



Foreign and Commonwealth Office

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London SW1A 2AH

28 November 1989

Handwritten: Jean Charles, meeting with Herr Genscher tomorrow
Handwritten: Ingerman related for you
Handwritten: CDR 2071

Meeting with Herr Genscher: 29 November

Since my letter of 27 November, Chancellor Kohl has made a major speech in the Bundestag on FRG policy towards the GDR. Herr Genscher also took part.

/ Chancellor Kohl proposed a ten-point plan, "on the road to unity". I enclose a translation of his "ten points". In his preliminary remarks (not part of the text) Chancellor Kohl also stressed the FRG's allegiance to NATO.

/ Teltschik briefed the Ambassadors of the UK, US and France this afternoon (I enclose Sir Christopher Mallaby's record). As you will see, Chancellor Kohl put forward the ten points on his own authority, without consulting Herr Genscher. When he spoke to the Bundestag later in today's debate, Herr Genscher endorsed Chancellor Kohl's ten points but in a restrained manner, making no mention of reunification as such. We will let you have details of Herr Genscher's speech as soon as possible.

Chancellor Kohl's speech marks the beginning of a more active debate on the German Question within the FRG. Rejoicing over the new climate in the GDR is giving way to sometimes heated discussion of a host of practical problems for the authorities in Bonn, most of them requiring early answers.

Chancellor Kohl sees a historic opportunity to influence the GDR towards a liberal economic and political order closely akin to that of the FRG. This would be a major step, as he sees it, towards some form of eventual reunification. But he continues to insist that any solution to the German Question must be sought in a wider process of overcoming divisions in Europe and he has attached no timetable to all this. He is trying not to appear to dictate the outcome of self-determination or to undermine the very existence of the GDR in advance.

The opposition, meanwhile, are urging caution. Lafontaine (who may well be the SPD's candidate for Chancellor next year) has pointed out that the unconditional offer of citizenship and West German social security benefits to all GDR citizens might no longer be justified if a fully legitimate state emerges in the GDR. This point has hitherto

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been sacred in the FRG.

There are signs of greater support for reunification within the GDR (I enclose a copy of East Berlin telegram 417). While the intellectuals want to develop socialism with a human face, other people are increasingly impressed with what they have now seen for themselves in West Germany. But the popular mood in the GDR remains hard to read.

In these circumstances we believe it would be best to adopt an interrogative approach to Kohl's speech. It would be worth a reminder to Herr Genscher of the importance we attach to early consultation on such key questions. Otherwise the basic points on the need for stability, a step-by-step approach etc suggested in my letter of 27 November remain valid.

Soering

In a message to the Foreign Secretary last week, Herr Genscher said he intended to raise the possibility of Soering's extradition to the FRG in his talks with the Prime Minister and Foreign Secretary. If he does raise the matter with the Prime Minister, she could suggest that he discuss it with the Foreign Secretary at their talks tomorrow evening.

Soering is a young German whom we have agreed to extradite to the United States on charges of murdering the parents of his girlfriend there. We have secured US assurances that he will not be tried on a capital charge. Herr Genscher will want to press for him to be extradited to the FRG instead on humanitarian grounds. A life sentence in the FRG means 10-15 years whereas in the US it could mean life. The Germans also claim that the US extradition request has lapsed following subsequent legal processes - a view we do not share. We believe Soering should be extradited to the US, both because he is alleged to have committed the crime there and also because the US request was submitted first. Soering's extradition is currently held up while his lawyers consider an appeal direct to the House of Lords.

Jans,
Stephen Wall

(J S Wall)
Private Secretary

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Translation

Ten-Point Programme

One: Firstly, immediate measures are required to deal with the problems arising from the events of recent weeks, especially from the wave of resettlers and the new dimension of travel.

The Federal Government is prepared to give immediate concrete help where this help is needed. We shall assist in the humanitarian sector and with medical supplies where this is requested.

We also know that the "welcome money", which we pay to each visitor from the GDR once a year, cannot be a solution to the financing of travel. In the final analysis, the GDR itself must provide its travellers with the necessary foreign currency. However, we are prepared to contribute to a currency fund for a transitional period. But the pre-requisite for this is that the minimum exchange amount for travellers to the GDR should be abolished, entry to the GDR considerably eased and that the GDR make a substantial contribution of its own to the fund.

Our objective is for travel in both directions to be as unhindered as possible.

Two: The Federal Government will continue cooperation with the GDR in all areas which immediately benefit the people on both sides. This applies in particular to economic, scientific-technological and cultural cooperation. Increased cooperation in the field of environmental protection is particularly important. It will shortly be possible to take decisions on new projects in this area.

Furthermore, we want to work towards a rapid expansion of the GDR telephone network.

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Negotiations are continuing on the further development of the railway line Hanover-Berlin. Talks will also be needed on fundamental questions of rail routes in a Europe with open borders and links with of the GDR network - above all in view of the modern high-speed trains.

