

RESTRICTED

061406
MDADAN 4251

ADVANCE COPY

RESTRICTED
FM UKREP BRUSSELS
TO DESKBY 121900Z FCO
TELNO 3289
OF 121800Z NOVEMBER 90
INFO IMMEDIATE EUROPEAN COMMUNITY POSTS, UKMIS NEW YORK
INFO IMMEDIATE WASHINGTON, UKDEL NATO, MOSCOW, TOKYO
INFO PRIORITY MIDDLE EAST POSTS

FOREIGN AFFAIRS COUNCIL, 12 NOVEMBER:
EUROPEAN COUNCIL FOLLOW-UP: IRAQ/KUWAIT HOSTAGES

SUMMARY

1. AGREEMENT ON DEMARCHE TO RANGE OF COUNTRIES, STARTING WITH AMU OVER LUNCH, TO PRESS IRAQI ACCEPTANCE OF MISSION BY UNSG REPRESENTATIVE. DEMARCHE TO INCLUDE (AT UK SUGGESTION) REFERENCE BACK TO EUROPEAN COUNCIL STATEMENT AND TO NO NEGOTIATIONS ON HOSTAGES. TEXT OF AGREED STATEMENT IN MIFT. POLITICAL COMMITTEE TO EXAMINE GERMAN PROPOSAL FOR TIGHTENING EMBARGO AGAINST IRAQ BY HELPING TO PLUG LEAKS IN NEIGHBOURING COUNTRIES. DELORS CALLED FOR UNBLOCKING PROCEDURAL DEADLOCK BETWEEN EP AND COUNCIL, TO ENABLE EARLY FLOW OF AGREED EC AID TO FRONTLINE STATES.

DETAIL

2. DE MICHELIS (PRESIDENCY) NOTED THAT THE POLITICAL COMMITTEE HAD APPROVED A TEXT BY THE TWELVE ON HOSTAGES IN IRAQ/KUWAIT, AND A DEMARCHE TO A WIDE RANGE OF COUNTRIES URGING PRESSURE ON IRAQ TO ACCEPT A MISSION BY A REPRESENTATIVE OF THE UN SECRETARY GENERAL. POLITICAL DIRECTORS HAD ALSO CONCLUDED THAT THE TWELVE SHOULD STICK FIRMLY TO THE TERMS OF THE SECURITY COUNCIL RESOLUTIONS (SCRS), AND SHOULD MAINTAIN BOTH THE ISOLATION OF IRAQ AND PRESSURE ON IT TO OBSERVE THE RESOLUTIONS. THE TERMS OF THE DEMARCHE COMPRISED: THE REPEATED CONDEMNATION OF IRAQ'S BEHAVIOUR, THE FREEING OF ALL HOSTAGES ACCORDING TO THE SC RESOLUTIONS, SUPPORT FOR THE UN ROLE AND INSISTENCE THAT IRAQ ACCEPT THE PROPOSED MISSION, AND A REFERENCE TO THE CONDEMNATION UNDER ISLAMIC LAW OF HOSTAGE-TAKING. DE MICHELIS PROPOSED THAT, AS PART OF THE EUROPEAN COUNCIL FOLLOW-UP, MINISTERS SHOULD NOW ENDORSE THESE CONCLUSIONS AND HE SHOULD SO INFORM THE PRESS AFTER THE COUNCIL.

3. GENSCHER (GERMANY) AGREED WITH THIS APPROACH BUT URGED THAT A FURTHER POINT SHOULD BE EXAMINED. SANCTIONS AGAINST IRAQ WERE

KNOWN NOT TO BE LEAK PROOF AND THE INTERNATIONAL COMMUNITY SHOULD DO ITS BEST TO PLUG THE HOLES. ALTHOUGH THEY WERE DOING THEIR BEST, IRAQ'S NEIGHBOURS WERE INCAPABLE OF IMPLEMENTING THE NECESSARY CONTROLS. THE COMMUNITY SHOULD CONSIDER HOW TO HELP THEM TO IMPLEMENT SANCTIONS, FOR EXAMPLE VIA A NEW SCR WHICH WOULD PROMOTE SUCH ASSISTANCE TO TIGHTEN UP BORDER CONTROLS. HE WAS NOT PREPARED TO ACCEPT THE PRESENT SITUATION. A PEACEFUL SOLUTION MUST REMAIN THE OVERALL OBJECTIVE, AND THE BETTER SANCTIONS WORKED, THE MORE LIKELY SUCH A SOLUTION WOULD BE. IT WAS THEREFORE IN THE INTERESTS OF PEACE TO IMPROVE IMPLEMENTATION OF SANCTIONS. THE COMMUNITY SHOULD MAKE PROPOSALS FOR A NEW SCR.

