delegations.

(4) Text supported by several delegations.

Good



Treasury Chambers, Parliament Street, SW1P 3AG

01-233 3000

20 November 1981

M O'D B Alexander Esq
Private Secretary
Prime Minister's Office
No.10 Downing Street
LONDON SW1

NBAA

Print - 2/11

Dear Michael,

POLITICAL CO-OPERATION : HERR GENSCHER'S IDEAS

The Chancellor of the Exchequer has seen your letter of 16 November 1981, conveying the Prime Minister's response to the Foreign and Commonwealth Secretary's minute about Herr Genschler's ideas on political co-operation. On the particular point put to him in the minute on the subsidiary document about economic integration, the Chancellor agrees that the draft wording is not harmful.

I am sending copies of this letter to the Private Secretaries to other members of OD, and to David Wright in the Cabinet Office.

*Yours ever,
John Kerr.*

J O KERR
Principal Private Secretary

CONFIDENTIAL



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10 DOWNING STREET

From the Private Secretary

16 November 1981

Political Co-operation: Herr Genscher's Ideas

The Prime Minister has seen the Foreign and Commonwealth Secretary's minute PM/81/52 (undated) to her on this subject.

The Prime Minister is prepared to go no further at this stage than welcoming the initiative. She is not prepared to appear to welcome the proposals themselves. She believes that the reaction among the Government supporters would be very negative and, indeed, that there would be a risk of "another split". She believes that the UK Parliament would react negatively to the emphasis on the European Parliament. In her view, we cannot "just ignore our own Parliament's views".

I am sending copies of this letter to the Private Secretaries to other members of OD and to David Wright (Cabinet Office).

M. O'D. B. ALEXANDER

Brian Fall, Esq.,
Foreign and Commonwealth Office.

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EL



PM/81/52
PRIME MINISTER

(I don't think we can just show our own Parliament - especially in view of the discussion should be given a general welcome & permitted for further study. There would seem to be obvious tactical advantage in doing so. Agree? See also - welcome letter dated 13/11)

Prime Minister.
You are not being asked to approve these ideas at this stage: merely to agree that they should be given a general welcome & permitted for further study. There would seem to be obvious tactical advantage in doing so. Agree?
See also - welcome letter dated 13/11

Political Cooperation: Herr Genscher's Ideas

initiative - but not the proposals themselves

In my minute of 6 May about European political cooperation, I mentioned Herr Genscher's ideas for giving a renewed political impetus to Europe.

These ideas have now been approved by the German Cabinet. They are likely to be circulated to the Ten soon; Genscher plans to explain them publicly in a major speech to the European Parliament on 19 November. The German intention seems to be that the European Council should then agree to remit their proposals for further study, possibly in a special ad hoc group.

//
/
As the Presidency, we have received in confidence an advance copy of the German proposals. There are two documents: a draft "European Act" and a draft statement on questions of economic integration. I attach both, together with a summary of the main points in the "European Act", which is rather long. The Italians, who have been closely involved with the Germans in recent weeks over the preparation of the proposals, are likely to endorse the proposal for the "European Act" as it stands, but may put forward an alternative draft on the economic aspects, or at least amplify it in Signor Colombo's covering letter.

The following are, I think, the main points about the European Act.

(a) The Germans

The F.S and I must discuss. This will respect all the old wounds in the Tory party and needs another split. We just can't do it. (initials)

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- a) The Germans have accepted the advice that we (and others) have been offering them, and have (at least for the time being) dropped the idea of a Treaty. The "European Act" could be agreed by the European Council, and would not require ratification by Parliament.
- b) As regards its substance, the draft is long-winded and Germanic. But the proposals include nothing strikingly new. They try to tie together a number of existing strands - the Community itself, the European Council, political cooperation and the Parliament. The emphasis on strengthening and developing political cooperation is welcome, that on Parliament less so. But the Germans are in fact not suggesting that the Parliament be given any new powers. The details of the proposals are likely to prove more indigestible to others than to us - the Irish for example, have problems over the discussion of security issues in political cooperation, (though there are things, such as the commitment to put a draft Treaty on European Union to the European Council within five years, which are likely to give us difficulty).
- c) A tactical point. Our overriding aim in Europe at the moment is a satisfactory outcome on the Community budget question. For this, we need German cooperation. We shall also find it easier to persuade our partners to make the substantial moves we need from them if we can provide them with evidence of simultaneous progress on the wider, vaguer and more theological issues addressed in the German proposals.

I therefore believe that we should, both at the European Council and in public, welcome the German proposals, in line with what I have been saying to Genscher in the last six months, and make clear both that we agree with their purpose and that we are ready to play a constructive part in discussion of their details. At the same time, I shall tell him privately that we

/appreciate

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We can't get away with this without reliance to Parliament.

??



appreciate his decision not to present us with a proposal for a new treaty.

Although Geoffrey Howe may have some comments on the draft statement on questions of economic integration, it seems to me to be relatively non-controversial. It picks up in general terms some of the main themes of discussion in the Mandate Group on the development of Community policies other than agriculture. The Italians will probably wish more emphasis to be placed on economic convergence. We would support them on this, but I do not think that the German text poses any major problems for the UK as it stands, and the reference to an improvement in the budgetary structure is helpful.

I am sending copies of this minute to the other members of OD and to Sir Robert Armstrong.

A handwritten signature in blue ink, consisting of a large, stylized 'C' with a horizontal line underneath it.

(CARRINGTON)

Foreign and Commonwealth Office



EUROPEAN UNION

SUMMARY OF THE OPERATIVE PROVISIONS OF THE DRAFT 'EUROPEAN ACT'

1. The draft Act formally establishes the merging of the structures for decision-making in the European Communities and Political Cooperation under the responsibility of the European Council, which is defined as the organ of political guidance for both.

Then - the U.K. Parliament will want the same prerogative.

2. The European Parliament's right to seek comments from Foreign Ministers on its resolutions is reaffirmed; the President of the European Parliament is to be consulted before the appointment of the President of the Commission. There is a vague formula for the extension of the conciliation procedure to particularly significant decisions (currently it applies only to decisions with significant financial implications). Parliament to be informed on a continuous basis of negotiations for accession or association of states with the Community.

do.

3. Councils of Ministers of Culture and Justice are established.

Why? - We rejected this when the Italians were with us.

4. No separate Council of Ministers is established for security matters but the draft Act provides that the Foreign Affairs Council may convene 'in a different composition' for detailed discussions on security matters. The draft stresses the importance of 'common action in matters of security'. *Please define 'security'!*

Am very much of course

5. The draft calls for greater use of voting in Community institutions and for written explanations by any Member State invoking the 'Luxembourg compromise' to avoid a vote.

This will be dynamic in our own Parliament

6. Provision is made for Foreign Ministers to submit to the European Council a draft Treaty on European Union five years after the signature of the Act, to incorporate in Treaty form the progress achieved.