Three: I have offered an extensive increase in our help and cooperation if a fundamental change in the political and economic system in the GDR is bindingly decided and irreversibly set in motion. For us, "irreversible" means that the GDR leadership reaches agreement with opposition groups on a change in the Constitution and a new electoral law.

We support the demand for free, equal and secret elections in the GDR with the participation of independent, also non-Socialist parties. The SED's monopoly of power must be repealed. Calls for the introduction of a constitutional system mean above all the abolition of political criminal law.

Economic aid can only be effective if there are fundamental reforms of the economic system. This is clear from the experience of all COMECON States. The bureaucratic planned economy must be dismantled.

We do not want to stabilise conditions which have become untenable. An economic upswing will only be possible if the GDR opens itself to western investments, creates market economy conditions and enables private sector activities. In Hungary and Poland there are already examples which the GDR can follow. Joint ventures would very soon be possible if these pre-requisites are fulfilled. Numerous companies at home and abroad have already signalled their readiness in this direction.

None of these are pre-conditions, but concrete pre-requisites for our help to take effect. Moreover, there can be no doubt that the people in the GDR want an economic order which will also give them economic freedom and thus prosperity.

Four: In his Government Declaration, Prime Minister Modrow spoke of a "treaty-based association" (Vertrags-gemeinschaft). We are prepared to take up this idea. The closeness and special character of relations between the two states in Germany call for an increasingly close-meshed network of agreements in all areas and at all levels.

This cooperation will also require joint institutions to an increasing extent. Existing joint Commissions can take on new tasks, further Commissions can be established. I am thinking here particularly of the economy, transport, environmental protection, science and technology, health and culture. It is self-evident that Berlin should be fully integrated into this cooperation.

I call upon all social groups and institutions to work together on the shaping of such a treaty-based association.

Five: But we are also prepared to take a further decisive step, namely to develop confederative structures between the two states in Germany with the aim of creating a federation, a federal order in Germany. A legitimate democratic government within the DDR is an absolute pre-requisite.

We could imagine the following institutions being established soon after free elections:

- a joint governmental committee for permanent consultation and political coordination,
- joint technical committees,
- a joint parliamentary body.

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Previous policy vis-a-vis the DDR had to concentrate essentially on small steps, which were intended to alleviate the consequences of division for the people whilst maintaining and heightening awareness for the unity of the nation. If in the future, a democratically legitimized, that is a freely elected government becomes our partner, this will open up completely new prospects.

New forms of institutional co-operation can gradually be created and further developed. Such a coming together is inherent in the continuity of German history. The German State has always been organised as a confederation or a federation. We can now again make use of this historical experience.

Nobody currently knows how a reunified Germany will eventually look. However, I am sure that unity will come, if it is wanted by the German people.

Six: The development of inner-German relations remains anchored in the pan-European process and in East-West relations. The future architecture of Germany must fit into the future architecture of Europe as a whole. The West has acted as a pace-maker here with its concept for a lasting and just European peace order.

In our Joint Declaration of June this year, General Secretary Gorbachev and I speak of the building components of a "common European house." For example:

- The unlimited respect for the integrity and security of each State. Each State has the right to freely choose its own political and social system.
- The unlimited respect for the principles and standards of international law, particularly respect for the right of self-determination of nations.

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The realization of human rights.

- Respect for and maintenance of the historically evolved cultures of the peoples of Europe.

General Secretary Gorbachev and I set out that these points are intended to link into the historically based European traditions and help overcome the division of Europe.

Seven: The attraction and the aura of the European Community are and remain a constant feature of pan-European developments. We want to strengthen these still further.

It is now up to the European Community to approach the reform-oriented States in Central, Eastern, and South-Eastern Europe with openness and flexibility. This was unanimously agreed by the Heads of State and Government of the EC Member States during their recent meeting in Paris.

This of course includes the GDR:

- The Federal Government therefore advocates the early conclusion of a trade and co-operation agreement with the GDR which extends and secures GDR access to the Common Market, also with a view to 1992.

- We can imagine certain forms of association for the future which draw the economies of the reform-oriented States of Central and South-Eastern Europe closer to the EC and thus help to close the economic and social gap on our Continent.

We understand the process of regaining German unity as a European matter. It must therefore be viewed in the context of European integration. In this sense, the European Community must keep itself open for a democratic GDR and for other democratic States in Central and South-Eastern Europe. The EC must not stop at the Elbe, it must also preserve openness towards the East.

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This is the only way the EC can become the basis for a really comprehensive European unity. This is the only way it can preserve, maintain and develop the identity of all Europeans. This identity is not only founded on Europe's cultural diversity, but also and above all on the basic values of freedom, democracy, human rights and self-determination.

As far as the States of Central and South-Eastern Europe fulfil the necessary pre-requisites, we would also welcome their accession to the Council of Europe - and particularly to the Convention on the Protection of Human Rights and Basic Freedoms.

