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By: [Signature] NARA Date: 7/19/03

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THE WHITE HOUSE
WASHINGTON

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CONFIDENTIAL

CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE)

Wednesday, July 30 - Friday, August 1, 1975

Finlandia Hall
Helsinki, Finland

From: Henry A. Kissinger *HK*

I. PURPOSE

The United States, Canada and 33 European states will participate in the third and concluding summit phase of the Conference on Security and Cooperation in Europe. You and each of the other political heads of state or government will sign the CSCE's final act, and each leader will address the Conference.

Through your presence at the Conference, you will demonstrate that the United States retains a vital interest in Europe, and that the security of the United States is tied through our participation in the Atlantic Alliance, to the stability of the European continent.

Your address to the Conference is scheduled for the morning of August 1, 1975. (Speaking order for the 35 participants was drawn by lot: Prime Minister Wilson is first, General Secretary Brezhnev 13th and you are 26th.) Your speech, which will command worldwide attention, and your bilateral meetings during the conference will provide you with the very valuable opportunity to place the CSCE results in correct perspective.

Your purpose will be to:

-- evaluate the results of CSCE by stating that its declarations are not legally binding but, instead, represent political and moral commitments to lessen East-West tensions and increase contacts and cooperation;

-- stress that while CSCE is a step forward, it is not the culmination of the process of detente, that large standing armies still oppose each other and that major differences between East and West remain to be

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SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO-
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-- urge concrete implementation of the promises contained in the declarations, noting the importance the United States attaches to the humanitarian provisions and stating that Europe's military security problems still must be dealt with in MBFR and that SALT II must still be concluded.

II. BACKGROUND, PARTICIPANTS AND PRESS ARRANGEMENTS

A. Background: The Conference on Security and Cooperation in Europe is the product of a long-standing Soviet proposal first raised in 1954 and resurrected in the aftermath of the Czech invasion in 1958. The Western governments recognized the proposal for what it was -- a vehicle by which the Soviet Union hoped first to freeze the political map of Europe and then to extend its political influence westward. The strong Soviet interest in the Conference led the West to exploit it in three ways:

-- to gain Soviet concessions in East-West political issues. The successful conclusion of the Berlin agreement in 1971, the agreement between East and West Germany, and the initiation of MBFR talks all were to some degree related to the linkage established by the West between progress on these political questions and the West's gradual acceptance of a CSCE.

-- to allow governments of Western Europe, both neutrals and members of NATO, to participate in the detente process. Western governments were thus able to respond to a strongly held public feeling that relations between East and West were changing, that the process should be encouraged and that the management of the process should not be left to the US and USSR alone.

-- to introduce into the CSCE, as a condition for its successful conclusion, the issue of human rights -- the so-called "freer movement" questions.

The United States has participated in the CSCE with restraint, wishing neither to block the efforts of its Allies nor to have the CSCE seen as a source of contention between the US and the Soviet Union. Our objectives have been to maintain Alliance cohesion; to insist that the CSCE's declarations are political, not legal; and to seek such possibilities of easing tension between East and West as might be possible.

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After two years of difficult negotiation, a CSCE balance sheet shows that:

-- the Soviets have achieved a CSCE. It will be concluded at the summit, in a historically unique event. The final declarations will give the Soviets some basis to claim that Europe's frontiers have been confirmed along their present configurations, and that the political consequences of World War II have been digested and are universally accepted.

-- the CSCE results are not wholly what the Soviets wanted. The documents are not legally binding. The statement of principles, even if the Soviets seek to lend it the color of law, by its language falls short of supporting the Soviet objective of freezing Europe's political configuration. Peaceful change of borders is allowed; the right to self-determination is stated in sweeping terms. Our rights in Berlin have been preserved. The Soviets did not get agreement to a post-CSCE European security arrangement designed to undermine NATO.

-- beyond that, the philosophy which permeates most of the CSCE's declarations is that of the West's open societies. The thrust implicit in the declarations is toward greater human rights, the freer movement of peoples and wider access to information. In response, Warsaw Pact members have tightened internal discipline.