Stand: 4. November 1981

Draft

EUROPEAN ACT

The Heads of State and Government of the ten member States of the European Communities, meeting within the European Council,

- resolved to continue the work begun with the Treaties of Paris and Rome and to create a united Europe capable of assuming its responsibilities in the world and of rendering the international contribution commensurate with its traditions and its mission,
- considering what has been achieved in the construction of Europe in the spheres of economic integration and political co-operation, as well as the political objectives of the Community, which enjoy the broad support of the democratic forces in Europe,
- convinced that the unification of Europe in freedom and respect for its diversity will enable it to make progress and develop its culture and thus contribute to the maintenance of equilibrium in the world and to the preservation of peace,
- proceeding from the foundation of respect for basic rights as expressed in the laws of the Community and its member States as well as in the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- determined to work together for democracy, the human and basic rights and notably for the dignity, freedom and equality of man, as well as for social justice,

- aware of the international responsibility devolving upon Europe by virtue of its level of civilization, its economic strength, and its manifold links with the States and nations of other continents,
- convinced that the security of Europe must also be guaranteed by joint action in the field of security policy which at the same time helps to maintain the common security of the partners in the Atlantic Alliance,
- in accord with the decisions taken by the Heads of State and Government of the member States of the European Communities in Paris on 21 October 1972 and the Document on the European Identity published by the Foreign Ministers on 14 December 1973,
- mindful of the statement made by the European Council in The Hague on 29/30 November 1976 concerning the progressive construction of European Union, and in particular the goal, set by the Heads of State and Government, of establishing a comprehensive and coherent common political approach,

reaffirm their political will to develop the whole complex of the relations of their States and create a EUROPEAN UNION. To this end they have formulated the following principles of a EUROPEAN ACT as a further contribution to the establishment of the EUROPEAN UNION:

Part One: Principles

1. Our peoples expect the process of European unification to continue and to bring increasing solidarity and joint action. To this end the construction of a united Europe needs a firmer orientation to its political objective, more effective decision-making structures, as well as a comprehensive political and legal framework capable of development. The EUROPEAN UNION to be created step by step will be an ever closer union of the European people and States based on genuine, effective solidarity and common interests, and on the equality of the rights and obligations of its members.

2. Desiring to consolidate the political and economic progress already achieved towards the EUROPEAN UNION, the Heads of State and Government endorse the following aims:

- to strengthen and further develop the European Communities as the foundation of European unification, in accordance with the Treaties of Paris and Rome,
- to enable member States, through a common foreign policy, to assume joint positions and take joint action in world affairs so that Europe will be increasingly able to assume the international rôle devolving upon it by virtue of its economic and political importance,
- the co-ordination of security policy and the adoption of common European positions in this sphere in order to safeguard Europe's independence, protect its vital interests and strengthen its security,
- close cultural co-operation among the member States, in order to promote an awareness of common cultural origins as a facet of the European identity, while at the same time drawing on the existing variety of individual traditions and intensifying the mutual exchange of experiences, particularly among young people,
- the harmonization and standardization of further areas of the legislation of the member States in order to strengthen the common European legal consciousness and create a legal union,
- the strengthening and expansion of joint activities by the member States to cope, through co-ordinated action, with the international problems of the public order, major acts of violence, terrorism and transnational criminality in general.

3. The European Communities, which continue to be based on the Treaties of Paris and Rome, European Political Co-operation, the rules and procedures of which are governed by the Reports of Luxembourg (1970), Copenhagen (1973), and London (1981), and the European Parliament shall co-operate in the pursuit of the above aims.

4. The following shall serve in particular to further the development of European Political Co-operation:
 - intensified regular and timely consultations among the Ten with a view to united action on all international questions of common interest,

 - the adoption of final positions only after consultation with the other member States,

 - acceptance of statements by the Ten as a binding common basis,

 - strengthened worldwide contacts with third countries of particular interest to the Ten,

 - increased consideration of resolutions of the European Parliament in reaching decisions by the Ten.

Part Two: Institutions

The following measures shall serve to amalgamate the existing structures of the European Communities (EC), European Political Co-operation (EPC) and the European Parliament and to strengthen the political orientation of the work of European unification:

1. The structures for decision-making in the European Communities and European Political Co-operation shall be merged under the responsibility of the European Council. The European Council is

the organ of political guidance of the European Community and of European Political Co-operation. It is composed of the Heads of State and Government and the Foreign Ministers of the member States.

2. The European Council shall deliberate upon all matters concerning the European Community and European Political Co-operation. Its meetings shall be prepared on the special responsibility of the Foreign Ministers. The European Council may take decisions and lay down guidelines.

Matters concerning the European Communities shall continue to be governed by the provisions and procedures laid down in the Treaties of Paris and Rome and the supplementary agreements thereto.

3. The Heads of State and Government reaffirm that central importance attaches to the European Parliament in the development of the European Union, an importance which must be reflected in its participatory rights and control functions. They therefore envisage the following improvements for the Community within the scope of the Treaties of Paris and Rome:

- (1) The European Parliament shall debate all matters relating to the European Community and European Political Co-operation.
- (2) The European Council shall report at half-yearly intervals to the Parliament. It shall further submit an annual report to the Parliament on the progress towards the EUROPEAN UNION. In the debate on these reports the European Council shall be represented by its President (by one of its members).
- (3) The European Parliament may submit oral or written questions concerning all aspects of European Union to the Councils of Ministers and the Commission. It may make

recommendations to the European Council, the Councils of Ministers, and the Commission. The resolutions of the European Parliament shall be forwarded to the Council of Foreign Ministers for discussion by it. If the Parliament asks for the Council's comments in this respect, the Council shall comply with the request. The President of the Council shall keep the European Parliament informed through the latter's Political Committee of the subjects of international policy dealt with in the scope of European Political Co-operation.

- (4) Before the appointment of the President of the Commission, the President of the Council shall consult the President of the European Parliament. After the appointment of the members of the Commission by the Governments of the member States, an investiture debate should be held in which the Parliament shall discuss the programme of the Commission.
- (5) The Parliament is associated with legal acts of the Community, which are of general importance and have significant financial implications, on the basis of the joint declaration of 4 March 1975 of the European Parliament, the Council and the Commission on the conciliation procedure. The conciliation procedure shall be applied *mutatis mutandis* in a way suited to practical requirements in normative decisions by the Councils of Ministers pursuant to the Treaties of Paris and Rome if in its comments the Parliament requests the initiation of the conciliation procedure because of the particular significance of such decisions.
- (6) Before the accession or association of further States and before the conclusion of international treaties by the European Communities the European Parliament shall be heard;

its appropriate committees shall be informed on a continuous basis. In formulating the expanded hearing procedure, due regard shall be given to the requirements of confidentiality and urgency.

- (7) In the further development of basic and human rights, special legitimacy attaches to the deliberations and decisions of the European Parliament.
 - (8) Continuous reciprocal contacts and consultations between the European Parliament and the national Parliaments should be developed further, with the latter defining the relevant procedures, with a view to enhancing public awareness of European unification and making the debates on aspects of European Union more fruitful.
4. (1) The Council of Foreign Ministers shall be responsible for European Political Co-operation.

This shall not affect the powers of the Council of the European Communities pursuant to the Treaties of Paris and Rome.

The co-ordination in matters of security should promote common action with a view to safeguarding the independence of Europe, protecting its vital interests and strengthening its security. For these discussions the Council may convene in a different composition if there is a need to deal with matters of common interest in more detail.

- (2) In addition, a Council of Ministers responsible for cultural co-operation and a Council of Ministers of Justice shall be established.
- (3) The European Council may decide on the establishment of further Councils of Ministers to co-ordinate the policy of the member States in areas not covered by the Treaties of Paris and Rome.

- (4) The Council of Foreign Ministers may appoint committees to deal with specific questions; they shall report to the Council. Both the Council and the committees may avail themselves of the services of experts.
 - (5) The role of the Presidency in European Political Co-operation will be strengthened by both expanding its powers as regards initiatives and co-ordination and enhancing its operative capabilities.
5. The Council of Ministers responsible for cultural co-operation shall hold regular exchanges of views on close co-operation in the cultural sphere in order to harmonize their positions on cultural matters as far as possible. For these deliberations the member States may be represented by their respective competent Ministers in accordance with constitutional provisions.
6. The Council of Ministers of Justice shall hold regular exchanges of views on aspects of co-operation in matters of legal policy in order to promote the EUROPEAN UNION in this sphere too.
7. The European Council and the Councils of Ministers shall, where matters pertaining to the European Communities are concerned, be assisted by the Secretariat of the Council and, in the fields of foreign policy, security policy and cultural co-operation, by an expandable Secretariat of European Political Co-operation.
8. (1) In view of the need to improve the decision-making processes and hence the European Communities' capacity for action, decisive importance attaches to the voting proce-

dures provided in the Treaties of Paris and Rome. The member States will utilize every opportunity to facilitate decision-making.