Eight: The CSCE process is and remains central to this pan-European architecture and must be advanced energetically. The forthcoming CSCE fora must be used for this purpose:

- the human rights conferences in Copenhagen (1990) and Moscow (1991).
- the conference on economic cooperation in Bonn (1990).
- the symposium on cultural heritage in Cracow (1991) and
- not least of all the next review conference in Helsinki.

There we should also consider new institutional forms of pan-European cooperation. We can envisage a common institution to coordinate East-West economic cooperation and the establishment of a pan-European Environment Council.

Nine: Overcoming the division of Europe and the partition of Germany requires far-reaching and rapid steps in the field of disarmament and arms control. Disarmament and arms control must keep pace with political developments and therefore be accelerated where possible.

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This applies in particular to the Vienna Talks on the Reduction of Conventional Forces in Europe and for the agreement of confidence-building measures as well as the global ban on chemical weapons. This also makes it necessary for the nuclear arsenals of the super-powers to be reduced to the strategically required minimum. The forthcoming meeting between President Bush and General Secretary Gorbachev offers a good opportunity to give fresh impetus to the current negotiations.

We are endeavouring to support this process - also in bilateral talks with the Warsaw Pact States, including the GDR.

Ten: With this comprehensive policy we are also working towards a state of peace in Europe in which the German people can regain its unity in free self-determination. Reunification, that is the regaining of the national unity of Germany, remains the political objective of the Federal Republic. We are grateful that we again found the support of our Allies for this objective in the Declaration of the Brussels NATO summit.

We are aware that the path to German unity is strewn with particularly difficult questions to which we cannot yet give conclusive answers. This includes above all the question of supra-national security structures in Europe.

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MY TELNO 1154 : KOHL'S SPEECH ON THE GERMAN QUESTION

SUMMARY

1. TELTSCHIK, BRIEFING US AND FRENCH AMBASSADORS AND ME, PRESENTS KOHL'S SPEECH AS AN ATTEMPT TO PUT GERMAN UNITY AT THE END OF A LENGTHY PROCESS AND THUS TO HEAD OFF CALLS FOR EARLY UNITY. IT IS TRUE THAT THE MAJOR INNOVATION IN KOHL'S 10-POINT PROGRAMME - THE SUGGESTION OF CONFEDERATIVE STRUCTURES - NEED NOT ALTER PRESENT ALLIANCES AND IN ITSELF MAY NOT BE HARMFUL. BUT KOHL'S DECISION TO SET OUT A PROGRAMME CULMINATING IN UNITY, WITHOUT AGREEMENT OF COALITION PARTNERS OR PRIOR CONSULTATION WITH ALLIES, IS A SIGN OF THE SPEED WITH WHICH THE DEBATE IS MOVING. AND TELTSCHIK VOLUNTEERED THAT KOHL'S VISION OF A LENGTHY PROCESS BEFORE UNITY COULD BE OVERTAKEN BY OTHER VIEWS BEFORE LONG.

DETAIL

2. TELTSCHIK, KOHL'S DIPLOMATIC ADVISER, BRIEFED THE US AND FRENCH AMBASSADORS AND ME ABOUT KOHL'S SPEECH TWO HOURS AFTER THE CHANCELLOR HAD SPOKEN. HE SAID THAT THE 10-POINT PROGRAMME IN THE SPEECH HAD BEEN ADVANCED ON KOHL'S OWN AUTHORITY, WITHOUT AGREEMENT WITH COALITION PARTNERS OR ALLIES. BUT IT HAD TAKEN ACCOUNT OF NUMEROUS TELEPHONE CALLS BETWEEN KOHL AND BUSH, CONTACTS BETWEEN KOHL AND MITTERRAND, THE EC SUMMIT ON 18 NOVEMBER AND CONTACTS AT MANY LEVELS WITH THE GDR.

3. THE CHANCELLOR'S TEN POINTS HAD ALSO TAKEN ACCOUNT OF HIS CONTACTS WITH GORBACHEV AROUND 9 NOVEMBER. THERE HAD ALSO BEEN IMPORTANT CONTACTS WITH ADVISERS TO GORBACHEV. THEY HAD SUGGESTED THAT THE FEDERAL CHANCELLOR SHOULD NOT VISIT THE GDR BEFORE THE COMMUNIST PARTY CONGRESS THERE ON 14/15 DECEMBER, THUS IMPLYING THAT THE PRESENT LEADERSHIP MIGHT NO LONGER BE IN PLACE AFTER THE CONGRESS. TELTSCHIK SAID THAT THE EARLIEST THE CHANCELLOR COULD VISIT EAST GERMANY WAS 19 DECEMBER. HE WOULD NOT GO TO EAST BERLIN AND HOPED TO GO TO LEIPZIG. HIS DECISION WOULD DEPEND ON THE POLICY DECISIONS TAKEN AT THE PARTY CONGRESS. RETURNING TO WHAT GORBACHEV'S