Final judgment on the results of CSCE will depend

-- initially on which side is able most persuasively to propagate its version of the CSCE and its version of future European security. The solemnity of the occasion will favor the Soviet Union, as will the simplicity of the Soviet message -- that peace has arrived. The West has a more complex story to tell: that CSCE achievements are modest, that the proof of the CSCE's success lies in the future, and that a strong Allied defense posture is a precondition for security and future detente.

The Conference Documents. CSCE work has covered four major substantive areas, known as "baskets," concerning: political and military questions; economic, scientific and technological cooperati

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cooperation in strengthening human contacts, the exchange of information, and cultural and educational relations; and post-conference follow-up arrangements.

Basket 1

Under the first agenda item, conference negotiators have produced a declaration of the following ten principles of interstate relations:

- Sovereign equality, respect for the rights inherent in sovereignty.
- Refraining from the threat or use of force.
- Inviolability of frontiers.
- Territorial integrity of states.
- Peaceful settlement of disputes.
- Non-intervention in internal affairs.
- Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief.
- Equal rights and self-determination of peoples.
- Cooperation among states.
- Fulfillment in good faith of international obligations.

The Soviets were especially anxious to gain Western acceptance of an unambiguous principle on inviolability of frontiers by force. Western participants made absolutely clear, however, that their agreement to this precept would in no sense constitute formal recognition of existing European frontiers or imply that present borders are immutable. The Federal Republic of Germany, with the firm support of its NATO Allies, insisted on a reference in the Declaration of Principles to the possibility of effecting border

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changes by peaceful means. The United States took an active role in negotiation of this key text on peaceful border changes, which is included in the principle of sovereign equality.

Also under agenda item 1, CSCE participants have negotiated limited military security measures designed to strengthen mutual trust and confidence. Specific texts were produced on two modes but significant "confidence-building measures": prior notification of military maneuvers, and exchange of observers at those maneuvers.

Basket 2

Under agenda item 2, the Geneva talks have produced a series of declarations or resolutions concerned with economic, scientific and technological, and environmental cooperation. These declarations should help broaden East-West industrial cooperation, reduce barriers to trade, increase scientific exchanges, and cooperation in the environment.

Basket 3

The third agenda item -- Basket 3 -- deals with increased human contacts, flow of information, and cooperation in cultural and educational relations. This item was included on the CSCE agenda only as a result of energetic efforts by the United States, our Allies and the neutral states. Here we have negotiated especially sensitive issues for both East and West, partly because they deal with "ideological coexistence," which has always been anathema to Moscow. At Geneva, agreement was reached on basket 3 texts dealing with such issues as: family reunification, family visits, marriages between nationals of different states, the right to travel, access to printed, as well as broadcast, information, improved working conditions for journalists, and stepped-up cultural and educational cooperation.

Basket 4

Under the fourth agenda item, the conference produced a text on post-CSCE "follow-up" arrangements. The debate here turned on the degree of institutionalization and continuity to be accorded

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post-conference activities. The final compromise text provides for unilateral, bilateral, and multilateral actions designed to carry forward the work of the conference and monitor the implementation of agreed texts. A meeting of experts will be convened in the first half of 1977 to prepare for a gathering of senior officials, later the same year, to review results of CSCE and plan for possible additional meetings in the future.

The CSCE Signing Ceremony. The concluding ceremony at which the CSCE Final Document will be signed will take place immediately after the last plenary session at approximately 5:00 p.m. August 1, on the stage of Finlandia Hall. The 35 heads of state or government will be seated around a horseshoe-shaped table in French alphabetical order. You will sit between FRG Chancellor Schmidt and Austrian President Kirchschaeger, and will be third to sign. The participants will each sign once after the last item of the CSCE document.

- B. Participants: The principal CSCE participants are listed alphabetically by country at Tab A.
- C. Press Arrangements: The CSCE summit will receive full press coverage.

III. TALKING POINTS

1. The current working draft of your address to the CSCE summit is at Tab B. The text is being cleared with Paul Theis.
2. Talking points for your bilateral meetings during the course of the summit are being staffed in separate memoranda.

* * * * *

The accompanying Department of State briefing books contain:

- additional CSCE background.
- biographic sketches of the CSCE participants.