- (2) To this end greater use should be made of the possibility of abstaining from voting so as not to obstruct decisions. A member State which considers it necessary to prevent a decision by invoking its "vital interests" in exceptional circumstances will be required to state in writing its specific reasons for doing so.
 - (3) The Council will take note of the stated reasons and defer its decision until its next meeting. If on that occasion the member State concerned once more invokes its "vital interests" by the same procedure a decision will again not be taken.
 - (4) Within the scope of European Political Co-operation as well, the member States shall utilize every opportunity to facilitate decision-making, in order to arrive more quickly at a common position.
9. The Heads of State and Government stress the particular importance attaching to the COMMISSION as guardian of the Treaties of Paris and Rome and as a driving force in the process of European integration. In addition to its tasks and powers under the Treaties of Paris and Rome, the Commission advises and supports the European Council, whose meetings it attends, with proposals and comments. It is to be associated closely with European Political Co-operation.
 10. The COURT OF JUSTICE of the European Communities has an important role to play in the process leading to the EUROPEAN UNION. In ensuring the observance and further development of Community law, it acts in accordance with the Treaties of Paris and Rome. It should be granted appropriate powers of interpretation and possibly of arbitration under international treaties concluded between member States.

The Kingdom of Denmark:

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Prime Minister

The Federal Republic of Germany:

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Federal Chancellor

The Hellenic Republic:

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Prime Minister

The French Republic:

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President of the Republic

The Irish Republic:

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Prime Minister

The Italian Republic:

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President of the Council of Ministers

The Grand Duchy of Luxembourg:

.....

Prime Minister

The Kingdom of the Netherlands:

.....

Prime Minister

The United Kingdom of Great Britain
and Northern Ireland:

.....

Prime Minister

Draft statement on questions of economic integration

1. The achievement of the European Union requires further progress as regards the economic integration of Europe. Therefore the Heads of State and Government reaffirm in the European Act the primary goal of strengthening and developing the European Communities in accordance with the Treaties of Paris and Rome.
2. The solution of the problems currently being dealt with in the European Communities is essential if the solidarity of the Community is to be strengthened.
3. This implies, in the interest of all member States and the standard of living of their citizens, a functioning internal market, an adjustment of the common agricultural policy and an improvement in the budgetary structure. The Common Market must not only be maintained but brought to completion.
4. The European Monetary System, which has led to the creation of a major zone of monetary stability, is a positive element. Beyond the monetary stability guaranteed by the EMS, the member States should strive to achieve an increasing convergence of their economies. In the perspective of Economic and Monetary Union which, as a part of the European Union, is to consolidate the economic and financial solidarity of the Community, they should aim at a closer coordination of their economic policies, not least in view of the further development of the EMS.

The member States should examine how, within the framework of the means available, Community policies suitable for achieving the goal of integration might be developed.

5. The accession of Spain and Portugal to the European Community should become reality in the interest of consolidating democracy in Europe, expanding the European economic area and strengthening Europe's position in the world.

6. A European Community completed and strengthened in this way will be in a position to utilize the potential of the European economic area, increase its competitiveness, improve possibilities for investments and thus reduce the level of unemployment.

13 NOV 1981

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bcc Hugh Colver HL

Enold

30 October 1981

White Paper: Report on European Political Co-operation

Thank you for your letter of 29 October about the publication of this White Paper. We have no objection to what is proposed.

MICHAEL PATTISON

B.E. Bowley, Esq.,
Foreign and Commonwealth Office.

ds



Foreign and Commonwealth Office

London SW1A 2AH

29 October 1981

M Pattison Esq
10 Downing Street
London
SW1

~~MODBA~~
Agree? Yes
Paul

MAP 29/10

Dear Mr Pattison,

WHITE PAPER: REPORT ON EUROPEAN POLITICAL CO-OPERATION

We propose to publish as a White Paper on 20 November 1981, the Report on European Political Co-operation approved by the Foreign Ministers of the ten member States of the European Communities at their meeting on 13 October 1981. I should be grateful if you, and those to whom I am copying this letter, would confirm that there is no objection to publication.

Yours sincerely,
Brian Bowley

B E Bowley
Parliamentary Clerk

cc: D C R Heyhoe Esq
Office of the Lord President of the
Council and Leader of the House
70 Whitehall
SW1

P Moore Esq
Chief Whip's Office
12 Downing Street
SW1

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Euro *Mr Alexander (or)*
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pm is aware. *we*
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FROM FCO 151000Z OCT 81

TO ROUTINE CERTAIN POSTS AND MISSIONS
TELEGRAM NUMBER GUIDANCE 142 OF 15 OCTOBER 1981
AND SAVING TO (FOR INFO) EC POSTS, UKREP BRUSSELS
IMPROVEMENTS IN POLITICAL COOPERATION

1. THE FOREIGN MINISTERS OF THE TEN MEETING ON 13 OCTOBER IN LONDON AGREED A NEW REPORT ON POLITICAL COOPERATION. FULL TEXT FOLLOWS BY BAG.
2. THIS REPORT HAS ALREADY BEEN MADE PUBLIC AND MAY IN DUE COURSE BE ISSUED AS A WHITE PAPER. IT IS A SUCCESSOR TO THE LUXEMBOURG REPORT OF JULY 1970 AND THE COPENHAGEN REPORT OF 1972, WHICH ARE THE BASIC TEXTS FOR POLITICAL COOPERATION AND WHICH SET UP ITS MACHINERY. THIS NEW 'LONDON REPORT' IN EFFECT BLESSES CERTAIN PRACTICES WHICH HAVE GROWN UP SINCE THE COPENHAGEN REPORT, ADDS SOME IMPROVEMENTS OF SUBSTANCE, AND OPENS UP POSSIBILITIES FOR THE FUTURE.
3. IN DISCUSSION YOU MAY DRAW FREELY ON ALL OF THE FOLLOWING. THE REPORT'S IMPORTANT INNOVATIONS ARE:
 - (A) PARAGRAPH 7 OF PART I, WHICH STRENGTHENS AND MAKES MORE PRECISE THE COMMITMENT OF THE TEN TO CONSULT PARTNERS AND TO SEEK A COMMON LINE ON FOREIGN POLICY QUESTIONS.
 - (B) PARAGRAPH 6 OF PART I, WHICH IS THE FIRST TEXT AGREED BY THE TEN EXPLICITLY PERMITTING THEM TO CONSULT ON THE POLITICAL ASPECTS OF SECURITY (ALTHOUGH IN PRACTICE THEY ALREADY DO SO, EG AT THE CSCE REVIEW CONFERENCE IN MADRID).
 - (C) PARAGRAPH 10 OF PART II, WHICH CREATES A SMALL SUPPORT STAFF, BY MEANS OF SYSTEMATIC SECONDMENTS FROM PRECEDING AND SUCCEEDING PRESIDENCIES, TO HELP THE PRESIDENCY CARRY OUT ITS POLITICAL COOPERATION RESPONSIBILITIES.
 - (D) PARAGRAPH 12 OF PART II, WHICH SAYS THAT HENCEFORTH THE COMMISSION WILL BE FULLY ASSOCIATED WITH POLITICAL COOPERATION. IN PRACTICE THIS MEANS THAT IN FUTURE THE COMMISSION WILL AS OF RIGHT ATTEND ALL MEETINGS OF WORKING GROUPS (WITH ONE POSSIBLE EXCEPTION, THE PROPOSED NEW WORKING GROUP ON NON-PROLIFERATION), THE POLITICAL COMMITTEE AND FOREIGN MINISTERS, AS WELL AS THE EUROPEAN COUNCIL. ARRANGEMENTS ARE BEING WORKED OUT FOR FULLY ASSOCIATING THEM ALSO WITH POLITICAL COOPERATION IN THIRD COUNTRIES (SEE ALSO PARA 7 BELOW).
 - (E) PARAGRAPH 13 OF PART II, WHICH SETS UP A PROCEDURE WHEREBY IN THE CASE OF AN INTERNATIONAL CRISIS A MEETING OF THE POLITICAL COMMITTEE OR, IF NECESSARY, OF MINISTERS OF THE TEN, CAN BE CONVENED WITHIN 48 HOURS AT THE REQUEST OF THREE MEMBER STATES.