4. MR GAREL-JONES SAID THAT THE STATEMENT BY THE TWELVE SHOULD ALSO EMPHASISE THE UNACCEPTABILITY OF NEGOTIATIONS, AND SHOULD REFER BACK TO THE EUROPEAN COUNCIL STATEMENT OF 28 OCTOBER. GENSCHER'S PROPOSAL DESERVED CAREFUL CONSIDERATION, BUT THIS SHOULD NOT PREVENT THE DEMARCHE BEING PURSUED AT ONCE. DUMAS (FRANCE) AGREED WITH GENSCHER ON THE NEED TO TIGHTEN UP THE EMBARGO. THE SECRETARY-GENERAL SHOULD BE GIVEN SUPPORT ON HOSTAGES, AND COMMUNITY LANGUAGE SHOULD BE STRENGTHENED. THE PREFERENCE FOR A PEACEFUL SOLUTION SHOULD BE REAFFIRMED, WITHOUT EXCLUDING FURTHER SCRS.

5. DE MICHELIS NOTED THAT THE EUROPEAN COUNCIL STATEMENT HAD ALREADY COVERED THESE POINTS. AS THE UK HAD PROPOSED, THE NEW STATEMENT SHOULD REFER TO NO NEGOTIATIONS AND THE NEED FOR IRAQ TO WITHDRAW FROM KUWAIT. THESE POINTS WERE ALREADY EC POLICY. AS FOR THE GENSCHER PROPOSAL, THE POLITICAL COMMITTEE SHOULD EXAMINE THIS ON 14 NOVEMBER. THE EC AID ALREADY PROMISED TO SOME OF THE NEIGHBOURS, (EG JORDAN) SHOULD PROVIDE LEVERAGE.

6. GENSCHER ADDED THAT HE WAS NOT LOOKING FOR SANCTIONS AGAINST IRAQ'S NEIGHBOURS, BUT FOR HELP TO THEM (MANPOWER, TECHNICAL ASSISTANCE) TO IMPLEMENT SANCTIONS. IT WAS IMPORTANT TO MAKE AVAILABLE ANY RESOURCES THAT COULD HELP TO PROMOTE A PEACEFUL SOLUTION. HE DID NOT, HOWEVER, UNDERSTAND THE UK POINTS, WHICH HAD BEEN SUBSUMED IN THE ROME STATEMENT. THEY DID NOT NEED RE-EMPHASIS. GENSCHER ALSO NOTED THAT BRANDT HAD BEEN VERY CAREFUL DURING HIS RECENT MISSION TO SPEAK IN FAVOUR OF THE RELEASE OF ALL HOSTAGES. HE HAD STUCK FIRMLY TO THE TERMS OF THE SCRS AND EUROPEAN COUNCIL STATEMENTS. BRANDT HAD LIVED UP TO THE EXPECTATIONS GENSCHER HAD HAD AT THE TIME OF THE EUROPEAN COUNCIL.

