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Foreign and Commonwealth Office

London SW1A 2AH

12 December 1989

Prime Minister

Dear Charles,

The German Question and some implications for
Security in Europe

The Foreign Secretary thought the Prime Minister
might be interested to see a letter on the German
question sent last week by Sir Christopher Mallaby.
I enclose a copy.

*A useful contribution
in thinking about the
future. At
least we've
got him off
renunciation!*

Yours ever,

R. H. T. Gozney
(R H T Gozney)
Private Secretary

*CDD
12/12/89*

C D Powell Esq
10 Downing Street

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BRITISH EMBASSY,

BONN.

Sir John Fretwell GCMG
FCO

5 December 1989

1. cc. *Home; CECOMINT.*

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*Mr. P. ...
Mr. W. ...
Mr. Lyder.*

*We should include a
reply + incorporate
comments from relevant
depts. Grateful for a draft
next week.*

Dear John

*cc PS
PS/PA W. ...
PS/PA ...
PS/PA ...
Mr. ...
Mr. ...
Mr. ...*

*Sec. ...
Sec. ...
Sec. ...
Sec. ...
Sec. ...*

THE GERMAN QUESTION AND SOME IMPLICATIONS FOR SECURITY IN EUROPE

1. This letter offers some further reflections on future policy regarding the German Question, taking into account the Ditchley Conference last weekend and developing some of the ideas discussed there. Much of what follows is intended as a contribution to the thinking process in the FCO about what political and security system we want in the new era in Europe.

2. In my letter of 8 November I wrote that rapid collapse of the old regime in the GDR could bring early change in the structure of the relationship between the two Germanies. Events since then have made early progress towards German unity seem more likely. Kohl said at NATO on 4 December that reunification was not on the agenda today. That statement sits uncomfortably with the last of his ten points of 28 November and would not be endorsed by many people here. The major uncertainties include the Soviet bottom line and the wishes of the people of the GDR. Both seem to be shifting in the direction of possible reunification. Kohl's ten points may now be taken for granted in the debate in the FRG. The debate may continue to quest forwards, focussing not only on the question of the finality of Germany's Eastern frontier but before long perhaps on timetables for movement towards reunification.

/Egon

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✓ Egon Bahr of the SPD said to me today that the two main parties in the FRG would compete, in the run-up to the General Election here on 2 December 1990, in their support for German unity. The GDR election, at present expected in 1990 (not the timescale of 2-3 years attributed to Kohl in UKDel NATO telno 375), is the trigger set by the Chancellor for introducing "confederative structures" between ^{the} two Germanies and is likely to accelerate change in the inner-German relationship, if that has not happened before then through collapse of the regime or economic problems in the GDR.

- ✓ 3. For reasons of stability among other things, our interest at present is to argue for gradual change, stressing for the time being that genuine self-determination is the big item on the agenda and not giving the impression that we assume that unity will be the outcome. We should have in mind the possibility of suggesting a lengthy period for the complicated and ramified process of implementing reunification if self-determination opts for it. One argument for that would be that Kohl and everyone else wants German unity and a comprehensive settlement in Europe to proceed in parallel, and the latter will take some years. But we should also prepare ourselves to cope with the eventuality of fast movement, ✓ in case events, notably on the streets of the GDR, produce it. This reinforces the point I have made several times that we should think what possible answers to the German Question would suit us best and aim to steer events, insofar as we can, towards those answers.

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4. The change in Eastern Europe, where several new democracies seem likely to emerge, is greatly in our interest. But because of the sheer size of the Soviet Union, the expansionist history of Russia, the risk that a truculent and reactionary leadership could one day have its finger on the Soviet nuclear button and also the prospect of years of uncertainty in Eastern Europe, we still need a Western security system including a lasting United States military presence in Europe. That requires on political grounds alone a continuing albeit reduced level of American forces in Germany. I hope that British forces would also stay - a subject for a separate study involving role specialisation in Western defence among many other things. I guess that the Soviet Union, fearing that a strong, united Germany could one day threaten its interests, would want American forces to remain in Germany and that this and other motives would cause the Russians to want to keep some forces of their own in Germany.

5. Agreement on continued stationing of some forces in Germany and elsewhere could be incorporated in the instruments approved by the future Peace Conference to agree the eventual answer to the German Question. But that could be a conspicuous way of doing it, with a risk of the Germans feeling singularised because more forces were to be stationed on their territory than elsewhere. Another approach, perhaps preferable, might be to embed agreement about stationed forces among the many elements of a new pan-European system.