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GRFL HAK & BfScw Files
(1972) 1974-1977 Bx A1
USSR 730-8/2/75
Ford-Brezhnev Meetings Helsinki
CSCE

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MR 01-144 # 3; at. see 945/01
By del NARA, Date 10/16/01

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MEMORANDUM OF CONVERSATION

PARTICIPANTS: US

The President
The Secretary of State
Walter Stoessel, US Ambassador to the USSR
General Brent Scowcroft, Deputy Assistant to
the President for National Security Affairs
Helmut Sonnenfeldt, Counselor, Department of
State
Arthur Hartman, Assistant Secretary of State
for European Affairs
William G. Hyland, Department of State
Jan Lodal, NSC Staff
Alexander Akalovsky, Department of State

USSR

General Secretary Leonid Brezhnev
Andrey Gromyko, Minister of Foreign Affairs
Mr. G.M. Kornienko, Chief of American
Section, Ministry of Foreign Affairs
Mr. A. Aleksandrov, Assistant to Mr. Brezhnev
Mr. K. Chernenko, Member of the Central
Committee Staff
General Kozlov, Deputy Chief of General Staff
Mr. Detinov
Mr. V. Sukhodrev, MFA
Mr. A. Vavilov, MFA

DATE & TIME: August 2, 1975, 9:05 a.m.

PLACE: Soviet Embassy, Helsinki

Brezhnev: I think the Conference in Helsinki has been received very well by the public.

The President: Yes, I think the press coverage was very good. I have also seen a lot of good pictures in the papers.

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Brezhnev: Let's take off our coats; it will be easier to work that way.

[Everybody takes his coat off.]

Bezhnev: How should we start? Perhaps we should draw lots. If the lot is in my right hand, Gromyko will start.

Gromyko: Perhaps. Why not?

Brezhnev: No, maybe we should ask Dr. Kissinger to start.

The President: Mr. General Secretary, I believe you made an outstanding speech at the Conference. I liked its tone and I believe the emphasis you placed on MBFR and SALT has set a correct atmosphere for today's meeting. I would like to compliment you on your speech.

Brezhnev: Thank you very much. If your comment is not merely an expression of politeness, I thank you all the more. [Pause] You know, Mr. President, after this conference, it is morally more difficult to talk about increasing our armaments levels, about introducing new types of weapons, and the like.

The President: I believe it is very interesting to note that the only dispute that surfaced during the conference here was not a dispute between the US and the Soviet Union, but one between Turkey, Greece and Cyprus. This is a pleasant change.

Brezhnev: My close colleagues, when they heard those speeches, thought there would be a fist fight.

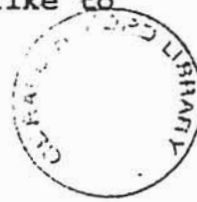
The President: If there had been one, I believe that from the standpoint of appearance Demirel looked stronger.

Brezhnev: There was also a divine representative there, with a heavy cross!

[Pointing to the cookies which had just been brought in] Dr. Kissinger, this is all for you, you seem to have grown weaker!

[Laughter]

Mr. President, I must thank you for your support and assistance in having this conference precisely at this time. This is something we greatly appreciate and it would be rude of me not to say so. There is also something I would like to



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say off the record, and those taking notes please don't do so. Well, we have an agreement, and we also have arms that could put both of us into the grave. After this conference, we were to make announcements about the introduction of additional arms or of new types of armaments, that would be inappropriate in this atmosphere. But we do need a new agreement. The first one is valid until 1977 and the next one should cover another eight years. This, I am sure, would bring greater tranquility into the minds of our peoples. What we have to discuss is the shape of a new agreement.

The President: I agree. I hope, indeed I believe, that it is possible to reach agreement, and I am looking forward to your visit sometime in the fall to sign, and if need be, to complete the agreement. I believe Dr. Kissinger and your Foreign Minister have moved a number of issues to a point where technicians in Geneva can work out the specifics. We have made substantial progress on such issues as verification of MIRVs; on submarine MIRVs, I don't think the remaining differences are very serious; as regards dimensions, it is a more technical problem. We could draw up a check list of the points where differences continue to exist. Perhaps we could proceed in that way. Last Friday, we gave you our communication. Perhaps you have looked at it and perhaps this would be a good starting point.