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/ 4. ITEMS (A),

4. ITEMS (A), (C) AND (E) ABOVE OF THIS LIST WERE THE THREE MAIN SUGGESTIONS IN MY SPEECH IN HAMBURG IN NOVEMBER 1980.

5. ANOTHER IMPORTANT FEATURE OF THE REPORT IS ITS EMPHASIS ON THE IMPORTANCE OF THE TEN'S RELATIONS WITH THIRD COUNTRIES AND ON THE ROLE OF THE PRESIDENCY IN CONDUCTING SUCH RELATIONS. THIS IS A STEP FORWARD FROM THE 1974 'GYMNICH' FORMULA WHEREBY THE PRESIDENCY COULD ONLY, IN THEORY, HAVE SUCH CONTACTS IF ALL MEMBER STATES AGREED. (IN PRACTICE, RECENT PRESIDENCIES HAVE ACTED IN THE WAY NOW FORMALLY SANCTIONED BY THE LONDON REPORT.)

6. AS PRESIDENCY, YOU SHOULD ALSO DRAW THE ATTENTION OF THE OTHER MISSIONS OF THE TEN TO SECTION 8 OF PART II OF THE REPORT, WHICH DEALS WITH THE PROCEDURE FOR POLITICAL COOPERATION IN THIRD COUNTRIES. THE FULL TEXT IS AS FOLLOWS:

BEGINS:

IN VIEW OF THE INCREASING ACTIVITIES OF THE TEN IN THIRD COUNTRIES IT IS IMPORTANT THAT THE HEADS OF MISSION OF THE TEN MAINTAIN THE PRACTICE OF MEETING REGULARLY IN ORDER TO EXCHANGE INFORMATION AND COORDINATE VIEWS. IN CONSIDERING THEIR RESPONSE TO SIGNIFICANT DEVELOPMENTS IN THE COUNTRY TO WHICH THEY ARE ACCREDITED THEIR FIRST INSTINCT SHOULD BE TO COORDINATE WITH THEIR COLLEAGUES OF THE TEN.

THE PARTICIPATION OF THE HEAD OF MISSION AT POLITICAL COOPERATION MEETINGS SHOULD REMAIN THE RULE. WHEN THIS IS IMPOSSIBLE HE MAY BE REPRESENTED BY A MEMBER OF HIS MISSION.

THE POLITICAL COMMITTEE WELCOMES JOINT REPORTS FROM HEADS OF MISSIONS OF THE TEN. THESE MAY BE PREPARED IN RESPONSE TO A REQUEST FROM THE POLITICAL COMMITTEE, OR, EXCEPTIONALLY, ON THE HEADS OF MISSIONS' OWN INITIATIVE, WHEN THE SITUATION REQUIRES IT. RECOMMENDATIONS FOR JOINT ACTION ARE PARTICULARLY VALUABLE.

WHERE REPORTS ARE MADE ON THE HEADS OF MISSIONS' OWN INITIATIVE, IT IS FOR THEM TO DECIDE WHETHER TO DRAFT A JOINT REPORT, OR TO REPORT SEPARATELY ON THE BASIS OF THEIR JOINT DISCUSSIONS. AN EQUALLY ACCEPTABLE ALTERNATIVE IS FOR THE PRESIDENCY TO DRAFT AN ORAL REPORT ON ITS OWN AUTHORITY REFLECTING THE VIEWS EXPRESSED.

ENDS

7. MISSIONS IN POSTS WHERE THE COMMISSION IS REPRESENTED SHOULD NOT SEEK TO CHANGE CURRENT LOCAL PRACTICE WITH REGARD TO COMMISSION PARTICIPATION IN POLITICAL COOPERATION UNTIL THE ARRANGEMENTS REFERRED TO IN PARA 3(D) ABOVE HAVE BEEN WORKED OUT AND AGREED BY THE TEN, THOUGH OF COURSE IN CASES WHERE THE FRENCH, IN PARTICULAR, ARE ALREADY DROPPING PREVIOUS OBJECTIONS FOR COMMISSION PARTICIPATION, EG AMMAN, YOU SHOULD NOT IMPEDE THIS PROCESS. (MY TELEGRAMS 156 AND 165 TO UKMIS GENEVA, NOT TO ALL, REFER.) APART FROM THIS DETAIL, THE NEW REPORT SHOULD BE REGARDED AS BEING IN EFFECT AS FROM 13 OCTOBER. IN PRACTICAL

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TERMS THIS IS UNLIKELY TO MEAN SIGNIFICANT CHANGES IN THE WAY IN WHICH POLITICAL COOPERATION IS CARRIED ON IN YOUR CAPITALS.

8. THE REPORT IS LIKELY TO BE BROUGHT TO THE ATTENTION OF THE 26/27 NOVEMBER EUROPEAN COUNCIL BY THE PRESIDENCY. BUT IT DOES NOT REQUIRE THE APPROVAL OF THE EUROPEAN COUNCIL.

CARRINGTON

BY TELEGRAPH:

ANKARA	LIMA	TUNIS	COLOMBO
LISBON	MONTEVIDEO	ABIDJAN	KUALA LUMPUR
OSLO	SANTIAGO	ADDIS ABABA	SINGAPORE
BELGRADE	LA PAZ	DAKAR	BANDAR SERI BEGAWAN
BERNE	PANAMA	KINSHASA	ACCRA
GENEVA (UKMIS)	QUITO	MOGADISHU	BANJUL
HELSINKI	SAN JOSE	YAOUNDE	FREETOWN
MADRID	ADEN	CAPE TOWN	LAGOS
STOCKHOLM	AMMAN	PRETORIA	DAR-ES-SALAAM
VIENNA	BAGHDAD	MAPUTO	NAIROBI
BUCHAREST	BAHRAIN	LUANDA	SALISBURY
BUDAPEST	DOHA	BANGKOK	LUSAKA
MOSCOW	DUBAI	JAKARTA	KAMPALA
PRAGUE	ABU DHABI	ISLAMABAD	LILONGWE
SOFIA	MUSCAT	KABUL	GABORONE
WARSAW	BEIRUT	KATHMANDU	MASERU
EAST BERLIN	JEDDA	MANILA	PORT LOUIS
NEW YORK (UKMIS)	KUWAIT	PEKING	MBABANE
NEW YORK (BIS)	TEHRAN	RANGOON	VALLETTA
WASHINGTON	TEL AVIV	HANOI	NICOSIA
BUENOS AIRES	JERUSALEM	SEOUL	KINGSTON
CARACAS	DAMASCUS	TOKYO	PORT OF SPAIN
MEXICO CITY	ALGIERS	OTTAWA	GEORGETOWN
BRASILIA	CAIRO	CANBERRA	BRIDGETOWN
RIO DE JANEIRO	KHARTOUM	WELLINGTON	NASSAU
BOGOTA	RABAT	NEW DELHI	SUVA
HAVANA	TRIPOLI	DACCA	