ADVISERS HAD SAID, TELTSCHIK SAID THEY HAD REVEALED THAT THE RUSSIANS WERE REFLECTING ABOUT FAR-REACHING POSSIBILITIES INCLUDING A FOUR-POWER CONFERENCE, A PEACE TREATY, AND A UNITED, NEUTRAL GERMANY. BUT THE SOVIET POSITION STILL INSISTED ON TWO BASIC POINTS: NO DEPARTURES FROM THE WARSAW PACT AND MAINTENANCE OF THE SEPARATE STATEHOOD OF THE GDR. IT WAS INTERESTING, HOWEVER, THAT GORBACHEV'S ADVISERS WERE LIMITING THIS STATEMENT ABOUT THE SOVIET BOTTOM LINE TO PRESENT CIRCUMSTANCES AND NO LONGER IMPLYING THAT THE BOTTOM LINE COULD NEVER CHANGE. GORBACHEV'S ADVISERS HAD ASKED TELTSCHIK WHETHER THE FEDERAL CHANCELLOR WANTED A PEACE TREATY OR A FOUR-POWER CONFERENCE AND WHAT FORM OF UNITY WOULD IN DUE COURSE BE PREFERRED.

4. TELTSCHIK CONTINUED THAT THESE SOVIET REMARKS AMONG OTHER FACTORS HAD MADE THE CHANCELLOR DECIDE THAT IT WAS TIME TO PRESENT A WAY FORWARD ON THE GERMAN QUESTION. THE FEDERAL REPUBLIC'S ALLIES SHOULD CAREFULLY NOTE THAT KOHL'S SPEECH, BEFORE SETTING OUT THE 10 POINTS, DREW ATTENTION TO THE FACTORS WHICH HAD PRODUCED POSITIVE CHANGE IN EUROPE. THESE FACTORS BEGAN WITH THE FRG'S MEMBERSHIP OF THE COMMUNITY OF DEMOCRACIES AND THE FIRMNESS OF NATO OVER INF. IT ALSO INCLUDED WEST EUROPEAN INTEGRATION, GORBACHEV'S POLICY OF REFORM, THE REFORM IN POLAND AND HUNGARY, CSCE, THE FREQUENCY OF EAST-WEST SUMMITS, THE FEDERAL REPUBLIC'S OSTPOLITIK AND THE FEDERAL REPUBLIC'S INSISTENCE THAT THE GERMAN NATION REMAINED ONE. TELTSCHIK SAID THAT THESE POINTS, ESPECIALLY THE ONE ABOUT NATO, SHOULD BE SEEN AS BELONGING INSEPARABLY WITH THE 10 POINTS THEMSELVES. AS WE KNEW, THE FEDERAL GOVERNMENT STOOD FIRMLY BY ITS MEMBERSHIP OF THE ALLIANCE. TELTSCHIK CONTINUED THAT THE 10 POINTS SHOULD BE SEEN AS A SINGLE PACKAGE. THE MAJOR NOVELTY WAS POINT 5, ABOUT CONFEDERATIVE STRUCTURES. THESE WERE PRESENTED AS OPENING UP THE AIM OF A FEDERATION IN DUE COURSE IN GERMANY. (MY TUR DESCRIBED THIS MISTAKENLY IN PARAGRAPH 2(5) AS A CONFEDERATION). TELTSCHIK CONTINUED THAT THE CHANCELLOR HAD DELIBERATELY NOT SPOKEN OF A CONFEDERATION SINCE THAT REQUIRED A TREATY BETWEEN TWO SEPARATE STATES AND THEREFORE WOULD CONFIRM THE EXISTENCE OF TWO STATES IN GERMANY. A FURTHER ADVANTAGE OF PROPOSING CONFEDERATIVE STRUCTURES BUT NOT A CONFEDERATION WAS THAT THE FORMER DID NOT CALL THE TWO GERMANIES' MEMBERSHIP OF ALLIANCES INTO QUESTION. TELTSCHIK POINTED OUT THAT KOHL'S POINT 9 ABOUT ARMS CONTROL REFERRED TO NUCLEAR REDUCTIONS ONLY BY THE SUPERPOWERS.

5. I ASKED TELTSCHIK WHY THE CHANCELLOR HAD MADE THIS MAJOR MOVE ON THE GERMAN QUESTION AT THIS TIME. TELTSCHIK SAID THAT THE CHANCELLOR HAD FELT A NEED TO SET OUT CLEAR GERMAN VIEWS, TO INFLUENCE THE THINKING THAT WAS EVIDENTLY TAKING PLACE IN MOSCOW.