Brezhnev: [Pause] Mr. President, this is the second time I am meeting with you on this problem, which is so delicate and most important for our two countries as well as for the entire world. With Dr. Kissinger, we have had numerous meetings on this problem. I would like to speak openly: have we really done everything correctly? First we talked about throw weight, launching weight, modifications of dimensions by 10 to 15 percent, and a ban on the construction of new silos. That is fine, but the fact is that you and we have different fuels which are not comparable. After all, a cup of tea is not a cup of mercury, because the weight of the two is different. But if missiles are used, the result will be the same: Brezhnev dies and Kissinger dies. From the standpoint of the Pentagon and our Ministry, there may be a difference, but from the standpoint of our people at large there is none.

Now, Dr. Kissinger, what do you want: launching weight or throw weight? I am sure you could not answer this question.

The Secretary: I could try.



Brezhnev: We have made a number of concessions: for example, missiles once tested with MIRVs are all to be counted as equipped with MIRVs, although initially our approach was different. But when we asked you not to build B-1 bombers, you said you would. Also, we asked you not to build the Trident, but you are going ahead just the same and that means that we will have to build our Typhoon. Now we have the issue of cruise missiles, which can be launched from both the ground and the air. This is such a complex and delicate issue that it is very difficult to deal with it. But we must give some basic guidance to our representatives in Geneva so that we can sign a document.

[Pause]

Now, I remember that in Vladivostok you agreed . . . [confers with Gromyko] you indicated agreement concerning B-1 missiles of over 600 kilometers. I am raising this issue of cruise missiles only reluctantly, not because I would like to bypass it, but because I want to avoid anything that could spoil our relations, so that we could find some compromise.

When Gromyko met with Dr. Kissinger, we made a very big concession on verification of MIRVs, and it was really a major concession that was not easy for us to make. But Dr. Kissinger was told that this was linked with cruise missiles. [Gromyko prompts him] We told Dr. Kissinger that the solutions of the two issues should be treated as one complex of issues. Also, we said that each cruise missile should be counted as one, just as those on B-1 bombers. Furthermore, we said that air-based cruise missiles of over 600 kilometers and land-based cruise missiles of intercontinental range should be banned. But I must tell you, Mr. President, that Dr. Kissinger has completely ignored this proposal.

The Secretary: This is a total violation of the President's instructions. I did all this on my own. If you hadn't told this to the President, he would not have known it, so now I am in deep trouble.

The President: We have agreed to ban land-based cruise missiles with intercontinental range. You wanted this and we said OK. We also agreed to limit sea-based cruise missiles to a range of 1500 kilometers, so we have moved towards you on this issue. We have also agreed to include in the ban cruise missiles on transport aircraft.

Brezhnev: When you say cruise missiles of intercontinental range, do you mean land-based ones?



The Secretary: Land-based intercontinental cruise missiles and also cruise missiles on transport planes. You wanted to ban them and the President has agreed.

Brezhnev: It is also good that we have agreed on banning ICBMs based on the seabed and the ocean floor, including inland and territorial waters.

The President: Also in space!

Brezhnev: Yes, that is very good.

We are prepared to refer to the delegations in Geneva the question of the limits on dimensional modifications of silos. There are still some differences on this.

Gromyko [to Brezhnev]: Those differences will remain in Geneva as well!

The Secretary: Did I understand you correctly that the points you mentioned previously, such as cruise missiles with intercontinental range, should also go to Geneva? At any rate, let's make a list of issues.

Brezhnev: No, I don't think so.

The Secretary: Only silo dimensions?

Brezhnev: Silo dimensions and . . . [prompted by Gromyko] cruise missiles of intercontinental range.

The Secretary: We agree.

Gromyko: The problem is that the differences between our approaches will remain the same in Geneva as they are here.

The Secretary: We are not disputing, we only want to be sure we understand you correctly.

[Pause]

Brezhnev: I would like to give the floor to Gromyko.

Gromyko: There are various issues relating to cruise missiles. On some we have reached agreement, on others we have not. We have agreement on the following points. You have given a positive answer concerning cruise missiles of intercontinental range. So this is agreed and could be referred to



the delegations for drafting appropriate language. We have proposed a ban on cruise missiles on all aircraft other than heavy bombers, and we have also proposed that all air-based ballistic missiles with a range of over 600 kilometers, except those on heavy bombers, be banned. You have given a positive answer concerning cruise missiles but are passing over in silence ballistic missiles. So that part of this problem which has been agreed could go to Geneva.