AND SAVING TO CERTAIN OTHER POSTS

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GUIDANCE



PM/81/45

PRIME MINISTER

Prime Minister

*This report has been agreed by
Foreign Ministers and will be
published today or tomorrow. Lord
Carrington considers that all our
NATO's concerns are taken care of
(see paragraph 3 below).*

ms

Political Cooperation

WKS
13/10

1. In my minute of 6 May I drew attention to the advantages of strengthening European cooperation on foreign policy questions and to the discussions on this subject among the Ten. These have now reached the point where Foreign Ministers are likely to approve a new Report on Political Cooperation at our meeting in London on 13 October. Depending on the feeling at that meeting, the agreed document would be either published at once on the authority of the Ten Foreign Ministers, or presented to the European Council in November; in the latter case there would be no need for Heads of Government to discuss the contents.

/ 2. I attach a copy of the current draft. I am afraid that, like most European documents, it is rather wordy. It does, however, contain agreement on some useful improvements. In particular, we have secured progress on all three of the ideas in my speech in Hamburg on 17 November last year:

- (a) An improved emergency procedure, to avoid repetition of the disarray which followed the invasion of Afghanistan;
- (b) A stronger commitment to Political Cooperation, to remind the Ten - particularly the French - of their undertaking to consult partners on important international issues, without however impairing the principles of consensus and continued national sovereignty in foreign affairs. (The wording of this passage remains finally to be agreed).
- (c) Support for the Presidency, by means of a slight intensification of the system of secondments

/between



between Presidencies, but with no new institution
or international bureaucracy.

3. I believe that this paper meets the objectives I set out in my earlier minute and that the outcome does not conflict with the points made by John Nott in his minute of 28 May. The reference to 'security' does no more than instruct officials to maintain existing practice.

4. I would expect that this document (which I hope will become known as the 'London Report') will take its place as one of the basic texts on Political Cooperation, alongside the Luxembourg and Copenhagen Reports. I believe that the process of negotiating it, with Britain taking the lead throughout, has been good for our standing with our European partners as well as achieving progress in one of the areas where Europe is most effective.

5. On a related subject, you will have seen that Herr Genscher's proposals on 'European Union' were approved as German Government policy by a Cabinet meeting in Bonn on 18 September. I am glad to say that Herr Genscher has eventually taken the point which I have emphasised to him personally on more than one occasion, that a proposal for a new treaty would not be welcome. The German Government is now instead aiming at a solemn 'declaration'. The precise content of their proposal is, however, still not clear, though its basic theme is well known and welcome to us - that Europe must be seen to be about more than mutton or fish. It seems increasingly unlikely that the Germans will press for any decision at the European Council in November beyond perhaps agreement that Foreign Ministers should examine German ideas (with which the Italians are now likely to be associated) and report to a subsequent European Council.

6. I am sending copies of this minute to colleagues in OD and to Sir Robert Armstrong.

C
(CARRINGTON)

REPORT ON EUROPEAN POLITICAL COOPERATION

PART I

The Foreign Ministers of the Ten member states of the European Community have examined the development of European Political Cooperation, it is their constant concern that this should be improved and to this end they have considered how it might be further strengthened.

Political Cooperation, which is based on membership of the European Community, has developed to become a central element in the foreign policies of all member states. The Community and its member states are increasingly seen by third countries as a coherent force in international relations. The Foreign Ministers of the Ten note that in the years since the foundations of European Political Cooperation were laid in the Luxembourg Report (approved by Heads of State and Government on 27 October 1970) and the Copenhagen Report (approved by Foreign Ministers on 23 July 1973 and subsequently agreed by Heads of State and Government) significant progress has been achieved towards the objectives set out in those reports.

The development of European Political Cooperation over these years has shown that it answers a real need felt by the member states of the European Community for a closer unity in this field. It is a mark of its proven value that European Political Cooperation has steadily intensified and its scope continually broadened. This development has contributed to the ultimate objective of European Union.

The Foreign Ministers agree that further European integration, and the maintenance and development of Community policies in accordance with the Treaties, will be beneficial to a more effective coordination in the field of foreign policy, and will expand the range of instruments at the disposal of the Ten.

The Foreign Ministers believe that in a period of increased world tension and uncertainty the need for a coherent and united approach to international affairs by the members of the European Community is greater than ever. They note that, in spite of what has been achieved, the Ten are still far from playing a role in the world appropriate to their combined influence. It is their conviction that the Ten should seek increasingly to shape events and not merely to react to them.

As regards the scope of European Political Cooperation, and having regard to the different situations of the member states, the Foreign Ministers agree to maintain the flexible and pragmatic approach which has made it possible to discuss

in Political Cooperation certain important foreign policy questions bearing on the political aspects of security.

X | The Ten Foreign Ministers also consider it timely to
renew their commitment to implement fully the undertakings in
the Luxembourg and Copenhagen Reports. In particular they
underline the importance of consultation among the Ten, which
lies at the heart of European Political Cooperation. They
emphasise their commitment [as a general rule] to consult
partners before adopting final positions or launching
national initiatives on all important questions of foreign
policy [which are of concern to the Ten as a whole]. They
undertake that in these consultations each member state will
take full account of the position of other partners and will
give due weight to the desirability of achieving a common
position. They note that such consultations will be
particularly relevant for important international conferences
where one or more of the Ten are to participate, and where
the agenda will include matters under discussion in European
Political Cooperation or on which the Ten have a common
position. ?

The Foreign Ministers note that it is increasingly
possible for the Ten to speak with one voice in international
affairs. Where substantial common positions have been
achieved, they undertake to give due prominence to these by
means of appropriate references in national statements on
foreign policy questions. At the same time they emphasise
that not merely a common attitude but joint action, which has
always been an objective of European Political Cooperation,
should be increasingly within the capacity of the Ten.

The Foreign Ministers have also examined the machinery
and procedures of Political Cooperation and have agreed on
certain practical improvements which are set out in Part II
of this document.

PART II1. Ministerial MeetingsA. Formal Meetings

The agenda for meetings at Ministerial level will include only items of major importance. The agenda will, where possible, also be annotated in such a way that the discussion will concentrate on matters for decision.

The analyses and draft texts submitted to Ministers should contain either precise recommendations or clearly defined options, so that the Ministers can make decisions for future action.

When declarations are issued by Ministerial meetings and the European Council, they should as a rule be accompanied by a list of posts in third countries where the local representative of the Ten will draw the declaration to the attention of the host government. In the absence of such a list the Presidency has discretion to take action on its own initiative.

B. Gymnich Type Meetings

In order to protect the informal character of these meetings the following guidelines should be observed:

Consultations are confidential;

There will be no formal agenda, official interpretation or officials present (except for a Presidency notetaker);

The Presidency will summarise for the attention of partners any guidelines of an operational nature that emerge from the meeting.

The press will only be briefed on subjects authorised by the Ten. The Presidency will be responsible in the first instance for such briefing, the lines of which will be agreed in advance with partners.

2. The Political Committee

The Political Committee is one of the central organs of European Political Cooperation. It is responsible for directing the work of the Working Groups and for the preparation of discussions at Ministerial level.

