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THE GERMAN QUESTION

SUMMARY

1. FRESH THINKING FROM THE FEDERAL GOVERNMENT ABOUT HOW TO ACHIEVE THE PROPOSED 'CONTRACTUAL COMMUNITY' WITH THE GDR.

2. A MAJOR RESTATEMENT OF GENSCHER'S VIEW OF HOW TO GUARANTEE THE PRESERVATION OF STABILITY IN EUROPE AND THUS PAVE THE WAY FOR THE CREATION OF THE EUROPEAN PEACE ORDER AND FACILITATE THE ACHIEVEMENT OF GERMAN UNITY. STRESS ON THE NEED TO MAINTAIN BOTH ALLIANCES, AND THE IMPORTANCE OF RETAINING A US PRESENCE IN EUROPE. BEYOND THAT, FOUR MAIN ELEMENTS: ACTION TO DEVELOP THE CSCE PROCESS, INCREASE EC INTEGRATION, PROMOTE DISARMAMENT AND CAPITALISE ON THE STRENGTH OF FRG/SOVIET RELATIONS. INSERTED IN THAT FRAMEWORK, SOME NEW IDEAS ABOUT THE POSSIBLE SCOPE OF A CSCE SUMMIT AND ABOUT GDR/EC RELATIONS. BUT OFFICIALS ARE STILL WRESTLING WITH MANY QUESTIONS, NOTABLY HOW TO RECONCILE A UNITED GERMANY WITH NATO.

DETAIL

CONTRACTUAL COMMUNITY

3. MY TELNO 42 REPORTED GENSCHER'S DESCRIPTION OF THE FEDERAL GOVERNMENT'S LATEST IDEAS ON THIS. IN A RADIO INTERVIEW ON 14 JANUARY HE SPELLED OUT HIS THINKING ON SIMILAR LINES. HE DESCRIBED THE TWO DOCUMENTS WHICH WOULD FORM THE BASIS OF THE CONTRACTUAL COMMUNITY (VERTRAGSGEMEINSCHAFT) AS A FIRST ONE CONSTITUTING NO MORE THAN A PROGRAMME FOR INTENSIFYING COOPERATION AND A SECOND ONE WHICH WOULD BE LEGALLY BINDING AND MIGHT DEFINE THE FUTURE RELATIONSHIP OF THE TWO GERMAN STATES. IN A TV INTERVIEW ON 11 JANUARY, KOHL SPOKE

SIMILARLY, SAYING THAT THE SECOND AGREEMENT WOULD REQUIRE RATIFICATION AND SHOULD COME AFTER ELECTIONS IN THE GDR.

4. I DISCUSSED THIS NEW THINKING ON 15 JANUARY WITH DOBIEY, THE RESPONSIBLE DEPUTY SECRETARY IN THE INNER-GERMAN MINISTRY. LIKE GENSCHER (MY TELNO 42), HE POINTED OUT THAT WHEN, AFTER THE EAST GERMAN ELECTION, IT CAME TO DECIDING THE CONTENT OF THE PROPOSED SECOND DOCUMENT, MUCH WOULD DEPEND ON THE COMPOSITION OF THE NEW GDR GOVERNMENT. THE FUTURE AIM LAID DOWN IN SUCH A DOCUMENT WAS IN HIS VIEW MORE LIKELY TO BE CONFEDERAL STRUCTURES THAN A FULL BLOWN FEDERATION.

GENSCHER'S APPROACH

5. IN THE SAME RADIO INTERVIEW, GENSCHER UNDERLINED THE KEY ROLE OF BOTH SUPERPOWERS AND ALLIANCES IN MAINTAINING STABILITY IN EUROPE. HE DESCRIBED THE NATURE OF THE ALLIANCES AS LIKELY TO CHANGE, WITH THE POLITICAL EMPHASIS BECOMING STRONGER. BUT HE ENTERED A PLEA FOR THEIR UNDERLYING ROLE NOT TO BE QUESTIONED, AND ESPECIALLY FOR THE AVOIDANCE OF ANY SUGGESTION THAT THE EUROPEANS NO LONGER NEEDED TO RELY ON THE US.

6. GENSCHER HAS FOR SOME TIME SUPPORTED THE IDEA OF A CSCE SUMMIT IN 1990. HE HAS NOW SUGGESTED THAT IT MIGHT:

- REAFFIRM THE PRINCIPLES LAID DOWN IN THE HELSINKI FINAL ACT:
- ADD TO THOSE PRINCIPLES THE OBLIGATION TO HOLD FREE ELECTIONS:
- SET IN HAND PREPARATORY WORK ON PAN-EUROPEAN STRUCTURES AND EUROPEAN SECURITY STRUCTURES:
- REACH AN UNDERSTANDING ON THE ESTABLISHMENT OF PAN-EUROPEAN INSTITUTIONS (EG AN ENVIRONMENT AGENCY, THE EXPANSION TO THE WHOLE OF EUROPE OF THE PROVEN HUMAN RIGHTS INSTRUMENTS OF THE COUNCIL OF EUROPE, OR A VERIFICATION CENTRE WITH AN INSPECTION FUNCTION LINKED TO AGREEMENTS ON DISARMAMENT).