The Secretary: We have agreed to count in the aggregate all ballistic missiles with a range of over 600 kilometers no matter what vehicle they are on.

Gromyko: If you say this, and you have not said it before, then we can state that all ballistic missiles with a range of over 600 kilometers are banned from all aircraft other than heavy bombers, but if you say that all such missiles are to be counted, then we still have some differences.

The Secretary: Are you, Mr. Minister, saying "count"?

Gromyko: No, not count, ban. Agreement concerning the counting of missiles on heavy bombers was reached in Vladivostok.

The Secretary: Our concern is how to differentiate between heavy bombers and other aircraft.

Gromyko: But you and we have agreed on what types of aircraft are to be regarded as heavy bombers.

The Secretary: Not completely. There is still one type at issue, although you are correct as regards aircraft on our side.

Gromyko: This is a separate issue. It relates to the Backfire and should be discussed separately.

As regards sea-based missiles, we have proposed banning all missiles with a range of over 600 kilometers from all ships. Here we have an obverse situation: You have replied positively as regards ballistic missiles but on cruise missiles you have agreed to ban only those with a range of over 1500 kilometers. So here we have agreement on ballistic missiles but not on cruise missiles, and only the first part of this issue could be referred to Geneva.

The Secretary: For clarity, will you please define what you understand has been agreed regarding sea-based ballistic missiles?



Gromyko: All over 600 kilometers are to be banned.

The Secretary: Correct, we agree.

The President: Yes, we agree.

Gromyko: As Comrade Brezhnev has said, there is also agreement between us regarding emplacement on the seabed and on the ocean floor, so this too can go to Geneva. The same applies to outer space.

All issues are important but the issue of cruise missiles is of particular importance. We understood in Vladivostok that missiles included in the aggregate of 2400 are not to be divided in categories of ballistic and cruise missiles. But you started doing so after Vladivostok and this has greatly complicated matters. As Comrade Brezhnev has said, this is a particularly important issue.

The Secretary: On the other hand, nothing was said in Vladivostok about cruise missiles on aircraft other than heavy bombers. But we are ready to reach agreement on this as well as on sea-based cruise missiles. So we are prepared to generalize this problem.

Gromyko: Well, in Vladivostok the cruise missiles issue was not even mentioned, so that we could not even conceive of drawing a line between cruise and ballistic missiles.

The Secretary: But there was nothing said in Vladivostok about cruise missiles on ships and aircraft other than bombers. Yet, now we are willing to count such missiles in the aggregate. We have also agreed to ban cruise missiles on all aircraft other than heavy bombers, to ban cruise missiles with a range of over 1500 kilometers on ships and submarines, and to ban ballistic missiles with a range of over 600 kilometers on ships.

Gromyko: You say nothing was said in Vladivostok on these issues. But it was you who started differentiating between cruise missiles and ballistic missiles. If we had proceeded consistently, there would be no division even today. Now, as regards what should be referred to Geneva. The General Secretary has already mentioned this. If no agreement has been reached on some issues at a high or the highest level, no progress can be expected on those issues in Geneva either. On the contrary, their referral to the delegations might make work in Geneva even more difficult.



Brezhnev: In Vladivostok, in the course of two days, we reached agreement on very important questions and principles!

The Secretary: I would like to make two points. First, we should send to Geneva only those items agreed here. There is no point in sending other issues, because if the General Secretary and the President do not agree, Semenov and Johnson won't either. So I repeat, only agreed items are to be referred to Geneva.

Second, as regards sea-based cruise missiles, most of your sea-based cruise missiles have a range of 300 to 500 kilometers -- and I know that your technicians are always angry when I mention specifications of your weapons. With that range you can hit 40 percent of US cities, a great number of which are along the coast. With similar missiles we can't hit your cities because you very unfairly and inappropriately have located your cities deep inland. So we have a choice: either you give us a longer range or move your cities to the coast.

Gromyko: A very revolutionary proposal! What kind of binoculars do you use?

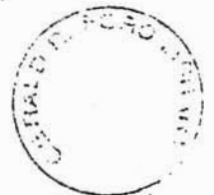
The Secretary: Our Secretary of Defense proposed moving your cities to the sea coast.

Brezhnev: Put them on barges!