RESTRICTED

061406
MDADAN 4251

7. FERNANDEZ-ORDONEZ (SPAIN) REPORTED THAT ARAFAT HAD TOLD HIM LAST WEEK THAT HE WAS CONVINCED IRAQ WOULD FREE THE HOSTAGES IN THE NEXT FEW DAYS. FERNANDEZ-ORDONEZ HAD EMPHASISED THAT IF SOME (ESPECIALLY UK AND US) HOSTAGES WERE NOT FREED, THIS WOULD CREATE EVEN GREATER PROBLEMS AND EXACERBATE THE PROSPECT OF A MILITARY SOLUTION. HE THEREFORE ENDORSED THE PROPOSED DEMARCHE. FERNANDEZ-ORDONEZ SUGGESTED THAT THERE WAS SUFFICIENT DATA TO DEMONSTRATE THAT IRAQ WAS STILL IMPORTING GOODS ACROSS CERTAIN LAND ROUTES, AND THAT THERE WERE MAJOR GAPS IN THE EMBARGO. HE SUPPORTED THE GERMAN PROPOSAL.
8. ELLEMANN-JENSEN (DENMARK) ASKED WHETHER THIS WOULD MEAN UN FORCES TO ENSURE THE EMBARGO WAS IMPLEMENTED. GENSCHER DENIED THIS, INDICATING THAT HE ENVISAGED ONLY TECHNICAL HELP AND MANPOWER. BUT ELLEMANN-JENSEN SAW A UN PRESENCE AS THE NEXT NATURAL STEP. IT WAS CRUCIAL TO REPEAT THE ROME STATEMENT SO THAT THERE COULD BE NO DOUBT ABOUT THE CONTINUING COMMITMENT OF THE COMMUNITY TO FULFIL ITS OBLIGATIONS IN THE REGION. PRESSURE TO DO SOMETHING FOR THE HOSTAGES WAS BUILDING UP IN EUROPE AND THE COMPETITION BETWEEN EC POLITICIANS TO SECURE THE RELEASE OF SOME HAD HAD AN UNFORTUNATE EFFECT. THIS COULD ONLY BE RESISTED BY GOVERNMENTS DEMONSTRATING THEIR SOLIDARITY AND BY REPEATING THE ROME STATEMENTS. IT WOULD BE A CATASTROPHE IF ONLY UK AND US HOSTAGES WERE LEFT, AND THIS SITUATION MUST BE PREVENTED BY ANY MEANS.
9. MR GAREL-JONES WARMLY WELCOMED THIS STATEMENT, WITH EVERY WORD OF WHICH HE AGREED. HE ALSO WAS ATTRACTED TO THE GENSCHER PROPOSAL ON STRENGTHENING THE EMBARGO.
10. VAN DEN BROEK (NETHERLANDS) ENDORSED THE ELLEMANN-JENSEN LINE, AND SUPPORTED THE UK PROPOSAL THAT CERTAIN POINTS BE ADDED TO THE NEW STATEMENT FOR USE IN THE DEMARCHE. HE HAD INTERPRETED THE AGREEMENT IN ROME TO MEAN THAT ALL MISSIONS TO IRAQ SHOULD BE DISCOURAGED. HE ASSUMED, HOWEVER, THAT GENSCHER HAD INTERPRETED THIS TO MEAN THAT MISSIONS BY OTHER GOVERNMENTS SHOULD BE DISCOURAGED, BUT NOT BY EUROPEAN CITIZENS. AS FOR STRENGTHENING THE EMBARGO, IT WOULD BE SENSIBLE TO HAVE FURTHER CONTACTS WITH THE UN SANCTIONS COMMITTEE. THE SCRS WERE THE ONLY EFFECTIVE MEANS TO STRENGTHEN CONTROLS, AND DESPITE THE EVIDENT PROBLEMS AN UN OBSERVER FORCE MIGHT BE NEEDED TO ENSURE COMPLIANCE.
11. COLLINS (IRELAND) SUGGESTED THAT THE GENSCHER PROPOSAL SHOULD BE EXAMINED, WHILE NOTING THAT THE IMPLEMENTATION OF SCRS

RESTRICTED

061406
MDADAN 4251

WAS A MATTER FOR THE SECURITY COUNCIL. COMMUNITY AID SHOULD ONLY BE PROVIDED TO COUNTRIES WHERE THE COMMUNITY COULD BE CONFIDENT THAT SANCTIONS WERE BEING OBSERVED. RECENT VISITS TO IRAQ HAD BEEN UNHELPFUL IN TERMS OF PRESSURE FROM EUROPEAN PUBLIC OPINION. IRELAND HAD OVER 250 HOSTAGES (MORE THAN ANY OTHER MEMBER STATE EXCEPT THE UK). GENSCHER ADDED THAT HE AGREED THERE SHOULD BE NO NEGOTIATIONS, EITHER BY GOVERNMENTS OR INDIVIDUALS. THE GERMAN GOVERNMENT HAD ALREADY MADE ITS POSITION CLEAR, AND BRANDT HAD NOT NEGOTIATED.

12. EYSKENS (BELGIUM) AGREED THAT ALL GOVERNMENTS WERE UNDER PRESSURE ON THE HOSTAGE ISSUE. HUMANITARIAN ACTIONS SHOULD NOT BE DISAPPROVED, PROVIDED THEY WERE REALLY HUMANITARIAN. IF SADDAM HUSSEIN WAS TRYING TO GET PAYMENT FOR HIS HOSTAGES, THIS SHOULD BE MADE PUBLIC. THAT SAID, UNOFFICIAL VISITS CAUSED PROBLEMS EVEN IF GOVERNMENTS OPPOSED THEM. THE TWELVE SHOULD MAKE CLEAR THAT THE ONLY RELEVANT POLITICAL ATTITUDE WAS THAT OF THE COMMUNITY AND THAT EXPRESSED IN THE SCRS. ANYTHING ELSE WAS NOT REPRESENTATIVE OF EUROPEAN VIEWS.

