

~~FUTURE OF HONG KONG~~

ADVANCE COPIES

13 24

SECRET

PS  
PS/PJS  
PS/MR LUCE  
~~MR BOYD~~ BOYD  
ED/AD 3  
ED/AD  
PS LADY YOUNG  
SIR W. BRIDGES  
~~POSTAL~~

COPIES TO:  
POWER  
MR COLS, NO. 10 DOWNING ST  
MR ROBERTS, NEWS DEPT  
SIR PERCY CRADOCK

IMMEDIATE

SECRET

DESKBY FCO 051230Z

DESKBY HONGKONG 060100Z  
FROM PEKING 051117Z SEPT 84  
TO IMMEDIATE FCO  
TELNO 2101 OF 5/9/84  
INFO IMMEDIATE HONG KONG

MY IPT: FUTURE OF HONG KONG: RATIFICATION

1. THE STRENGTH OF THE CHINESE REACTION TO THE PROPOSALS I MADE ON THE TIMING OF RATIFICATION AND THE INTRODUCTION OF THE NEW CONDITION WILL HAVE DONE NOTHING TO IMPROVE THE NEGOTIATING CLIMATE. ON THE CONTRARY I WOULD EXPECT THEIR EVIDENT RESENTMENT THAT WE HAD INTRODUCED THIS NEW ELEMENT AT SUCH A LATE STAGE TO MAKE THEM EVEN LESS INCLINED TO COMPROMISE ON OTHER ISSUES OF IMPORTANCE TO US. IN MY VIEW THEREFORE WE SHALL HAVE TO DROP THE EXTRA CONDITION AND LIVE WITH THE FIXED DATE ALONE. YOU WILL IN ANY CASE HAVE NOTED BURROWS'S FIRM VIEW IN PEKING TELNO 2097.

2. NEVERTHELESS, IT WOULD REFLECT ON OUR CREDIBILITY IF, HAVING RELIED SO HEAVILY ON THE ARGUMENT THAT OUR PROPOSALS WERE MADE AFTER THE MOST CAREFUL CONSIDERATION BY MINISTERS, WE WERE TO MOVE TOO QUICKLY. MOREOVER, HAVING CONFIRMED THAT THE CHINESE ATTACH



AFTER THE MOST CAREFUL CONSIDERATION BY MINISTERS, WE WERE TO MOVE TOO QUICKLY. MOREOVER, HAVING CONFIRMED THAT THE CHINESE ATTACH GREAT IMPORTANCE TO A DEFINITE DATE FOR RATIFICATION AND THE AVOIDANCE OF ANY FURTHER CONDITIONAL CLAUSE, WE OUGHT TO CONSIDER WHAT USE WE CAN MAKE OF THIS.

3. I THINK IT NOW SELF EVIDENT THAT ANY MESSAGE FROM THE SECRETARY OF STATE TO WU XUEQIAN WOULD HAVE TO DEAL WITH THIS QUESTION. IT WOULD NOT BE CREDIBLE TO TAKE UP ONLY THE ISSUES OF INTEREST TO US AND TO IGNORE ISSUES OF INTEREST TO THE CHINESE. WE COULD THEREFORE BEGIN THE MESSAGE BY EXPRESSING A WISH TO MEET THEIR CONCERNS ON RATIFICATION AS FAR AS WE CAN BUT BALANCE THIS WITH A STRONG BID TO GET THE CHINESE TO TAKE ACCOUNT OF OUR CONCERNS ON NATIONALITY AND CONSTITUTIONAL ISSUES. WE MIGHT LEAVE ASIDE FOR A DAY OR TWO WHETHER WE SHOULD NOW INCLUDE ANY REFERENCE TO CIVIL AVIATION.

4. A REVISED DRAFT OF A MESSAGE FROM THE SECRETARY OF STATE TO WU XUEQIAN WILL FOLLOW LATER THIS EVENING.

EVANS



PS  
PS/PUS  
PS/MR LUCE  
MR BOYD  
ED/HKD 3  
ED/FED  
PS/LADY YOUNG  
SIR W HARDING

COPIES TO:-  
MR POWELL, NO.10 DOWNING ST  
MR ROBERTS, NEWS DEPT.  
SIR PERCY CRADOCK



RESIDENT CLERK

GRS 800  
SECRET  
DESKBY 051230Z FCO AND HONG KONG  
FROM PEKING 051059Z SEP 84  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 2098 OF 5 SEP  
INFO IMMEDIATE HONG KONG

FUTURE OF HONG KONG: ROUND 22: FIRST DAY: JOINT DECLARATION:  
ARTICLE 8 (RATIFICATION)

