



QUEEN ANNE'S GATE LONDON SW1H 9AT

9 December 1985

Dear Nicholas,

EDP
9/12

CHANNEL FIXED LINK

Thank you for sending me a copy of your letter of 25 November to Geoffrey Howe with a progress report by officials on the drafting of the Treaty for the Channel Fixed Link.

My officials have been closely involved with the drafting of the Treaty and the negotiations with the French, and I am generally satisfied with the way in which it deals with matters which are of interest to my Department. As you are aware, however, a good deal of work still lies ahead on security, policing, frontier control and jurisdictional questions. These matters will need to be the subject of detailed negotiations with the French, with a view to concluding protocols to the Treaty (as envisaged in, for example, Article 9 of the draft Treaty) and other necessary bilateral arrangements. Some of the questions that will have to be dealt with in this field will have implications for the Lord Chancellor's and Attorney General's responsibilities, as well as my own. It is therefore important for the Treaty to provide a framework for these further detailed negotiations without unduly constraining our freedom of action in devising solutions to the varied and complex problems that are likely to arise.

Against this background I am somewhat concerned about the apparent inclination of the French to seek to add to existing references in the Treaty to frontier control and security matters (which already provide a perfectly adequate framework for further work once the Treaty is signed) by bringing in specific references to particular operational matters such as the establishment of juxtaposed frontier controls and the notification of authorities responsible for defence and security matters. I hope that in your further negotiations with the French, you and Geoffrey Howe will be able to resist as far as possible the introduction of new and unnecessarily detailed points into the Treaty, or at least ensure that such new points are formulated in a way which does not undesirably constrain our freedom of manoeuvre in future discussions with the French. Given the necessary urgency with which the negotiations to agree on the Treaty are to be completed, I think it is all the more important not to allow the French to bring in new points unless they are seen as absolutely essential.

The Rt Hon Nicholas Ridley, M.P.

/over...

Transp; Chan Tunnel Pt 3

- 2 -

You also sought views on representation on the commission which is to play a key role in communications between the Governments and the concessionaire. I support the principle of keeping the proposed commission small, but in view of the importance of the control and enforcement aspects of its work I would wish to consider nearer the time whether it should have a Home Office member.

Copies of this letter go to the Prime Minister, Geoffrey Howe, Michael Heseltine, members of E(A) and Sir Robert Armstrong.

Lowery,
Doyl.