SECONDLY KOHL HAD WANTED TO LEAD THE DEBATE IN THE FRG, WHICH HAD BEEN FLOUNDERING RECENTLY (MY TELNO 1151). HE HAD ALSO WANTED, BY SETTING GERMAN UNITY AT THE END OF A LENGTHY PROCESS ALSO INVOLVING A EUROPEAN SETTLEMENT, TO INFLUENCE PEOPLE IN THE GDR WHO INCREASINGLY WERE CALLING FOR GERMAN UNITY AND MIGHT START SAYING THAT IT SHOULD HAPPEN SOON. THE CHANCELLOR ALSO HOPED THAT A CLEAR PROGRAMME CULMINATING IN GERMAN UNITY WOULD INSTIL PATIENCE INTO THE PEOPLE OF THE GDR AND THUS REDUCE THE LIKELIHOOD THAT THE FLOOD OF EMIGRANTS MIGHT BEGIN AGAIN. FINALLY, THE CHANCELLOR WANTED TO RE-EMPT CALLS FOR REUNIFICATION IN NEUTRALITY, WHICH MIGHT COME FROM THE LEFT IN THE FEDERAL REPUBLIC BEFORE LONG. TELTSCHIK ADMITTED, HOWEVER, THAT KOHL'S ATTEMPT TO BE A ROCK IN THE STORM AND TO SET REUNIFICATION WAY DOWN THE ROAD COULD BE OVERTAKEN BY OTHER VIEWS.

COMMENT

6. TELTSCHIK WAS AT PAINS TO STRESS THAT FEDERAL GERMAN MEMBERSHIP OF NATO WAS NOT IN QUESTION AND THAT THE REFERENCE TO IT IN KOHL'S SPEECH SHOULD BE TAKEN AS PART OF THE 10 POINTS. I AM SURE THAT KOHL AND TELTSCHIK ARE SINCERE ABOUT THE ALLIANCE. BUT IT IS A PITY THAT THE 10 POINTS THEMSELVES DO NOT MENTION THE ALLIANCE AND TO MENTION OTHER MATTERS COVERED IN THE PRELIMINARY PART OF THE SPEECH. I FIND GENERALLY CONVINCING TELTSCHIK'S EXPLANATION OF KOHL'S REASONS FOR SPEAKING UP NOW. AND IT IS TRUE THAT CONFEDERATIVE STRUCTURES, AT LEAST IN THE EXAMPLES GIVEN IN KOHL'S SPEECH, MAY NOT IN THEMSELVES BE HARMFUL. BUT SOME OF THEM, NOTABLY 'A COMMON PARLIAMENTARY BODY' COULD ACQUIRE MAJOR SIGNIFICANCE OVER TIME. THE KEY POINT IS THAT THE PRESSURES HAVE REACHED A LEVEL WHERE KOHL HAS FELT OBLIGED TO MAKE A HIGH PROFILE STATEMENT OF A POLICY EXPRESSLY INTENDED TO LEAD IN TIME TO GERMAN UNITY. AND HE HAS DONE SO ON HIS OWN AUTHORITY, NOT ON BEHALF OF THE WHOLE COALITION, AND WITHOUT PRIOR CONSULTATION WITH THE ALLIES HAVING RESPONSIBILITY FOR THE GERMAN QUESTION. IT SHOWS HOW FAST THE GERMAN QUESTION IS MOVING.

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MY TELNO 413 : GDR INTERNAL DEVELOPMENTS

SUMMARY

1. RENEWED CALLS AT LEIPZIG DEMONSTRATIONS FOR UNITY/ REUNIFICATION. NO PARTY NOW RULES THIS OUT ENTIRELY BUT TIME SCALES VARY GREATLY.

DETAIL

2. OVER 200,000 PEOPLE TURNED OUT ON 27 NOVEMBER TO PRESS DEMANDS FOR REFORM. SIMILAR DEMONSTRATIONS TOOK PLACE IN DRESEDEN, HALLE, COTTBUS, NEU-BRANDENBURG AND SCHWERIN.

3. AS AT LAST WEEK'S DEMONSTRATION (PARA 2 OF MY TELNO 405) THERE WERE AGAIN CALLS FOR REUNIFICATION. ACCORDING TO NEUES DEUTSCHLAND (ND) SUCH CALLS WERE REJECTED BY THE MAJORITY - "ONE PEOPLE - TWO STATES, THAT IS THE REALITY" WAS THE SED'S REPLY. TWO MEMBERS OF CHANCERY WERE IN LEIPZIG LAST NIGHT AND HAVE, HOWEVER, REPORTED THAT IN ADDITION TO ATTACKS ON THE OLD REGIME THE THEME OF UNITY/REUNIFICATION WAS PRESSED STRONGLY. A SIZEABLE PROPORTION OF THE CROWD APPEARED TO BE IN FAVOUR AND A CONSIDERABLE NUMBER OF THE BANNERS CARRIED MESSAGES SUCH AS -DONT BE AFRAID, REUNIFICATION NOW.