The President: I thought you would suggest moving our cities farther from the sea!

Brezhnev: Not too far!

[A lengthy pause, with Brezhnev reading his brief and then engaging in a long conference with his advisers, only portions of which could be overheard. After reading the paper, Brezhnev waived Kozlov from his seat and asked him what the issue was, commenting that he could not understand it because all missiles were subject to the 600 kilometer limitation. Kozlov, Gromyko and Kornienko explained that the issue was the difference between cruise missiles and ballistic missiles. Somewhat later Brezhnev asked if all SALT I provisions would remain in force until 1977. Gromyko replied in the affirmative but pointed out that if agreement were reached now on new points, the new provisions would come into effect under SALT II. After re-reading his brief,



Brezhnev exclaimed that he still did not understand the essence of the issue. Gromyko and Kornienko repeated that it related to cruise missiles. Brezhnev asked if they had in mind land-based cruise missiles, with Gromyko and Kornienko saying that land-based cruise missiles were the lesser part of the problem; Kozlov added that sea-based cruise missiles with the range desired by the US could hit the USSR from the north. Pointing to a paragraph in his brief, Brezhnev asked what the issue of a definition of heavy missiles was all about. Kozlov's response could not be heard.]

Brezhnev: I don't want to burden you, Mr. President, with this question, but what is your view of the definition of heavy missiles? Should it be according to launching weight, or throw weight?

The Secretary: We proposed both, but if we had to choose we would prefer throw weight.

Brezhnev [to Gromyko]: I can't invent anything new here.

Gromyko: You say both. How do you visualize the combination? Can you spell it out?

The Secretary: Your formula for launching weight is that there should be no missiles heavier than the most heavy of the light missiles you now have, that is the SS-19. We say that there should be no missiles with a throw weight larger than the one of the SS-19. We would use these criteria per missile and not overall.

May I make a suggestion. You have been helpful in giving us concrete ideas, and we gave you our proposals. Perhaps you can give us now your views on our recent proposals so we could discuss them with our colleagues and give you our response in a week or so. Then, when the Foreign Minister comes to the US or when I come to Moscow, we could continue our discussion.

[Pause]

Brezhnev: Mr. President, perhaps you don't know the characteristics of our aircraft, but I want to tell you that what you call the Backfire is not a heavy bomber so that your proposal is completely without foundation.

The President: Our understanding is that the Backfire has sufficient range and arms to be counted as a heavy bomber. Perhaps you could give us some technical information that would show that it should not be counted. We understand



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that the Backfire is a replacement for the Bison, and the Bison is counted. So the Backfire should also be counted in the aggregate of 2400.

Brezhnev [to Kozlov]: This is not correct, is it?

Kozlov [to Brezhnev]: Myasishchev is a heavy bomber. But this is a medium bomber. It has half the range. TU-22 is a different matter.

Brezhnev: Mr. President, in including the Myasishchev bomber, or what you call the Bison, we gave you a big present. That aircraft is not capable of a two-way mission. But, nevertheless, for formal reasons, we agreed to include it as a heavy bomber. As regards the Backfire, it can't do even half of what the Bison can do. Ask your experts. This is on the record, and I am responsible for what I say. So how can we include it?

President: Our intelligence tells us that the range and the other capabilities of the Backfire are reasonably comparable with those of the Bison. The two aircraft have a similar range and their other capabilities are also similar. I respect your statement, but our information does not coincide with what you tell me. I would have a monumental problem with our intelligence, and with our Congress as well as the American people at large, to whom I have to account, if I were to accept your figures. If we could see the figures, that could perhaps help us in finding some possible arrangement, but this would take time. I really cannot dismiss the information presented to me by my advisers. Every time when we encounter technical problems -- and they are important -- I am reminded of your opening statement on the importance of reaching an agreement that would be in the interests of both of our peoples. So with the time limitation we have, I believe it would be useful if your Foreign Minister and Dr. Kissinger, when Mr. Gromyko comes to the United States, continued discussing this problem. Then, when Dr. Kissinger visits Moscow, he and Mr. Gromyko could further narrow the differences. Then when we meet, we could further refine our views so as to be able to sign an agreement. The differences we have over the Backfire bomber are a very tough problem. Therefore, I would like to ask you if you have anything to say on cruise missiles, so that we could indicate some progress. If you could give us something on cruise missiles that we could take back with us, that would be very useful.

