



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 ml

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.)

*Handwritten signature*

(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
DESKBY .....Z

FOR COMMS. DEPT. USE	Despatched (Date) ..... (Time) .....Z	POSTBY .....Z
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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 .....  
 (precedence) (post)

AND TO (precedence/post) IMMEDIATE ROME, BRUSSELS, THE HAGUE, LUXEMBOURG, .....  
 PARIS, COPENHAGEN, DUBLIN, ATHENS

AND SAVING TO .....

REPEATED TO (for info) IMMEDIATE UKREP BRUSSELS

SAVING TO (for info) .....

Distribution:-

[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

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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 <sup>other</sup> 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.

CONFIDENTIAL

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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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OUT TELEGRAM

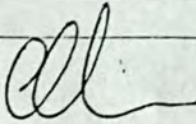
	Classification and Caveats <b>CONFIDENTIAL</b>	Precedence/Deskby <b>IMMEDIATE</b>
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TO IMMEDIATE BONN  
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AND TO IMMEDIATE ROME, BURSSELS, THE HAGUE, LUXEMBOURG, PARIS,  
COPENHAGEN, DUBLIN, ATHENS  
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  
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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)

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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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 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  
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 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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 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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