4. THERE HAVE BEEN A SERIES OF STATEMENTS ABOUT THE POSSIBILITY OF UNITY/REUNIFICATION IN THE LAST FEW DAYS. ON 25 NOVEMBER KRENZ, IN AN INTERVIEW WITH THE FINANCIAL TIMES SAID THAT GERMAN UNITY WAS NOT ON THE AGENDA. IN THE LONGER TERM, HOWEVER, HE THOUGHT THAT THE QUESTION COULD NOT BE RULED OUT DEPENDING ON THE "FRAMEWORK" OF THE COMMON EUROPEAN HOME. ACCORDING TO NEUES DEUTSCHLAND'S ACCOUNT OF THAT INTERVIEW KRENZ DID NOT EXCLUDE THE POSSIBILITY THAT "THE GDR AND THE FRG COULD MOVE IN THE DIRECTION OF A CONFEDERATION IF, IN THE COMING YEARS, NATO AND THE WARSAW PACT WERE DISBANDED."

5. I ASKED GERLACH YESTERDAY, IN HIS CAPACITY AS DEPUTY CHAIRMAN OF THE COUNCIL OF STATE, WHAT INTERPRETATION TO PUT ON KRENZ'S WORD. GERLACH SAID THAT FOR THE PRESENT TWO REALITIES EXISTED IN THE GDR. IT WAS A SOCIALIST STATE AND A SOVEREIGN STATE. WHAT MIGHT HAPPEN IN THE FUTURE WOULD DEPEND ON DEVELOPMENTS IN EUROPE. HE DID NOT PERSONNALLY RULE OUT A MORE CLOSELY STRUCTURED RELATIONSHIP SUCH AS CONFEDERATION OR FEDERATION.

COMMENT

6. THE QUESTION OF UNITY/REUNIFICATION HAS IN THE LAST WEEK OR SO BECOME MUCH MORE PROMINENT IN THE GDR. OFFICIAL ATTITUDES TOWARDS IT HAVE MOVED CONSIDERABLY IN A FAIRLY SHORT TIME. FROM HONECKER'S POSITION OF THE INSEPARABILITY OF SOCIALISM AND CAPITALISM (FIRE AND WATER), NONE OF THE OFFICIAL PARTIES NOW RULE OUT THE POSSIBILITY OF A MUCH CLOSER RELATIONSHIP WITH THE FRG INVOLVING STRUCTURAL CHANGE ALTHOUGH THIS IS REFERRED TO AS A POSSIBILITY FOR THE DISTANT FUTURE.

7. I JUDGE THIS TO BE AN ACKNOWLEDGEMENT OF PRESSURE FROM THE STREETS. WHILE THE INTELLECTUAL AND CULTURAL LEADERS OF THE REFORM GROUPS IN BERLIN REMAIN CAUTIOUS, IF NOT HOSTILE TO THE IDEA OF UNITY/REUNIFICATION, THE PERCEPTIONS OF THE PEOPLE, PARTICULARLY IN THE INDUSTRIAL TOWNS OF THE SOUTH, HAS DEFINITELY BEEN AFFECTED BY WHAT THEY HAVE BEEN ABLE TO SEE OF THE FRG AND WEST BERLIN SINCE 9 NOVEMBER. THEY ARE BECOMING CONSCIOUS OF THE DECEPTION PRACTISED UPON THEM BY THE PREVIOUS LEADERSHIP ABOUT LIFE IN THE WEST, AND ARE INCREASINGLY AWARE OF THE ENORMOUS GAP IN THE LIVING STANDARDS AS WELL AS POLITICAL FREEDOMS BETWEEN THE TWO COUNTRIES. THE EDITOR OF ND, TO WHOM I PUT THIS QUESTION YESTERDAY, ACKNOWLEDGED THAT THERE WAS THE BEGINNINGS OF A NEW MOOD ON THE STREETS. THE SED WOULD HAVE TO FACE THIS AND WIN THE PEOPLE BACK TO THEIR VERSION OF SOCIALISM BY BECOMING A THOROUGHLY REFORMED PARTY, ADOPTING COHERENT REFORMING POLICIES.

8. I WILL SEND A FURTHER ROUND UP ON POLITICAL AND ECONOMIC DEVELOPMENTS HERE BEFORE THE NATO MINISTERIAL MEETING ON 4 DECEMBER.

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GENSCHER'S VISIT TO LONDON ON 29 NOVEMBER

SUMMARY

1. A CHANCE TO QUESTION GENSCHER ABOUT KOHL'S NEW TEN POINT PLAN ON THE GERMAN QUESTION (MY TELNOS 1154 AND 1156). HIS APPROACH TO EASTERN EUROPE CLOSE TO OURS. DIVERGENCE OVER GOALS AT STRASBOURG. BUT HE REMAINS FIRM ON THE FEDERAL REPUBLIC'S ALLEGIANCE TO THE WEST, INCLUDING THE ALLIANCE.