The Political Committee will ensure the effective operation of Working Groups by giving them a clear mandate to report on matters of current interest. The Presidency will make the proposals necessary to achieve this. The Working Groups, will, however, remain free to suggest topics for reports to the Political Committee.

3. The Correspondants' Group

In order to permit the Political Committee to focus on the more important items on its agenda the European Correspondants will identify those Working Group reports which are not likely to require substantive discussion in the Political Committee.

4. Working Groups

Working Groups' Reports will include a summary drawing the attention of the Political Committee to points which will require decisions for future action, or on which the Political Committee should concentrate.

In general, partners' comments via the COREU system on the oral reports of Working Groups should concentrate on points of substance and not of drafting.

If the Presidency considers a partner to be particularly well qualified on an agenda point at a Working Group meeting, it may request that partner to introduce the discussion on that topic.

5. Studies

Even when partners do not hold the Presidency, they should be encouraged to offer proposals and ideas for consideration by the Working Groups.

At present most of the efforts of political cooperation are devoted to reacting to world events as they occur. In future the Political Committee may wish to take a longer term approach to certain problems, and to institute studies to that end. Such studies are already mentioned in the Copenhagen Report (part II, paragraph 15) and should wherever possible be undertaken by existing Working Groups.

The Ten may also prepare studies on areas where their positions diverge (eg subjects on which they do not vote unanimously at the United Nations).

It is particularly important that the confidentiality of these studies should be maintained.

6. Confidentiality

The success of the process of Political Co-operation depends to a large degree on its confidentiality; certain particularly delicate matters need to be handled in a way which guarantees that the required level of confidentiality is maintained. In such cases papers will be transmitted to the Foreign Ministries via Embassies, and distributed within Foreign Ministries by the European Correspondant.

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7. Procedures for EPC/Third Country Contacts

As European Political Co-operation intensifies and broadens the Ten as such will appear as significant interlocutors. Third countries will increasingly express the desire to enter into more or less regular contact with them. It is important that the Ten should be able to respond effectively to these demands, in particular vis-à-vis countries of special interest to them, and that they should speak with one voice in dealings with them.

The Presidency may meet individual representatives of third countries in order to discuss certain matters of particular interest to the country in question.

The Presidency may respond to a request for contacts by a group of Ambassadors of Member States of organisations with which the Ten maintain special links.

The Heads of Mission of the Ten in a country which expresses the desire for closer contacts with EPC may meet representatives of that country in order to hear its views and to explain the position of the Ten.

If necessary, and if the Ten so agree, the Presidency, accompanied by representatives of the preceding and succeeding Presidencies, may meet with representatives of third countries.

If necessary, and if the Ten so agree, the Presidency may meet the representative of a third country in the margins of a Ministerial level meeting of the Ten.

8. Procedure for Political Co-operation in Third Countries

In view of the increasing activities of the Ten in third countries it is important that the Heads of Mission of the Ten maintain the practice of meeting regularly in order to exchange information and co-ordinate views. In considering their response to significant developments in the country to which they are accredited their first instinct should be to co-ordinate with their colleagues of the Ten.

The participation of the Head of Mission at Political Co-operation meetings should remain the rule. When this is impossible he may be represented by a member of his Mission.

The Political Committee welcomes joint reports from Heads of Missions of the Ten. These may be prepared in response to a request from the Political Committee, or, exceptionally on the Heads' of Missions' own initiative, when the situation requires it. Recommendations for joint action are particularly valuable.

Where reports are made on the Heads of Missions' own initiative, it is for them to decide whether to draft a joint report, or to report separately on the basis of their joint discussions. An equally acceptable alternative is for the Presidency to draft an oral report on its own authority reflecting the views expressed.

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9. Contacts in the Capitals of the Ten

In certain capitals of the Ten the practice has developed of regular meetings between the nine Heads of Mission and the Political Director of the host government. This has proved useful and is to be encouraged.

10. The Presidency

As Political Co-operation has developed, the areas of agreement among the Ten have enlarged and the range of subjects handled has become more extensive. The workload of the Presidency in its role as spokesman in the European Parliament, and in contacts with third countries, has also increased. These trends may be expected to continue, particularly in the light of the enlargement of the Community.

As a result it has become desirable to strengthen the organisation and assure the continuity of Political Cooperation and to provide administrative support for the Presidency without, however, reducing the direct contact, pragmatism and economy which are among the chief virtues of the present arrangements.

Henceforth the Presidency will be assisted by a small team of officials seconded from the preceding and succeeding Presidencies. These officials will remain in the employment of their national Foreign Ministries, and will be on the staff of their Embassy in the Presidency capital. They will be at the disposition of the Presidency and will work under its direction.

The burden of work during the Presidency falls particularly heavily on the Foreign Minister who is President-in-office. The Ten note that should he wish to do so the President may delegate certain tasks to his successor; he may also request his predecessor to finish tasks which are close to completion when the Presidency is handed over.

11. Relations with the European Parliament

In accordance with the Luxembourg and Copenhagen reports, which underline the importance of associating the European Parliament with Political Co-operation, there are frequent contacts between the European Parliament and the Presidency. These take the form of four annual colloquies with the Political Affairs Committee, answers to Questions on Political Co-operation, the Annual report on Political Co-operation, and the Presidency Speeches at the beginning and end of its term of office which now usually include Political Co-operation subjects.

The contacts between the Council of Ministers and the European Parliament have been extended to include informal meetings between Ministers and the leaders of the different political groups represented in the Parliament; these informal meetings provide a further opportunity for informal exchanges on Political Co-operation.

Taking account of the need further to strengthen ties with the directly elected Parliament the Ten envisage the possibility of more frequent reference to resolutions adopted by the

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Parliament in the deliberations, communiqués and declaration of the Ten, and in Ministers' opening statements at colloquies with the Political Affairs Committee of the Parliament.

The Ten note that after a meeting of the European Council the President of the European Council will make a statement to the Parliament. This statement will include Political Cooperation subjects discussed at the meeting.

12. Relations between the Activities of Political Cooperation and those of the European Community

The Ten will provide, as appropriate, for Political Co-operation meetings on the occasion of Foreign Affairs Councils. The Presidency will ensure that the discussion of the Community and Political Co-operation aspects of certain questions is co-ordinated if the subject matter requires this.

Within the framework of the established rules and procedures the Ten attach importance to the Commission of the European Communities, in the exercise of its competence, being fully associated with Political Cooperation at all levels.

13. Crisis Procedures

The Political Committee or, if necessary, a Ministerial meeting will convene within 48 hours at the request of three member states.

The same procedure will apply in third countries at the level of Heads of Mission.

In order to improve the capacity of the Ten to react in an emergency Working Groups are encouraged to analyse areas of potential crisis and to prepare a range of possible reactions by the Ten.

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10 DOWNING STREET

From the Private Secretary

8 June 1981

Political Co-operation

The Prime Minister has seen the Foreign and Commonwealth Secretary's minute to her of 4 June as well as the Defence Secretary's minute to her of 28 May on this subject. As you know, the Prime Minister shares Mr. Nott's misgivings.

I am sending copies of this letter to the Private Secretaries to other members of OD and to David Wright (Cabinet Office).

M. O'D. B. ALEXANDER

Brian Fall, Esq.,
Foreign and Commonwealth Office.

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PM/81/30

PRIME MINISTERPolitical Co-operation

1. I do not believe that there is any cause for the disquiet expressed by the Defence Secretary in his minute to you of 28 May. The meeting at Venlo on 9/10 May was informal, so there is no record of its conclusions. But I can certainly reassure John Nott on what I understand to be his two chief points.

