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Foreign and Commonwealth Office		
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17 September 1990

His Excellency
Sir Christopher Mallaby KCMG
BONN

Dear Christopher,

TWO PLUS FOUR: THE END GAME

1. The minor squall that blew up following David Gow's Guardian article of 7 September and German press comment after the treaty signing on 12 September prompts me to put on record a few impressions of the last forty-eight hours before signature of this historic treaty.
2. After four consecutive days work in East Berlin from 4 to 7 September the Political Directors parted late on the Friday with an agreement on an enumerated ten article draft treaty subject to a couple of square bracketed passages and accompanied by a Soviet proposal, which had no status, for a further draft article on "crossing the line". We had agreed to foregather in Moscow in the early evening of 11 September to vet the final technical cosmetics by legal advisers and treaty experts, leaving it to Ministers to resolve on the morning of 12 September the three main outstanding issues (dual capable systems, crossing the line, suspension of QRRs). Signature was then scheduled to take place at 4 pm the same day. This put the Russians under a pleasing time bind.
3. Less than twenty-four hours after we left Berlin, when Bondarenko had reported to Kvitsinsky and Shevardnadze had returned from the Far East, we heard in our respective capitals that the Russians were proposing instead a further full day of Political Director work in Moscow on 11 September (requiring us to travel to Moscow on 10 September). This transparent attempt to give themselves more room for manoeuvre should in my view have been resisted. But by the time I got Kastrup on the telephone on Sunday 9 September, he had already conceded the point. The Americans being already in Moscow after the Helsinki Summit, we and the French were clearly not in a position to hold out.
4. We duly met in the whitened sepulchre of the Octobryaskaya Hotel on the morning of 11 September. A hastily arranged One plus Three for a few minutes beforehand revealed:

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a. intense German annoyance about David Gow in the Guardian of 7 September, over which they suspected the UK; and,

b. that the FRG delegation had already been holding bilaterals with the Russians in an attempt to sew up a deal on the final points, misrepresenting US views (at least to us) into the bargain.

The Russians for their part had advanced the signature ceremony from 4 pm to 12.30 pm the next day and confirmed that Gorbachev would attend personally. [Kastrup then also told me that he thought the Russians would return to their earlier attempt to get us to drop the words "upon German request" from the provision in Article 5 covering the continued troop presence of the three Allies in Berlin, in an attempt further to blur the distinction between the Allied presence and the residual Soviet forces presence. I told Kastrup, having taken the precaution of speaking to Charles Powell over the weekend before leaving London (the Secretary of State being in Japan), that I knew the Prime Minister's Office attached importance to retaining those words. This may be partly the origin of the later German press canard that British firmness stemmed from the views of the Prime Minister. I had not however discussed "crossing the line" with Charles Powell, because I did not want to risk placing myself under unrealistic restrictions on that issue. In the event the Russians did not return to the charge on the words "upon German request".]

5. When we broke at 4 pm on 11 September the position was as described in Moscow Tel No 1694. Dual capable systems were already safely in the bag. Suspension of QRR did not look a stopper. The real crux was on "crossing the line". The pass had already been virtually sold for the transitional period covering Soviet troop withdrawal, on the basis that paragraph 1 of Article 5 would preclude any military activity there by armed forces of states other than the Soviet Union and Germany. It also looked uncertain whether for the period thereafter we could hold the position with a provision excluding merely large-scale military manoeuvres (as defined by the 1986 Stockholm CSBMs Agreement), which up to then had been Kvitsinsky's professed major preoccupation. Kastrup was arguing for a simple provision against all deployment, coupled with some kind of oral statement; on the grounds that such was the sense of Stavropol: the reference (ill-defined) to manoeuvres appeared to be intended as a compromise. Dufourcq was personally unhappy about this but inhibited by the fact that his Minister was not due to arrive in Moscow until 3.30 am on 12 September. Zoellick's compass was beginning to veer uncertainly.

6. With the Secretary of State's arrival around 5.30 pm, bilateral Ministerials got under way - Baker/Genscher, Secretary of State/Baker and later Secretary of State/Genscher.

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The upshot was that we and the Americans (joined by the French) agreed to camp for the rest of the evening on Ministerial instructions to the effect that, if paragraph 1 of Article 5 precluded all military activity during the transitional period, paragraph 3 of Article 5 should go no further than precluding deployment "with the aim of holding large scale military manoeuvres". But our scheduled resumption at 8 pm that evening was delayed for a further hour by private German/Russian bilateral activity elsewhere - a performance described as "tacky" by Zoellick, who was greatly irritated by it.

7. When Kastrup and Kvitsinsky eventually returned after 9 pm, the former put to us in the margin before resumption his provisional agreement with the Russians on a simple "no deployment" formula coupled with a four point oral statement by Genscher at the Plenary negotiating session, which the Russians would undertake to listen to in silence.

[The Genscher four points were: no large scale military manoeuvres; military activities below that threshold were not specifically excluded but would not necessarily take place, the application of the word "deployment" would be for sovereign Germany to decide; in doing so, she would exercise reason and responsibility and bear in mind the security interests of all.]

8. This triggered sharp open disagreement among the One plus Three on the sidelines of the meeting. The thrust of UK/US/French objections was that the Alliance should not bind itself by treaty with the Soviet Union in a way which would indefinitely foreclose options extending far beyond the foreseeable circumstances and would further limit German sovereignty beyond Stavropol. With 12 billion DM in their kitty and the world expecting signature in little more than twelve hours, we did not need to offer the Russians any more concessions. The German response was that this was all totally unrealistic since peace had broken out in Europe. ("Oh come on! You can't be serious." was the stock rejoinder.) They also argued that the German word "verlegt" describing the deal at Stavropol went a good way beyond a mere no stationing agreement. When the formal session resumed I asked Kvitsinsky whether he would confirm that silence by Shevardnadze in the face of an oral statement by Genscher could be interpreted at the very least as the Soviet Union not disagreeing with this statement. Kvitsinsky declined to provide any such assurance.