13. SUMMING UP, DE MICHELIS SAID THAT THE PROPOSED DEMARCHE WOULD BE PURSUED, AND WOULD INCLUDE THE POINTS PROPOSED BY THE UK. POLITICAL DIRECTORS SHOULD FINALISE THE TEXT NOW AND ON 14 NOVEMBER CONSIDER THE GENSCHER PROPOSAL FOR STRENGTHENING THE EMBARGO, EITHER VIA UN MEANS OR DIRECTLY BY COMMUNITY ACTION. HE CONTINUED THAT THE TWELVE REAFFIRMED THE POSITION THEY HAD EXPRESSED IN ROME, AND THAT HE FELT THIS VERY CLEAR ATTITUDE WAS INCREASINGLY UNDERSTOOD BY PUBLIC OPINION IN EUROPE. THE BEST WAY TO GET THE HOSTAGES HOME WAS TO STICK FIRMLY TO THAT POSITION. THESE POINTS WOULD BE MADE TO THE AMU MINISTERS OVER LUNCH.

14. RETURNING TO EC AID TO FRONTLINE STATES, DELORS REFERRED TO A LETTER HE HAD SENT ON 9 NOVEMBER TO HEADS OF GOVERNMENT (BY FAX TO FCO, ORIGINAL TO FOLLOW BY BAG). THIS HAD URGED THAT ALL STEPS BE TAKEN TO ENSURE THE EARLIEST POSSIBLE DISBURSEMENT OF EC ASSISTANCE, AND THAT BILATERAL CONTRIBUTIONS SHOULD TAKE ACCOUNT OF THE FACT THAT COMMUNITY FUNDING WOULD COME FROM THE 1991 BUDGET. DELORS CONTINUED THAT AT PRESENT, BECAUSE OF THE QUOTE INCOMPREHENSIBLE BATTLE UNQUOTE BETWEEN THE PARLIAMENT AND THE COUNCIL, THERE WAS NO HOPE OF COMMUNITY FUNDING BEING DISBURSED BEFORE FEBRUARY 1991. THIS WAS DAMAGING THE COMMUNITY'S CREDIBILITY. HE HOPED THAT PROCEDURES COULD BE SIMPLIFIED SO THAT AID COULD FLOW BY THE END OF THE YEAR. DE MICHELIS AGREED

PAGE 4
RESTRICTED

RESTRICTED

061406
MDADAN 4251

AND PROPOSED THAT COREPER RE-EXAMINE THE PROBLEM LATER IN THE WEEK.

15. SEE MIFT.

KERR

YYYY

DISTRIBUTION

39

ADVANCE 39

IRAQ/KUWAIT
PS(2)
PS/MR HOGG
PS/MR LENNOX-BOYD
PS/MR WESTON
PS/S OF S FOR DEFENCE
PS/PUS
MR FAIRWEATHER
MR SLATER
MR GORE-BOOTH
MR GOULDEN
MR JAY
MR BERMAN (LEGAL ADVISERS)
HD/MED
HD/AMD
HD/CONSULAR D
HD/ECD(E)
HD/NAD
HD/NEWS D
HD/NENAD
HD/NPDD
HD/SECPOL D

HD/SED
HD/UND(2)
MR PRIDDLE, DEPT OF ENERGY
MR APPLEYARD CABINET OFFICE
(BY TUBE H29)
MR W D REEVES CABINET OFFICE
(BY TUBE H29)
MR D J GOWAN CABINET OFFICE
(BY TUBE H29)
MR BARRASS, CABINET OFFICE
(BY TUBE H29)
PS/NUMBER 10 DOWNING ST
CABINET OFFICE DIO
(BY TUBE H29)
SIR ROBIN BUTLER, CAB OFFICE
AUS (C) MODUK
HD/SEC (O) (C) MODUK
MR LS SMITH BANK ENGLAND(2)
MR WICKS HMT
[EMERGENCY UNIT]
RESIDENT CLERK

NNNN