2. First, nobody has suggested that the European Community as an organisation should have anything to do with either security or defence. We are talking about Political Cooperation between the ten member states, which is not part of the Community apparatus. The question raised at Venlo was whether there is not an area of international affairs, loosely designated "security policy", which the Ten have not discussed together in the past, but should discuss in future. I think myself that there is and I said so at Venlo.

3. The term "security policy" is more familiar in continental languages than in English, but it is understood to include for example the potential threat to Western interests in such areas as the Gulf and Africa. It stops well short of anything that could be described as "defence", and the presence of the Irish will ensure that the distinction is maintained.

4. Second, there is the proposal to strengthen the Presidency. This goes back a long way and has nothing to do with the other point about security policy. The question is simply whether, in seeking the common European voice which the Defence Secretary also advocates, it is safe to rely at all times and for all purposes on the national

(2)

Prime Minister
The proof of this pudding will be in the eating.

Andy / I share
J.N.'s misgivings
not.



apparatus of whichever state happens to be the holder of the Presidency. The Afghan experience convinced me that it is not. Hence my proposal for a small support staff, and in my minute to you of 6 May I spoke of a three to five-man team. There is no question of setting up a new international staff, nor of bringing in the armies of functionaries that John Nott complains of and of which I have had some experience myself at NATO Ministerial meetings. The suggested team would consist of people seconded from their own Foreign Ministries and therefore costing, like the rest of the Political Co-operation system, almost nothing. I do not yet know whether this idea is going to bear fruit - there have been much more sweeping proposals from some quarters - but I regard it as reasonable and indeed long overdue.

5. I am sending copies of this minute to other members of OD and to Sir Robert Armstrong.

(CARRINGTON)

Foreign and Commonwealth Office

4 June 1981

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B11 with F.C.G. reply
in due course.

(2)



Prime Minister

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PRIME MINISTER

Lord Carrington is well aware that you share many of the views set out below.

On one point the Note is rather disingenuous: there is really no comparison between the Eurogroup & the suggestions that Foreign Ministers should have a small staff to provide continuity or that they should discuss e.g.

POLITICAL CO-OPERATION "confidence building measures"

29/5

I am sorry to be commenting so late on the Foreign and Commonwealth Secretary's minute to you of 6th May, and I appreciate that he was seeking guidance for a meeting of Foreign Ministers which has now taken place. I hope that the Foreign and Commonwealth Office will keep the Ministry of Defence closely informed of possible discussions by Foreign Ministers which touch on matters of "Security Policy" including arms control issues, where I can, and have, exerted some minor influence on Pentagon opinion. Although it is now rather late to influence the Government's declared position I must record my disquiet about the proposal that the EC, as an organisation, should become more closely involved than hitherto in discussions of questions of "Security Policy". I do not seek to make essentially a "Defence Minister point". My concern ranges wider than that. It is that a further bureaucratisation of the procedures for consultation, and their bureaucratisation within a framework not designed for this purpose, can only lead first to a proliferation of unnecessary work, and, secondly, to further the constraints within which we are already forced to work.

2. I was struck, by what admittedly was my first experience of Eurogroup (the European group of Defence Ministers) in Brussels recently, how tedious and time wasting these committee structures can be. And once they are created - however good the initial motives (as no doubt they were in the case of Eurogroup) inevitably they grow and harden. I hope that if it is essential to pursue the Venlo initiative we can be mindful of this point.

I agree with J.N. - all the way

I agree with J.N.



3. I note what Peter Carrington says about a "support staff" for the Presidency: I understand the reasons for this proposal, and I appreciate that Peter says the staff must be kept small, but the objections to which I have referred still apply. At NATO meetings I am astonished at the sheer number of senior officials and high-ranking Service officers, with their associated staffs. Every new group creates a further increase in staff requirements and associated committees.

4. To make a wider point again, there is a world of difference between playing a positive role in Europe and seeking, where appropriate a common "European voice" (which I entirely support), and indulging - or submerging - ourselves in the development of "communautaire" ideology. And there is, of course, also a Defence point, which is that we must continue to keep our discussions on defence with our principal Allies in NATO and not allow any muddying of the issues by extending this to other fora. All the major members of the EC are in NATO and insofar - and I do not think that it is very far - as we need to discuss defence matters with other members of the Community, that can be done, and is done, separately. I fail to see why it should be necessary to create another community organisation, however small, when Eurogroup already exists and burdens us with a mass of committees, most of which are more appropriate to meeting "Parkinson's Law" than to defending Europe.

5. I am sending copies of this minute to Peter Carrington and the other members of OD: and to Sir Robert Armstrong.

Ministry of Defence
28th May 1981

SN .

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29 MAY 1961



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8 May, 1981

Political Co-operation

The Prime Minister has seen the Foreign and Commonwealth Secretary's minute to her of 6 May on this subject. She agrees that he should speak at the informal meeting of Foreign Ministers at Venlo along the lines set out in that minute.

I am sending copies of this letter to the Private Secretaries to the other members of OD and to David Wright (Cabinet Office).

M. O'D. B. ALEXANDER

G G H Walden Esq CMG
Foreign and Commonwealth Office

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58



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MR. ALEXANDERPolitical Co-operation

In his minute to the Prime Minister of 6th May, the Foreign and Commonwealth Secretary has set down his proposed objectives for the discussion of the development of Political Co-operation at the informal meeting of Foreign Ministers at Venlo on 9th-10th May. The meeting is unlikely to take any decisions; but this will be a good opportunity to work for the strengthening of co-operation among the Ten on foreign policy matters.

2. In particular Lord Carrington proposes that he should seek a stronger political commitment to consultations among the Ten, while resisting any language or procedures which would reduce our national sovereignty in foreign affairs. This is aimed mainly at the French, who pay lip service to political co-operation procedures but too often go their own way when it suits them. In addition, he would seek improved procedures to make consultations more rapid and effective, especially in emergencies. On providing the Presidency with suitable support to improve continuity and help the smaller member states discharge the functions of the Presidency, Lord Carrington envisages the secondment of a few national officials. This task cannot be given to the Council Secretariat since it falls outside the Treaties, but the hope is that in due course some integration will be possible. The Foreign Secretary further suggests relaxation of the artificial distinction at present maintained between foreign policy, where there is active co-operation, and security questions, where there is none. He would resist any proposal to give a more rigid Treaty basis to Political Co-operation but work instead for a common Declaration, incorporating the agreed improvements, which might be adopted at the November European Council under our Presidency.

3. Finally Lord Carrington proposes that he should continue to give broad support to Herr Genscher's aims for imparting a new political impetus to Europe, while steering him away from a formal Treaty requiring ratification by the Parliaments of the Ten. There have been some indications that the



LAPOR... ..

RECORD... ..

1917-18-19

Faint, mostly illegible text, possibly a list or report. Some words like 'Government of India' and 'Department of...' are faintly visible.

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1 2 3 4 5 6 7 8 9 10 11 12



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Germans would be content to see their ideas advanced as a Franco-German initiative, or even taken over by a newly-elected President Giscard. This would not serve our interests, especially during our Presidency. The best way to ensure that it does not happen is to work closely with the Germans and have ideas of our own.

4. Our Presidency will coincide with intensive and difficult negotiations on budget restructuring. At times it may not be easy either to convince our partners that we have the good of the Community as a whole at heart or to persuade the outside world that the Community is other than dangerously divided. The Foreign and Commonwealth Secretary's proposals for a forthcoming United Kingdom attitude over the political development of the Community would, if properly handled, help to offset these negative effects. The Prime Minister may accordingly wish to endorse them.