1. ZHOU SAID THAT THERE WAS A GAP TO BE FILLED IN THE ARTICLE ON RATIFICATION. ORIGINALLY, THE CHINESE SIDE INTENDED THAT THE AGREEMENT SHOULD ENTER INTO FORCE ON SIGNATURE. BUT, IN VIEW OF BRITISH LEGISLATIVE DIFFICULTIES, THEY HAD SUGGESTED THAT RATIFICATION SHOULD TAKE PLACE 30 DAYS AFTER SIGNATURE. THE BRITISH SIDE HAD SAID THAT THAT WAS NOT ENOUGH TIME. THE CHINESE SIDE HAD THEREFORE PROPOSED A TIME LIMIT OF 3 MONTHS. IF A MUCH LONGER PERIOD ELAPSED, AN ADVERSE IMPRESSION WOULD BE CREATED. THERE WERE CERTAIN PROVISIONS WHICH NEEDED TO BE PUT INTO EARLY EFFECT. WITHOUT RATIFICATION, THEY COULD NOT BE IMPLEMENTED. AS AN EXAMPLE, FAILURE TO IMPLEMENT WHAT HAD BEEN AGREED ON LAND, COULD AFFECT STABILITY AND PROSPERITY. HE THEREFORE WISHED TO REPEAT HIS PROPOSAL THAT A PERIOD OF 3 MONTHS SHOULD BE STIPULATED FOR RATIFICATION.

2. I SAID I HAD INSTRUCTIONS. WE WISHED TO PROPOSE 30 JUNE 1985, AS THE DATE BY WHICH WE COULD AGREE TO THE EXCHANGE OF INSTRUMENTS ON RATIFICATION. WE ALSO WISHED TO PROPOSE THE ADDITION OF THE WORDS 'SUBJECT TO COMPLETION OF NECESSARY PROCEDURES IN NATIONAL LEGISLATURES'. I WOULD ASK MY LIAISON OFFICER TO HAND OVER THIS AFTERNOON A TEXT FOR THE PARAGRAPH INCORPORATING THIS LANGUAGE. I SPOKE OTHERWISE AS INSTRUCTED IN PARAGRAPHS 2 AND 3 OF YOUR TELNO 1088.

3. ZHOU SAID THAT WHAT I HAD PROPOSED WAS MOST UNSATISFACTORY. THREE MONTHS WAS ENOUGH. 6 MONTHS WAS TOO LONG. ON TOP OF THIS, WE HAD PROPOSED CONDITIONAL LANGUAGE WHICH WOULD MAKE WHATEVER DATE WAS STIPULATED UNCERTAIN. THE CHINESE DELEGATION COULD NOT ACCEPT OUR PROPOSALS.



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4. I SAID I REGRETTED HIS APPARENT REJECTION OF OUR PROPOSALS. THEY HAD BEEN MADE AFTER VERY SERIOUS CONSIDERATION. MINISTERS IN LONDON MUST BE THE BEST JUDGES OF THE TIMETABLE. THEY MUST ALSO TAKE ACCOUNT OF THE SOVEREIGNTY OF PARLIAMENT. NEITHER THEY NOR ANYONE ELSE COULD BIND PARLIAMENT. ZHOU RETORTED THAT CONDITIONAL LANGUAGE WAS THE SAME AS LEAVING THE GAP UNFILLED. THE PERIOD MUST BE SPECIFIED. THE CHINESE WOULD AGREE TO DO THIS, WHY COULD NOT THE BRITISH? THE SECRETARY OF STATE HAD SAID RATIFICATION WOULD TAKE MONTHS RATHER THAN DAYS. BUT HE HAD MADE NO MENTION OF THE NEW CONDITION WE HAD INTRODUCED. INDEED THIS WAS THE FIRST THE CHINESE HAD HEARD OF IT. DOMESTIC LEGISLATION WAS OUR OWN AFFAIR. IT HAD NO DIRECT BEARING ON THE TEXT OF THIS AGREEMENT, WHICH WAS BETWEEN TWO SOVEREIGN GOVERNMENTS.

5. I REPEATED THAT WE HAD MADE A FORMAL PROPOSAL AFTER THOROUGH CONSIDERATION BY MINISTERS. THERE WAS NOTHING IN IT WHICH WAS INCONSISTENT WITH WHAT THE SECRETARY OF STATE HAD SAID. IT WAS A SOLEMN DOCUMENT. BRITISH MINISTERS COULD NOT UNDERTAKE COMMITMENTS WHICH THEY MIGHT NOT BE ABLE TO FULFIL.

6. ZHOU SAID THAT HE ASKED ME IN THE NAME OF THE CHINESE GOVERNMENT TO CONSIDER THE STRONG VIEWS HE HAD EXPRESSED. I ASKED HIM TO CONSIDER WHAT I HAD SAID AND TO REPORT OUR PROPOSALS TO HIS LEADERS. ZHOU SAID CHINESE LEADERS WOULD FIND THEM DIFFICULT TO UNDERSTAND. WITH CONDITIONAL LANGUAGE WE COULD ALWAYS SAY THAT WE NEEDED MORE TIME TO TAKE ACCOUNT OF DIFFERENT VIEWS IN PARLIAMENT. ONE, TWO OR THREE YEARS MIGHT BE NEEDED. I SAID THAT SPECULATION OF THAT KIND WAS ENTIRELY MISCONCEIVED. ZHOU REPLIED THAT WE WERE PROPOSING NO MORE THAN AN EXPRESSION OF INTENTION. I REPEATED THAT MINISTERS IN LONDON MUST BE THE BEST JUDGES.

7. SEE MY TWO IFTS.

EVANS

DO NOT SIGNIFY DETAIL