

5 June 1989

GREENHOUSE EFFECT: DRAFT EUROPEAN COUNCIL RESOLUTION

The attached is being taken at Thursday's Environment Council. Nicholas Ridley will be writing about it to the Prime Minister and colleagues later today. This is in response to Policy Unit concern about the text's implications.

As drafted, it will give a significant boost to Commission involvement in global climate issues. This could well restrict the UK's own freedom of manoeuvre in, for example, the UN. This aspect has not been addressed in the PM's meetings on the subject, where all the emphasis has been on the UK's maintaining its leading, independent role in the world-wide debate.

We have two main concerns:

- it welcomes a "substantial" Commission study-programme. This is to lead to concrete proposals in all the areas of study even including "institutional implications". This is surely code for a Euro-EPA if not Rocard's idea of a world enforcement agency.
- It fails fully to recognise mixed competence between the Community and the Member States in two crucial areas (para 3: revision of Montreal Protocol, and para 11: the general contribution to the wider international debate).
- It subordinates Member States' research programmes to the Commission's own (para 9).

We believe that this text could prove at best an embarrassment, and at worse a serious liability, given the importance the Prime Minister attaches to a vigorous and leading UK contribution to the world debate in the UN and elsewhere. The Commission is clearly itching to get its hands on this subject and the language of the draft is ideally broad from its point of view.

We have to recognise that there is already a measure of Community competence on environmental matters and that we cannot really stop the Commission embarking on studies. But natural caution dictates a very close look at the text to ensure that, while recognising this, our freedom of manoeuvre on research, and as an individual Member of the UN, is not compromised.

We do not think that DOE has looked at it sufficiently from this angle, although the text is much improved on earlier versions. DOE also seems reluctant even to contemplate raising questions on the draft in Council because it has already been so closely examined at working level. But it is better to be firm now, than wise after the event.

Recommendation

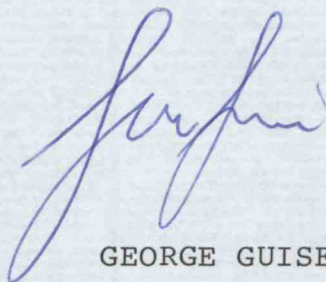
We recommend that the Prime Minister might respond to Nicholas Ridley as follows:

- The UK should certainly welcome a Council resolution on the greenhouse effect. There are some good things in it, notably that the Commission should reconsider earlier legislation from this new perspective.

- But we must ensure that the text preserves fully our own freedom of manoeuvre - to conduct our own research programme and on our international activities eg in UNEP.
- We must be prepared to intervene in the Council as strongly as necessary to achieve this.

Specifically:

- References to the 'Community and Member States' should be added explicitly to paras 3 and 11, to preserve the position on mixed competence.
- The last nine words of para 9 must be excluded to avoid subordination of our own research programme to that of the Commission's.
- We should avoid "welcoming" the Commission's study-programme, preferably doing no more than noting it and observing that it looks over-ambitious and may well overlap with what Member States are doing already.



GEORGE GUISE



JOHN MILLS

PART 21. ends:-

D. Morris to Cab. Office

26 May 1989.

PART 22. begins:-

Pu to COP.

5.6.89