

Background note from the British Foreign Office for the WEU Council Ministerial Meeting held on 12 and 13 October 1967 (London, October 1967)

Caption: In preparation for the 329th meeting of the Council of Western European Union (WEU) to be held at ministerial level in London on 12 and 13 October 1967, the Foreign Office expresses its views on the draft report drawn up by the WEU Secretariat-General and reviewed in the WEU Council on relations between the North Atlantic Treaty Organisation (NATO) and WEU. The British are particularly concerned about the consequences of France's withdrawal from the NATO military structure.

Source: The National Archives of the UK (TNA). Foreign Office, Western Organisations and Co-ordination Department and Foreign and Commonwealth Office, Western Organisations Department: Registered Files (W and WD Series). WESTERN EUROPEAN UNION (WEU). Relations with NATO. 01/01/1967-31/12/1968, FCO 41/267 (Former Reference Dep: WU 4/3/1 PART B).

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CONFIDENTIAL

19

Brief No. 5

WESTERN EUROPEAN UNION

Ministerial Meeting

London: 12-13 October, 1967

NATO/WEU Relations

16 OCT 1967
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Talking Points

I am sure we would all like to get this question settled. However it is not as simple as all that and it seems that there will have to be some more discussion between our Permanent Representatives before they can produce a report.

2. While I agree we should ask the Permanent Council to proceed as rapidly as possible, I am not sure that it is realistic for us to set a deadline.

P.A. JG 17/10

CONFIDENTIAL

Background Note

At the W.E.U. Ministerial meeting at Bonn in December, 1966, the Belgians proposed that the Permanent Council of the W.E.U. should consider the effects on the modified Brussels Treaty of "any measures taken or to be taken within the [North Atlantic] Alliance and its Organisation to adapt themselves to the political situation" and submit a report.

2. This cryptic wording meant that the Council should consider the effects on W.E.U. of the French withdrawal from NATO military integration. Despite initial French opposition the proposal was adopted.

3. In January, 1967, the Permanent Council instructed the Secretary General to prepare a draft study of the effects of the French actions on the modified Brussels Treaty and its associated agreements. A preliminary version of the Secretary General's paper was submitted for information to Ministers at their meeting at Rome in April.

4. There was no substantive discussion of the interim report. The Permanent Council were instructed to pursue their study and to prepare a fresh report on the subject for the next Ministerial meeting.

5. The Permanent Council were unable to complete an agreed
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CONFIDENTIAL

- 3 -

report in time for The Hague Ministerial meeting on 4 and 5 July. After an interim report by the Secretary General M. Bettencourt proposed that the Permanent Council should be instructed to complete their work in time for the London Ministerial meeting. This was agreed.

6. It has not yet proved possible to complete the study. The Permanent Council therefore agreed that this subject should not be placed on the Ministerial agenda. The French Ambassador stated, however, that it was possible that M. Bettencourt would refer to the Study under "Any Other Business."

7. The French are keen for this study to be completed, as they wish to play down the adverse effects of their policies in NATO on the modified Brussels Treaty and related agreements. We would not wish deliberately to delay the completion of this study. If M. Bettencourt raises the subject we should however, make it clear that French actions vis-à-vis NATO have had important effects on the Brussels Treaty system which need to be carefully studied.

8. There are really two problems:

- (a) the juridical effects of the French actions in NATO on the modified Brussels Treaty and related agreements. On this it seems from the work so far that few (if any) amendments are likely to be called for;

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CONFIDENTIAL

CONFIDENTIAL

- 4 -

(b) the political issues raised by French actions. In 1950 the W.E.U. Council agreed that the military obligations of the Brussels Treaty should be fulfilled through NATO and that W.E.U. should not keep a separate military organisation. Thus any action weakening NATO is bound to reduce the effectiveness of the mutual military obligations of the members of W.E.U. Moreover by her moves France will, unless new action is taken, secure a privileged position in W.E.U. since her forces will be subject to fewer controls than those of her allies.

9. Under the London and Paris agreements of 1954 it was provided that all the forces of member states for the common defence stationed on the mainland of Europe should be placed under NATO command except for such forces as were recognised by NATO as being suitable to remain under national command, e.g. training units. In order to make the control of the strength of German forces effective and at the same time palatable to the Germans, the six other members of W.E.U. agreed under Article I of Protocol No. II to the modified Brussels Treaty also to restrict the maximum strength of their forces under NATO command (i.e. the great majority of their forces on the mainland of Europe) to levels laid down in that Article. In the case of French, German, Dutch and Italian forces the actual levels are set out in a

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CONFIDENTIAL

CONFIDENTIAL

- 5 -

Special Annex to the Treaty on the establishment of a European Defence Community, to which Article I(a) refers.

10. Now that France has withdrawn all her forces from under NATO command, the limitations set out in Article I of Protocol No. II, which specifically refer to forces under NATO command, are no longer legally applicable to any French forces. These forces are subject only to the less exacting control procedures laid down in the Modified Brussels Treaty and related agreements covering forces for the common defence remaining under national command.

11. Even though it is unlikely that France will in fact want to exceed the limits laid down in the Special Annex, there is no reason why she should have a privileged position in this respect. Moreover it would be doubly wrong if this led other countries, e.g. Germany to challenge the provisions of the balanced package of agreements reached in 1954.

12. The suggestion has therefore been put to the French in the Permanent Council that France should accept the force ceilings set out in Article I of Protocol No. II as applying to her forces for the common defence, despite the fact that these forces are no longer under NATO Command.

13. In response to this proposal the French made the
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CONFIDENTIAL

CONFIDENTIAL

- 6 -

following unilateral Declaration at the meeting of the Permanent Council on 13 September:

"The French Government reaffirm that they abide by the ceilings for strengths of forces referred to in the first Article of Protocol No. II of 23rd October 1954 in respect of French units stationed in the Federal Republic of Germany who might be called upon to co-operate with the allied forces."

14. Although the Italians were prepared to accept the French Declaration, the initial response of the Germans and the Dutch was that it did not go far enough. This is also our view. The political and legal issues raised by the Declaration will require a good deal of further study.

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as shown
command & direct of the French which had
any forces ~~under~~ under NATO command.)