7. GENSCHER CONTINUES TO STRESS THE IMPORTANCE OF PRESSING FORWARD WITH EC INTEGRATION. BUT FOLLOWING A TALK WITH DELORS ON 11 JANUARY HE BROKE NEW GROUND REGARDING THE RELATIONSHIP BETWEEN THE GDR AND THE COMMUNITY. HE DESCRIBED DELORS AS HAVING TOLD HIM THAT THE MORATORIUM ON FURTHER ENLARGEMENT BEFORE 1993 DID NOT APPLY TO THE GDR (CF DUBLIN TELNO 11). THERE WERE THREE POSSIBILITIES: THE GDR COULD SEEK A STANDARD EC ASSOCIATION AGREEMENT, FULL MEMBERSHIP, OR MEMBERSHIP 'BY MEANS OF THE PROCESS OF GERMAN UNITY'. IN ALL PROBABILITY THE FIRST STEP WOULD BE AN ASSOCIATION AGREEMENT, BUT MUCH WOULD DEPEND ON THE ATTITUDE OF THE NEW GDR GOVERNMENT AFTER THE ELECTIONS.

8. AS THE PRESS HAVE COMMENTED, THIS LINE IS IN CONTRAST TO KOHL'S IN HIS TV INTERVIEW ON 11 JANUARY, WHEN HE REFERRED TO EARLY GDR MEMBERSHIP OF THE EC AS AN ILLUSION WHICH HE DID NOT WANT TO AWAKEN, AND NOTED THAT THERE WOULD BE NO FURTHER ENLARGEMENT OF THE COMMUNITY BEFORE 1992.

COMMENT

9. THE NEW BALANCING ACT ON THE CONTRACTUAL COMMUNITY REFLECTS THE TWIN PRESSURES WHICH THE FEDERAL GOVERNMENT ARE NOW FACING. ON THE ONE HAND THEY NEED TO MAINTAIN CONTACT WITH THE GDR GOVERNMENT SO AS TO ADVANCE PRACTICAL COOPERATION THAT WILL IMPROVE LIVING CONDITIONS IN THE GDR AND PUT A BRAKE ON THE NUMBERS OF THOSE LEAVING FOR THE FRG. BUT THEY ALSO NEED TO DISTANCE THEMSELVES FROM A GDR GOVERNMENT THAT IS SEEN AS BEING UP TO THE OLD SED TRICKS OF, FOR EXAMPLE, MONOPOLISING AND MANIPULATING THE MEDIA. TO FALL INTO THAT TRAP COULD INCREASE EMIGRATION, WHICH HAS ALREADY REACHED 22000 THIS YEAR.

10. MUCH THINKING IS IN PROGRESS AT OFFICIAL LEVEL HERE AND MANY QUESTIONS ARE UNRESOLVED. FOR INSTANCE:

(A) KASTRUP (POLITICAL DIRECTOR) TOLD ME RECENTLY THAT A SINGLE GERMANY DIVIDED BETWEEN TWO ALLIANCES WOULD NOT ONLY BE PECULIAR IN ITSELF: IT WOULD ALSO RAISE GREAT PROBLEMS FOR THE COMMUNITY. COULD THE FORMER GDR, STILL PART OF THE WARSAW PACT, BE A MEMBER OF THE COMMUNITY? GENSCHER WAS ON RECORD AS SAYING THAT IT WAS NOT THINKABLE THAT WARSAW PACT COUNTRIES COULD BE EC MEMBERS. NOR COULD KASTRUP SEE HOW A UNITED GERMANY COULD TAKE PART IN EUROPEAN POLITICAL COOPERATION IF THE FORMER GDR REMAINED IN THE WARSAW PACT. OFFICIALS SAY THAT ASSOCIATION IS NOT SEEN AS INCOMPATIBLE WITH GDR MEMBERSHIP OF THE WARSAW PACT.

(B) DOBIEY AND OTHER OFFICIALS HAVE REMARKED TO ME THAT THE ALLIANCES HAVE TO BE TREATED AS FACTS OF LIFE. THEY SEE THE ADVANTAGE OF CONFEDERAL STRUCTURES, SHORT OF CONFEDERATION OR FEDERATION, AS BEING THAT THEY NEED NOT AFFECT THE QUESTION OF ALLIANCE MEMBERSHIP, AND THUS CAN POSTPONE THE ACUTELY DIFFICULT QUESTION OF HOW TO RECONCILE THE FRG'S NATO MEMBERSHIP WITH GERMAN UNITY. DOBIEY SUGGESTS HOPEFULLY THAT THIS QUESTION MAY IN TIME BECOME EASIER TO HANDLE, WITH THE WARSAW PACT LIKELY TO CRUMBLE, NATO LIKELY TO BECOME MORE POLITICAL, AND FORCE LEVELS FALLING THROUGH PROGRESS IN CFE. GENSCHER'S REMARKS TO ME ON 9 JANUARY (MY TELNO 18 WERE NOT DISIMILAR, BUT DOBIEY DISMISSES AS ARTIFICIAL

AND PRECARIOUS THE IDEA MENTIONED BY GENSCHER OF THE OLD FRG
REMAINING IN NATO AFTER CREATION OF A GERMAN FEDERATION WHILE THE
OLD GDR WOULD BE DEMILITARISED.

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