Robert Armstrong

7th May 1981

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PM/81/23

PRIME MINISTER

Prime Minister

You have discussed the issues in this Minute with Lord Carrington on a number of occasions in the past 12 months. Are you content that he should deploy the points in para 3 at Venlo this weekend? No decisions are

Political Co-operation likely to be taken.

Ant 6/5

1. One of the main subjects at the informal meeting of Foreign Ministers at Venlo on 9-10 May will be the development of Political Co-operation. Foreign Ministers will have before them a paper drafted by officials. I expect Herr Genscher to pursue his theme that Europe needs a new political impetus.
2. As you know, I have long held that cooperation among the Ten on foreign policy matters can and should be strengthened. The Community is still far from realising its full potential in foreign affairs. Political Cooperation has been one of the most successful, least criticised and least expensive elements of Europe and we should build on this. I made some suggestions in my speech in Hamburg on 17 November last year.
3. I do not expect that the meeting at Venlo will take any decisions, since it will coincide with the second round of the French Presidential election and M. Francois-Poncet's position will be uncertain. I should nevertheless like to set down what my objectives in this discussion will be. I propose the following:

If we are to
consult all Ten
we shall never
be able to move
quickly.

a. To seek a strengthened political commitment to consultations among the Ten on foreign policy matters. Political Cooperation is currently based on the Luxembourg (1970) and Copenhagen (1973) Reports. The commitment to Political Cooperation in these is qualified. The French still frequently fail to live up even to the cautious commitment of these Reports. Repeating or strengthening the commitment will make it more difficult for the French or others to ignore

No - easier
to force

because it will be irreversible.

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their obligations. The sort of language I would envisage would have no effect on our sovereignty in Foreign Affairs. I would resist any language or procedures which would reduce this.

b. To agree on procedures which would make consultations more rapid and effective. In particular I should like to see a system set up for calling meetings rapidly in an emergency. The Nine's failure to meet until three weeks after the Soviet invasion of Afghanistan exposed the weakness of the present system.

c. To agree on the formation of a small support staff for the Presidency. I have in mind a 3-5 man team. I would oppose anything that smacked of a further international bureaucracy. However, if co-operation in foreign policy among the Community countries is to be strengthened, a more solid base is needed than the current arrangements, which are dependent on the government holding the Presidency. It is important that we should have this organisation in place and working before the second round of enlargement takes place. The Presidency's task in a 12 country Community will be all the more important; and the new members of the Community are likely to need more assistance in fulfilling it. There are a number of ways in which a support staff could be set up. I would work for one based on secondment of officers from Foreign Ministries of the Ten. This would avoid the problems of budgets and administration. At least at first it would probably have to be peripatetic, ie moving with the Presidency. But

The small countries have little to contribute on the Af. Affairs - that is helpful - we can help at our European Council during



later it might establish a permanent office in Brussels, attached to the Council Secretariat.

- d. To promote greater cooperation in the handling of "security policy", ie politico-military questions. Political Cooperation has traditionally avoided defence questions proper, and it would continue to do so, for obvious and excellent reasons. However, in discussions of the CSCE process, for example, it inevitably deals with some aspects of security matters, and it is artificial to maintain a rigid distinction between foreign policy, where there is vigorous cooperation between the Ten, and security questions, where there is none at all.
- e. To resist any suggestion of giving a treaty basis to Political Cooperation. One of the reasons why Political Cooperation has been successful is that it has developed by consensus and has not been tied to a rigid legal formula. We might, in any case, have parliamentary difficulties in ratification of a treaty. I expect some other partners at least to adopt a similar attitude. Instead we might work for a common Declaration, to be agreed at the European Council under our Presidency in November, which would record the strengthening of Political Cooperation along the lines I have set out.

4. The last two ideas above (greater cooperation over security policy and a new treaty) are among those which were put forward by Herr Genscher in a speech in Stuttgart on 6 January. Herr Genscher's objective is to give a renewed political impetus to Europe. This is welcome, and I have told Herr Genscher so in my recent talks in Bonn. I have, however, stressed that a new treaty of "European Union",



even if it did no more than take note of what already exists, would cause difficulties for the United Kingdom. I have also emphasised that we should prefer this to continue as a German initiative; it would not be helpful for us if it became a joint Franco-German project. If you agree, I shall continue to give broad support to Herr Genscher's aims, while steering him away from a treaty. I believe that the most effective use we can make of Herr Genscher's energies would be to channel them into practical and concrete improvements in the machinery of Political Cooperation.

5. I am copying this minute to our colleagues in OD and to Robert Armstrong.

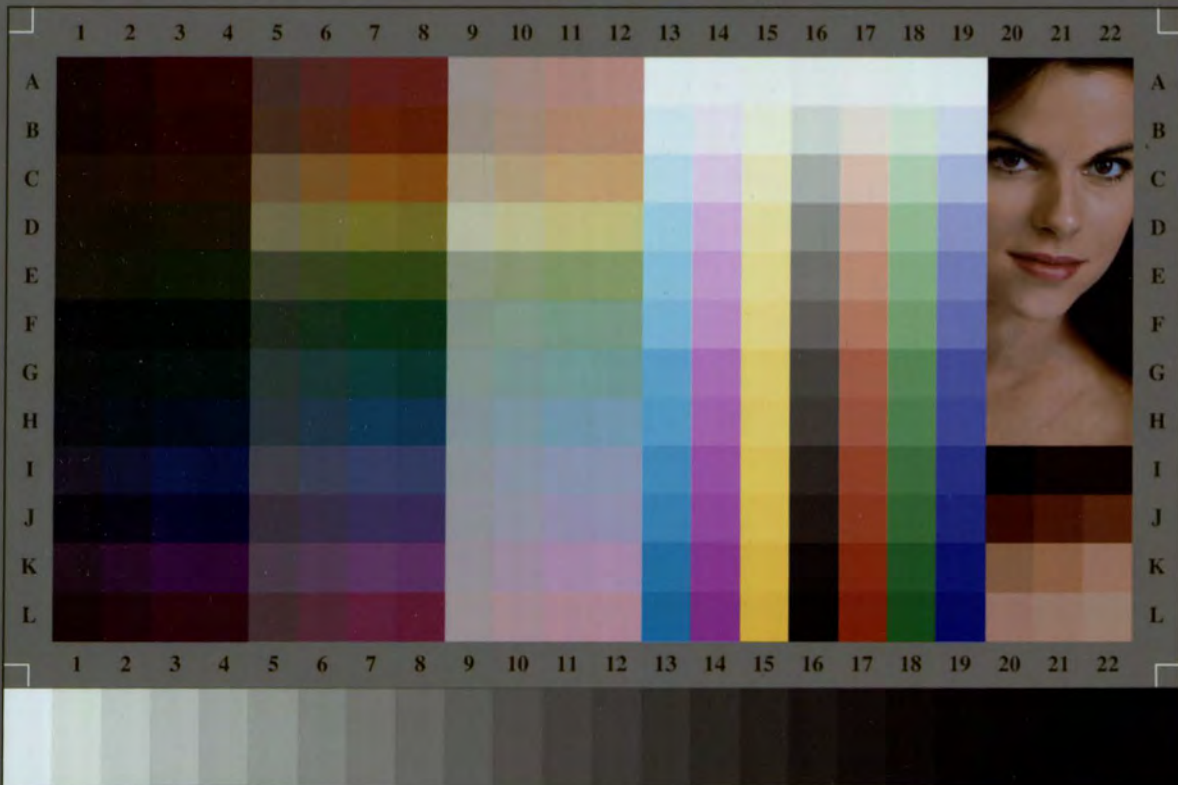
(CARRINGTON)

6 May 1981

Foreign and Commonwealth Office

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