DETAIL

2. IN SPEAKING TO THE BUNDESTAG ON 28 NOVEMBER KOHL FOR THE FIRST TIME DECLARED UNITY TO BE THE GOAL OF A PROCESS STARTING NOW. GENSCHER, SPEAKING LATER THE SAME DAY, SUPPORTED THIS BUT AS USUAL WAS RESTRAINED, MAKING NO MENTION OF REUNIFICATION AS SUCH. MAIN POINTS AS FOLLOWS:

- (A) THE FDP SUPPORTED THE TEN POINTS FORMULATED BY CHANCELLOR KOHL, AND BELIEVED THAT THEY SHOULD FORM THE BASIS OF A CONSENSUS IN THE BUNDESTAG ON THE SUBJECT OF RELATIONS WITH THE GDR. IT WAS MOST IMPORTANT THAT POLICY IN THIS AREA SHOULD NOT BECOME THE SUBJECT OF PARTY INFIGHTING IN THE COMING ELECTORAL CAMPAIGN.
- (B) HE STRESSED IN PARTICULAR THE IMPORTANCE OF THE FRG BEING READY TO HELP THE GDR EVEN AT THIS STAGE IN EVERY POSSIBLE WAY (THE FDP, UNLIKE THE CDU/CSU, HAS MADE PLAIN RECENTLY ITS PREFERENCE FOR MAKING AID TO THE GDR UNCONDITIONAL). THERE WERE IMPORTANT MEDICAL AND OTHER NEEDS TO BE SATISFIED BY MEANS OF URGENT ACTION. IF DURING THE WINTER THE GDR WERE TO LACK ADEQUATE MEANS OF TRANSPORT, THEN THE FRG SHOULD CONSIDER MAKING BUSES AVAILABLE. MUCH COULD BE DONE IN THIS SORT OF WAY.
- (C) THE SHAPE OF THE RELATIONSHIP BETWEEN THE FRG AND THE GDR WOULD HAVE TO BE COMPLETED BY DEVELOPING THE GDR'S RELATIONSHIP WITH THE EUROPEAN COMMUNITY. THE GDR LEADERSHIP HAD COMMITTED THEMSELVES IN WRITING TO THE COMMUNITY TO FREE, DEMOCRATIC AND SECRET ELECTIONS. THIS WAS AN IMPORTANT STATEMENT WHICH OPENED

THE WAY FOR RELATIONS WITH THE GDR ON A TRADE AGREEMENT, AND ON A COOPERATION AGREEMENT, WHICH IF IT WAS TO MEET THE GDR'S EXPECTATIONS SHOULD COVER NOT ONLY ECONOMIC COOPERATION, BUT TRADE, SCIENCE AND TECHNOLOGY, ENVIRONMENT, TRANSPORT, FISHERIES, STANDARDS, STATISTICS, CULTURE AND INFORMATION. CLOSE RELATIONSHIP BETWEEN THE GDR AND THE COMMUNITY WOULD CORRESPOND ALSO TO THE BASIC APPROACH OF ENTWINING THE GERMAN QUESTION WITH THE FATE OF EUROPE AS A WHOLE.

(D) THE PROGRESS BEING MADE BY THE REFORM MOVEMENTS IN EASTERN EUROPE WAS DUE BOTH TO THE CORRECT AND CONSISTENT LINE WHICH THE WEST HAD FOLLOWED AND TO THE LINE TAKEN BY GORBACHEV. IT WAS OF KEY IMPORTANCE THAT GORGACHEV'S POLICIES IN THE SOVIET UNION SHOULD BE SUCCESSFUL. THE WEST FOR ITS PART NOW NEEDED TO APPLY ITSELF AS MUCH TO MAKING THE REFORM MOVEMENTS IN EASTERN EUROPE A SUCCESS AS IT HAD DONE IN THE PAST TO THE TASK SAFEGUARDING PEACE AND FREEDOM IN THE WEST. FOR THE WEST TO DO THIS WOULD BE AN INVESTMENT IN ITS OWN FUTURE.

3. OVER POLICY TOWARDS EASTERN EUROPE AS A WHOLE THERE IS MUCH TO WELCOME IN GENSCHER'S ATTITUDE. HE PLACES STRONG EMPHASIS IN PARTICULAR ON THE NEED FOR THE WEST NOT TO MAKE THINGS HARDER FOR GORBACHEV OR TO EXPLOIT CHANGE IN EASTERN EUROPE UNILATERALLY. HE HIMSELF WILL BE SEEING GORBACHEV DURING HIS VISIT TO MOSCOW FROM 5-6 DECEMBER. HE VISITED POLAND WITH KOHL EARLIER THIS MONTH, AND HAS JUST RETURNED FROM HUNGARY (HIS THIRD VISIT THERE THIS YEAR: BUDAPEST TELNO 553).