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6. Before discussing that, I want to deal with a question concerning the structure of a possible united Germany. It would be easier to justify keeping forces in Germany if Germany was a confederation - that is a binary arrangement in which the old FRG and GDR would be two distinct elements each consisting of Laender - than if Germany was a federation of some 16 Laender and a Federal government but no level of government between these two. I think that the Soviet Union, insofar as it can continue to insist on maintaining the statehood of the GDR, might find confederation easier to stomach because the GDR would not completely disappear. I suppose that a confederation would also make it easier to manage an adjustment period if the GDR joined the Community.

7. Kohl's ten points were notable for avoiding the option of confederation. He spoke of "confederative structures ... with the aim of creating a federation, a federal order in Germany". That omission was deliberate. Kohl feared that, if he spoke of confederation, he would be accused by the right in federal politics of foreseeing the continued existence of the bankrupt GDR. Another important objection to confederation is that it is a contrivance to have a confederal government, two governments responsible for the old FRG and GDR and some 16 Land governments. The natural arrangement would omit the middle tier. Contrivance can be hard to preserve.

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8. Duisberg of the Federal Chancellery said at the Ditchley Conference that confederation might be what in fact developed in Germany. Egon Bahr told me today that he favoured it but thought it unlikely to emerge. My feeling is that we should have the idea in mind as an answer to the German Question which might suit us, but should be prepared for a situation where the difficulties inherent in it would make it unattainable.

9. We must also think about wider arrangements to preserve Western security in the future. I hope that NATO will be adapted, not replaced. That is a major aim, and we should not lose sight of the possibility of a united Germany belonging to the Alliance. But the point about the Russians at the end of paragraph 4 and other considerations may make NATO and German unity difficult to reconcile. We may anyway need some new system for settling disputes in Eastern Europe and limiting instability there, and the Warsaw Pact (which we should treat neither to resuscitation nor euthanasia) is likely to prove unpopular and ineffective over time. That brings me back to consideration of some kind of pan-European security system. In other words, to the question of what the long-touted proposition of a European peace order ought in our interests to mean.

10. One way of approaching this is to consider a Helsinki Final Act with teeth. Another is to devise a kind of United Nations for Europe. Since CSCE exists and involves the Americans, and also has made headway on human rights, I prefer it as a starting point. The new Final Act would be a treaty, legally and not just politically binding. It would incorporate much (or all) of what is

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in the Helsinki Act as well as provisions to make pluralism and the rule of law and open frontiers etc as irreversible as possible. It would build on Basket II in order to foster market reforms in Eastern Europe. There would have to be some enforcement arrangement. It might be a standing commission, to which suspected violations could be referred. There might be a corps of inspectors to investigate complaints and even a peace keeping force. All this, needless to say, needs a great deal of thought. One of the biggest difficulties is how the correction of violations and the deployment of any peace keeping force would be decided. The United States would need to be involved in these matters. A kind of European Security Council, on the lines of the UN SC, raises the question of permanent membership and of vetoes; we cannot give the Soviet Union a veto over Western European matters and thus arguably more power over us than now. The idea of weighted voting ought to be investigated.

[All a bit like the League of Nations - e.g. ineffective]

11. The new arrangement could provide for stationing of one member's forces in the territory of another, by mutual agreement. This would render illegal any unilateral reoccupation of an Eastern European country by the Soviet Union under different leadership. The agreement of the two states could be registered with the coordinating organisation of the European security system. Certain stationing arrangements agreed before signature, notably for forces in Germany, could be recorded in the new agreement itself, possibly with a requirement for renewed registration of consent by the sending and receiving states after a stated period of years.

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12. One big question in all this is whether the Germans, East and West, would tolerate stationing of foreign forces. In the context we are discussing, they would be achieving the goal of unity. They would know that this achievement was altering the system that has kept the peace in Europe for 40 years. They would be getting major reductions in the forces currently present in Germany. I think that there should be a worthwhile chance of pulling it off provided the superpowers were clearly for it. Our standing in relation to the German Question, and the need for our signature on the treaty embodying the answer to it, give us some leverage. We should consult the Americans and French about this and many other aspects, and then try to establish in the public mind in Europe the position that a new security system is going to be needed if there is German unity and that stationing of some foreign forces in Germany must be part of it.

Yours ever

Christopher

C L G Mallaby

cc Ambassadors in East Berlin, Moscow, Washington
Paris, UKDel NATO

M StE Burton Esq CMG CVO, BMG Berlin

John Weston Esq CMG, FCO

Robert Cooper Esq MVO, Policy Planning Staff, FCO

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