9. After further skirmishing we broke inconclusively around 10.30 pm. At that point there were at least five alternatives in the air.

i. Soviet position: no military activity in transitional period, simple "no deployment" formula thereafter;



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- ii. US/UK/French proposal: no military activity for transitional period and "no deployment with the the aim of holding large-scale military manoeuvres" thereafter;
- iii. FRG position: as for the Russians, but with oral statement by Genscher at plenary session on 12 September to which Shevardnadze would make no reply.
- iv. Zoellick fallback mark I: instead of formulation at (ii) above, after "no deployment" add new sentence in treaty (crafted with the UK) as follows: "Decisions on whether, and if so what kind of, military activities take place in that part of Germany would be for the sovereign united Germany to make in accordance with provisions of this treaty, the principles reflected in the Preamble and taking account of the security interests of the states party."
- v. Zoellick fallback mark II: simple "no deployment" formula in the Treaty plus a letter from Genscher either to the Three Allied Foreign Ministers or to the NATO Secretary-General setting out the Genscher Four Points.

10. At this juncture the Russians decided to put the frighteners on a bit. They sent senior MFA officials round to each delegation (in my case catching me in my bedroom just short of midnight) to state formally on instructions that because of the failure to agree at official level, the plenary session at 10 am the next day at the Octobryaskaya had been postponed, the timing of signature was in question and the press would have to be informed. Instead Mr Shevardnadze wished to see his Ministerial colleagues alone at a working session in the MFA Mansion at Alexander Tolstoy Street next morning at the same hour. This tactic, which in my view was never convincing since the Russians were under the greatest time pressure of all, got Genscher in enough of a lather for him to go off to see Baker at 1.15 in the morning, when the latter had already taken his sleeping pill and final bedtime drink. [With hindsight this gives a subtle extra flavour to the reference in Baker's speeches at the plenary session and the press conference on 12 September about free citizens no longer being threatened by a knock on the door at dead of night!]

11. By the following morning, when One plus Three Ministers met at the French Embassy under Dumas's slightly dishevelled chairmanship, further US/FRG work had produced the form of words which was eventually to become the text of the agreed minute annexed to the Treaty. One plus Three Ministers quickly agreed that they did not wish to hold out for the formulation at paragraph 8 (ii) above at the expense of delaying signature in Moscow. But Baker in particular was clear that if the Administration were to carry the treaty successfully on the Hill, something in writing would be

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necessary about the provisions on military activity in the former GDR after Soviet troop departure; oral assurances would not do. When we broke from the breakfast the preferred solution was an inspired question and answer at the press conference which Shevardnadze would pass to Genscher who would answer in terms of the latest agreed text; this would then be confirmed as a record of the exchange in the press conference by letter from Genscher to his five Two plus Four colleagues or, failing that, to the Three.

12. Genscher and Baker went off to see Shevardnadze. The Russians then let it be known that the timetable for the morning's meetings had reverted to the original plan. Two plus Four Ministers had a private session at the Octobryaskaya Hotel prior to the Plenary session there. It was then that Baker stumbled on the notion of an agreed minute, to be annexed to the treaty and signed in addition to it by all six Ministers. Slightly to everyone's surprise this won Shevardnadze's assent. By this time the German delegation were once more in a highly excitable state, Genscher's Private Secretary, Frank Elbe, being particularly disagreeable, and venting all kinds of nonsense about how close "some people" had come "to screwing it up". The formal plenary session and the predictable speeches for the occasion followed without controversy. We broke to allow final preparations of the text for signature. At this point we moved from the sublime to the ridiculous. The German word processor back up went on the blink, thus delaying both German and French texts of the agreed minute. The American delegation, despite being 180 strong in Moscow, were apparently unable to produce a typewriter in the hotel that morning. I began to wonder about the wisdom of having conceded to the Americans the final textual work, the UK team having earned much credit throughout the session in Berlin and the early stages in Moscow with our Toshiba lap-top producing running updates of the texts in near real time around the table.

13. Signature duly followed under Gorbachev's benevolent eye. Bondarenko looked ten years younger on the instant. Champagne and congratulations were lavish. The final forty-eight hours were nevertheless instructive. They brought home for me that, with the arrival of German unity, Germany will not be simply the Federal Republic plus, but a different entity. Looking back on the whole process I see something of a thread running through: the early reluctance of the Germans to discuss politico-military issues at One plus Three, the bilateral concessions made at Stavropol (pace Bob Blackwill's valedictory at Carnegie, Zoellick sees that as essentially bilateral) the subsequent systematic ambiguity about what had been agreed there on the troop movement question ("verlegt" in German serving variously as "stationing", "deployed" and "moved" depending on the day and the argument), the fait accompli over the exclusion of SOFA/SA from application in the former GDR, the acrimony over the crossing the line issue at

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the last, Genscher's unforthcoming answer at the press conference to the question about Allied forces in Berlin, and the general obtuseness and emotion on the German side faced with the assertion that an important Alliance interest might be at stake.

14. I do not wish to exaggerate all this or to diminish the achievement, for the Germans and indeed for us all, that German unification represents. We have every reason to work within the Alliance as within the Community to maintain and if possible strengthen the underlying strategic Western solidarity. But as we embark on this renewed challenge from 3 October I already begin to feel as I look at our German partners that:

"You are not the same people who left the station
Or who will arrive at any terminus ..."

I would be interested in your diagnosis.

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JM

P J Weston

c.c.

H M Representatives at:
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