4. WHERE GENSCHER AT PRESENT DIFFERS NOTABLY FROM HMG IS IN HIS REFRAIN (MY TELNO 1076) THAT THE BEST WAY TO SAFEGUARD THE GAINS IN CENTRAL AND EASTERN EUROPE IS FOR THE TWELVE TO MOVE RAPIDLY TOWARDS EUROPEAN UNION. HIS LINE ON THE MAIN TOPICS FOR THE COMING EUROPEAN COUNCIL IS UNHELPFUL TO OUR POLICIES. HE WILL FOLLOW THE FRENCH ON THE SOCIAL CHARTER. ON EMU HE HAS BEEN URGING KOHL TO AGREE AT STRASBOURG TO CALL ON IGC IN THE SECOND HALF OF 1990. HIS ATTITUDE TO KOHL'S LATEST PRONOUNCEMENT ON EMU (SEPERATE TELEGRAM) IS AS YET UNKNOWN.

5. SPEAKING ON FRENCH RADIO ON 26 NOVEMBER, GENSCHER WAS ASKED (IN A DISCUSSION OF EMU) WHETHER IT WOULD IF NECESSARY BE POSSIBLE TO TAKE MATTERS FORWARD WITHOUT THE BRITISH. HIS REPLY WAS THAT QUOTE THE HISTROY OF THE EC SHOWS THAT IF THOSE WHO WANT TO PUSH THE COMMUNITY FORWARD FOLLOW A RESOLUTE COURSE THEN THE OTHER MEMBER STATES WILL JUMP ON TO THE MOVING TRAIN UNQUOTE.

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6. GENSCHER'S PUBLIC STATEMENTS IN RECENT MONTHS HAVE CONSISTENTLY STRESSED THE NEED FOR THE FEDERAL REPUBLIC TO REMAIN FIRMLY EMBEDDED IN THE WEST. THIS WAS AGAIN A MAJOR THEME OF THE CLUTCH OF INTERVIEWS HE GAVE DURING LAST WEEKEND. IN THE INTERVIEW WITH FRENCH RADIO REFERRED TO ABOVE, ONE OF HIS COMMENTS ON THE PRESENT STATE OF EAST-WEST RELATIONS WAS THAT 'THE FUNCTION OF THE ALLIANCES REMAINS UNCHANGED. I ALSO THINK THAT THEIR POLITICAL SIGNIFICANCE WILL INCREASE (...)'.

MALLABY

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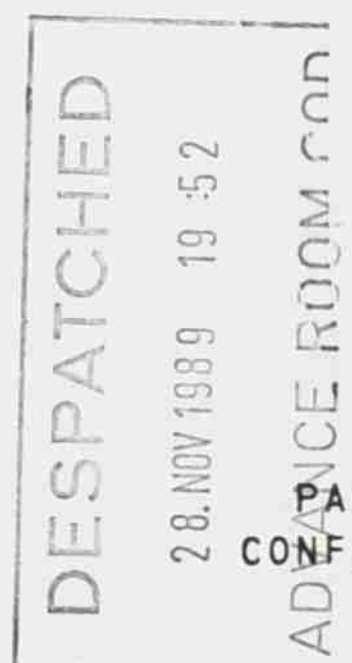
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Extradition of Jens Söring

C.C. FCO 11/29/4
[Ltr by H.M. Gensler
w/ CDP - not PM]
CDP 29/xi

I wish to draw your attention to the case of a young German awaiting extradition in the United Kingdom about which I am particularly concerned. His name is Jens Söring, the son of a member of our Foreign Service then on assignment in the United States, who whilst studying at the University of Virginia is alleged to have killed the parents of his girlfriend.

The British Government have received an American and a German request for his extradition. They have informed us that, owing to the fact that the crime was committed in the United States and that the United States request arrived first, they intend to extradite Jens Söring to the United States.

I urgently request you to reconsider whether Söring cannot be extradited to the Federal Republic of Germany. I am prompted to make this request by the following circumstances and considerations:

- Söring, who at the time of the crime was 18 years old, apparently was under the influence of his older girlfriend - the daughter of the persons killed - and possibly acted in a kind of erotomania. These facts, and the question of diminished responsibility, can be judged much better in Germany than in a third country.
- With such a young offender special consideration should be given to the concept of rehabilitation provided for in European criminal law. As Söring has no family ties in the United States and considering the conditions prevailing in the prisons of Virginia, his chances of rehabilitation in the United States must unfortunately be judged much less favourable than if he were extradited to the Federal Republic of Germany. And only here can he be adequately cared for by his family during his detention.

My request is based on the understanding that although there are important criteria as expressed in article 10 of the British-American extradition treaty which speak in favour of Söring's extradition to the United States, the

British Government are free to decide otherwise and in particular to give priority to the criterion of the offender's nationality which is likewise provided for in article 10.

Finally, you might also consider whether, in the case of conflicting requests for extradition, the request from a European partner state should not generally be given precedence.