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UKREP BRUSSELS TELNO 3019: DUTCH ASSESSMENT OF FOREIGN MINISTERS
CONCLAVE

SUMMARY

1. DUTCH LARGELY SHARE OUR ASSESSMENT OF WHERE THINGS STAND ON THE
SUBSTANCE POST-CONCLAVE. KEENLY AWARE MUCH WORK REMAINS TO BE DONE
BEFORE MAASTRICHT. NO INDICATION THAT THEY HAVE WORKED OUT (YET) A
NEW COMPROMISE PROPOSAL ON THE SOCIAL CHAPTER. ON STRUCTURE, THE
DUTCH APPEAR TO TAKE POINT THAT THE CHAPEAU SHOULD NOT UNDERMINE BY
THE BACKDOOR WHAT IS AGREED IN THE SEPARATE PILLARS.

DETAIL

2. I CALLED ON VAN BEUGE (DIRECTOR GENERAL FOR EUROPEAN
INTEGRATION, MFA) TO DISCUSS THE DUTCH ASSESSMENT OF THE 12/13
NOVEMBER FOREIGN MINISTERS CONCLAVE. IN GENERAL, HE THOUGHT THAT
THE MEETING HAD MOVED THINGS FORWARD IN A NUMBER OF AREAS.

INSTITUTIONS

3. VAN BEUGE AGREED WITH OUR ASSESSMENT THAT APART FROM EP
LEGISLATIVE POWERS, THE NEGOTIATIONS ON THIS POINT WERE LARGELY
COMPLETE. HE THOUGHT SPAIN WOULD ACQUIESCE OVER THE SIZE OF THE
COMMISSION AND THAT FRANCE WOULD GIVE IN OVER INCREASING THE NUMBER
OF GERMAN MEPS. ON EPU LEGISLATIVE POWERS, HE THOUGHT THAT GERMANY
AND BELGIUM WOULD AGREE THE PRESIDENCY'S PROPOSAL ON 189 B
PROCEDURE, IE INCLUDING THE THIRD READING. THE SCOPE OF 189 B
REMAINED TO BE RESOLVED. I REITERATED OUR POSITION ON THIS.

COMPETENCES/QMV

4. I WELCOMED THE PRESIDENCY'S PROPOSAL THAT A NUMBER OF

UNNECESSARY TEXTS MIGHT BE DELETED (ENERGY, CONSUMER PROTECTION, CIVIL PROTECTION AND TOURISM). VAN BEUGE SAID THAT HE WOULD GLADLY HAVE EXCHANGED THE INDUSTRY TEXT FOR THAT ON ENERGY: HE THOUGHT THE INDUSTRY TEXT MOST DANGEROUS BUT THE FRENCH WERE DETERMINED IT SHOULD STAY. ON R AND D, VAN BEUGE MADE A (PREDICTABLE) PITCH AGAINST COMBINING UNANIMITY WITH CODECISION: IF WE INSISTED ON UNANIMITY, THEN THE ASSENT PROCEDURE SHOULD BE USED. HE REPEATED THAT THE DUTCH OBJECTIVE WAS TO INVOLVE THE EP IN THE DECISION MAKING PROCESS ON R AND D SO THAT THEY DID NOT CONTINUE TO TAKE SUCH A CAVALIER ATTITUDE TO EXPENDITURE.

5. VAN BEUGE HIGHLIGHTED THREE AREAS IN PARTICULAR WHERE DISCUSSION SO FAR HAD PROVED INCONCLUSIVE: THE SOCIAL CHAPTER, ENVIRONMENT AND THE LINK BETWEEN COMPETENCES AND COHESION. HIS COMMENTS ON THE SOCIAL CHAPTER TENDED TO CONFIRM OUR SUSPICIONS (TUR) THAT THE DUTCH DO NOT YET HAVE A CLEAR IDEA ON A NEW COMPROMISE PROPOSAL. HE ARGUED ON STANDARD LINES THAT THE PRESIDENCY'S LATEST TEXT WAS DESIGNED TO PEG DOWN THE COMMUNITY'S CREEPING COMPETENCE IN THIS AREA. HE EMPHASISED THAT THE FRENCH (PARTICULARLY GUIGOU) WERE ADAMANT THAT THE PRESENT TEXT REPRESENTED THE BARE MINIMUM THEY COULD ACCEPT. ON THE ENVIRONMENT, THE DANISH WERE COMMITTED TO QMV. THEY WERE SEEKING TO WIN OVER THE SPANISH BY CONCESSIONS ON AN ENVIRONMENT FUND: IT REMAINED TO BE SEEN WHETHER THIS WOULD WORK.