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Brezhnev: It is most difficult to discuss these questions. You, Mr. Ford, are President, and I am General Secretary. Your intelligence reports to you certain things that are news to me, so what does it mean when you don't believe what I tell you? My intelligence reports to me that you are converting light missiles into heavy ones. So you get your intelligence reports and I get mine. But we sit here and don't believe each other. Perhaps not we, but our intelligence people, should sit here.

The President: You said we should not do anything to disrupt the good relationship we have established. I agree 100 percent with you on this point, and all Europe wants this. This was the opinion reflected in all the statements we heard at the conference. But we have to state our views openly. I rely on my intelligence, and you on yours.

If you could indicate some movement on cruise missiles, then we could say that our two meetings have been productive. We said 3,000 kilometers for airborne cruise missiles. I am willing to modify this, perhaps to 2,500, although this is very hard for me to do. In the case of surface ships and submarines, perhaps we could consider using something less than 1,500, say 1,200. I offer this despite the technical advice I receive to show good faith and to indicate that I make decisions regardless of advice. Again, I recall your opening words about the importance of reaching agreement, which impressed me greatly.

It seems to me that given the excellent environment created in Helsinki and the faith thirty-three nations have put in your and my hands, it would be very unfortunate if we were to walk out of here unable to say that progress has been achieved in this vital area.

Gromyko [to Brezhnev]: This doesn't solve the issue.

[Lengthy pause]

Brezhnev: You know, to work out a good agreement, an agreement that would be mutually advantageous, considerable time is needed. Dr. Kissinger plans to visit Moscow rather late. This will create great difficulties, because we will be preoccupied with preparations for the visit by Giscard, the Party Congress, etc.

So we should agree on when the next meeting will take place. [Turning to Gromyko] With the President?

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Gromyko [to Brezhnev]: Well, maybe we will meet with Dr. Kissinger.

The Secretary: What are your suggestions?

[Pause]

Brezhnev: We should advance the meeting somewhat, although I have had no vacation yet. Also, if you come again with cruise missiles and the Backfire, well then we just won't be able to get any agreement. So let's think this over. Gromyko has not only summed up our analysis of the issues, but also has added something to it. I kept silent because it is impolite to repeat the same thing three times.

The Secretary: When is the Foreign Minister coming to New York?

Gromyko: On September 15 or 16. I believe the General Assembly starts on the 16th.

The Secretary: Why don't we propose a date after the President has reviewed the schedule. To speed up things, perhaps I could come at the end of August.

Gromyko: August is not suitable. There is a great deal of work to be done. Our experts have to study the issues thoroughly.

[Pause]

Brezhnev: I propose a five-minute break.

The President: Of course.

The Secretary: But we don't want to offend your allies!

Sukhodrev [to Brezhnev]: That is a reference to their departure for Romania.

Brezhnev: Romania won't perish!

[During the break, which lasted about 15 minutes, Brezhnev read his briefing papers, underlining certain portions in the process. He also conferred with Gromyko but their conversation was inaudible. Towards the end of the break, Brezhnev stepped out of the room for a few minutes.]





The Secretary [to Gromyko]: Ever since you joined the Politburo you have been even more difficult.

Gromyko: I don't think so.

Brezhnev: Mr. President, when do you believe my visit to Washington would be convenient to you?

The President: I would say the second half of October. Would that be convenient to you? We have some flexibility. What can you suggest?

[Prolonged pause]

Brezhnev: You know, Mr. President, there are many issues that require thorough study: what kind of missiles, what characteristics of missiles, etc. I have not been able to study these matters here because I have had talks every day from morning till evening.

The President: As I said, we could be flexible. You asked for our view concerning the timing of your visit. I believe it is more important to reach a good agreement rather than set a deadline and not be able to meet it.

[Pause]

Brezhnev: In these circumstances, it is apparently difficult to solve the problem before us. But we must issue some kind of a statement.

The President: I have asked Dr. Kissinger to jot down the points we have agreed on, and perhaps he could read them to us. This could be reported to the public. We should not disappoint the public although we should not give it undue optimism. At the same time, we should not destroy the Helsinki atmosphere.