COHESION

6. VAN BEUGE AGREED WITH OUR ANALYSIS OF THE CLOSE LINK BEING MADE BY SPAIN BETWEEN COMPETENCE QUESTIONS AND COHESION. HE EXPECTED SPAIN TO CONTINUE TO TAKE A HARD LINE: THEY REALISED THEY WERE IN A STRONGER POSITION NOW THAN THEY WOULD BE NEXT YEAR. VAN DEN BROEK HAD ASKED HIM TO START WORK ON A DRAFT PRESIDENCY PACKAGE ON COHESION. THE PRESIDENCY'S TASK WAS NOT BEING MADE EASIER BY SOME OF DELORS' IDEAS. THE DUTCH FELT THAT HE WAS BEING UNDULY INFLUENCED BY THE DEMANDEURS ON COHESION AND SEEMED READY TO GIVE AWAY LARGE PARTS OF DELORS II TO BUY THEM OFF. ON THE OTHER HAND, THE SPANIARDS HAD REACTED STRONGLY AT THE CONCLAVE TO WHAT THEY SAW AS HIS FAILURE TO SUPPORT THEIR DEMAND FOR TREATY LANGUAGE ON COHESION.

INTERIOR/JUSTICE

7. VAN BEUGE AGAIN MADE A STRONG PITCH THAT THE PRESENT TEXT REPRESENTED THE BARE MINIMUM THAT GERMANY COULD ACCEPT. THE DUTCH

HAD WORKED HARD TO WHITTLE DOWN THE OVER-AMBITIOUS GERMAN DEMANDS THAT HAD FOUND THEIR WAY INTO THE LUXEMBOURG CONCLUSIONS AND FELT THAT THEY HAD GOT AS FAR AS THEY COULD. KOHL HAD HAD FREQUENT CONTACTS WITH LUBBERS ON THIS POINT. 100C WAS VITAL TO THE GERMANS.

CFSP

8. WE ONLY TOUCHED ON THIS BRIEFLY (VAN BEUGE DOES NOT LEAD). HE THOUGHT THE DINNER DISCUSSION ON DEFENCE HAD BEEN HELPFUL: WORK ON A WEU DECLARATION APPEARED TO BE BACK ON TRACK (IN PARALLEL WITH WORK ON ARTICLE D).

STRUCTURE

9. VAN BEUGE RECALLED THAT GENSCHER TWICE BROUGHT UP THE QUESTION OF STRUCTURE, MAKING THREATENING NOISES THAT IF THE UK SOUGHT TO RE-OPEN THE QUESTION OF THE CHAPEAU THEN HE WOULD RE-OPEN THE STRUCTURE OF THE TREATY AS A WHOLE. I EMPHASISED THAT OUR BASIC CONCERN WAS THAT THE CHAPEAU SHOULD NOT UNDERMINE BY THE BACKDOOR WHAT WAS AGREED IN THE SEPARATE PILLARS OR BLUR THE QUESTION OF COMPETENCE. VAN BEUGE TOOK THE POINT: HE ASSURED ME THAT SUCH WAS NOT THE DUTCH INTENTION. HE SAID THAT THE DUTCH WERE LOOKING VERY CLOSELY AT THE LINE TAKEN BY MR GAREL-JONES AT THE CONCLAVE (I GAVE HIM A COPY OF MR GAREL-JONES' REMARKS AS REPORTED IN MY TELNO 623). THEY WERE NOT OPPOSED A PRIORI TO LANGUAGE UNDERLINING THE IMPORTANCE OF RESPECTING THE LOGIC OF WHAT WAS AGREED IN THE SEPARATE PILLARS. ON THE OTHER HAND THEY WERE STRONGLY OPPOSED TO LANGUAGE DESIGNED TO GO FURTHER BY EG FURTHER LIMITING THE COMPETENCE OF THE ECJ. WE AGREED THAT 'VOCATION FEDERALE' WAS A SUBJECT TO BE SETTLED AT MAASTRICHT.

THE WAY FORWARD

10. ON THE QUESTION OF PARTICIPATION OF FINANCE MINISTERS AT MAASTRICHT, VAN BEUGE RECOGNISED THAT THIS HAD NOT YET BEEN FINALLY SETTLED BUT SAID THAT THE PRESIDENCY WERE PLANNING ON THE BASIS OF THREE PRINCIPLES PER DELEGATION. I UNDERLINED THAT THE UK REMAINED TOTALLY COMMITTED TO ACHIEVING A RESULT AT MAASTRICHT. THAT SAID, I ASKED WHETHER THE DUTCH HAD CONTINGENCY PLANS TO EXTEND MAASTRICHT/HOLD MAASTRICHT II IF NECESSARY. VAN BEUGE SAID THAT THE DUTCH REMAINED DOUBTFUL ABOUT THE PRACTICALITY (AND INDEED THE USEFULNESS) OF THE SECOND ALTERNATIVE BUT HE DID NOT RULE OUT AT

ALL THE POSSIBILITY THAT DISCUSSION ON THE SECOND DAY WOULD BE PROLONGED, LATE INTO THE NIGHT IF THAT INCREASED THE CHANCES OF AGREEMENT.

JENKINS

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