The Secretary: I believe we could say that we have agreed to refer to Geneva certain points on which we have reached agreement without specifying those points. As I see it, we have agreed that: (a) ballistic missiles with a range of over 600 kilometers on surface ships will be banned; (b) ballistic missiles and cruise missiles on the seabed, including in territorial waters, will be banned; (c) placing nuclear weapons in orbit will be banned; (d) development, testing, and deployment of cruise missiles with a range of over 600 kilometers on aircraft other than bombers will be banned; and (e) development of land-based cruise missiles of intercontinental range will be banned. So all these items should be referred to Geneva, but all we would say to the public is that a number of issues have been referred to Geneva.

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Gromyko: With reference to cruise missiles on aircraft other than bombers, do you exclude ballistic missiles?

Secretary: We want to handle ballistic missiles together with land mobile missiles. I don't believe there are great differences in this area but we are not yet prepared to refer this to Geneva.

Gromyko: Your list of items is correct; we agree on these items.

The Secretary: Thus, the President can say that we have agreed on a number of points to be referred to Geneva. He could also say that we would remain in touch, primarily through an exchange of visits between the Foreign Minister and myself. In this way, we would not create an impression of stalemate.

The President: I would like to add that Dr. Kissinger could come to Moscow on the 6th or 7th of September rather than in August. And then you, Mr. Foreign Minister, would be coming to New York after his visit.

The Secretary: I am also prepared to go to Leningrad.

Brezhnev: You haven't been there?

The Secretary: The city may not even exist!

Gromyko: Don't you believe your own wife?

The Secretary: We are also prepared to refer the verification issue to Geneva!

Gromyko[shaking his head]: No, no. There is no proposal on this matter, so we can't do it.

Secretary: I just wanted to catch you in a weak moment!

[At this point, Brezhnev, with Gromyko's assistance, began making changes in the text of the Soviet press statement on the meeting. This drafting session lasted about five minutes.]

Brezhnev: Dr. Kissinger, the agreed points you have listed are not to be specified. The list is only for our own purposes, isn't it?

The Secretary: Correct.



Brezhnev: So we could perhaps issue a statement, I mean a unilateral Soviet statement, that would read like this, and you could issue a similar one.

[Brezhnev hands the text to Sukhodrev, who translates it into English.]

"On 2 August, a meeting between General Secretary of the CPSU Central Committee Leonid Brezhnev and U.S. President Gerald Ford in which member of the CPSU Central Committee Politburo and Foreign Minister Andrey Gromyko and U.S. Secretary of State Henry Kissinger took part was held in Helsinki.

"The CPSU Central Committee General Secretary and the U.S. President highly assessed the results of the Conference on Security and Cooperation in Europe. It was stressed that the final act of the conference, which embodies the collective political will of its participants, creates a good basis for transforming Europe into a continent of peace and fruitful cooperation and makes a major contribution to the consolidation of world peace and security.

"The two sides continued their exchanges of views on problems of the further development of Soviet-American relations. Great attention was paid to the problem of limiting strategic weapons. The questions on which agreement was reached during the talks will be referred to the delegations in Geneva for appropriate finalization. Negotiations on the remaining issues will continue.

"Leonid Brezhnev and Gerald Ford expressed satisfaction with the exchange of views that took place, which was of a constructive character, and reaffirmed the great significance of personal contacts between the leaders of the Soviet Union and the United States"

[Sukhodrev: The text then ends with a list of participants in the meeting.]

The Secretary: After the first meeting, we said that it had taken place in a "friendly atmosphere". Questions will be asked if there is any difference.

Gromyko: We can include such a phrase in this statement as well.

The Secretary: You make no mention of the discussions between the Foreign Minister and myself, but I believe we can say this unilaterally.



Brezhnev: I see no need for mentioning names.

Aleksandrov: Dr. Kissinger is asking whether he could tell the journalists about those talks.

Brezhnev: Well, the talks might be with me too! But I have no objection anyway.

The Secretary: If we are asked about the General Secretary's visit we will say that there has been no change in plans, but we would not say what the plans are.

Brezhnev: So far, no change is envisaged in our plans.

The President: Mr. General Secretary, thank you very much. I believe we have made a little, although not enough, headway and I look forward to further discussions. We value your readiness to seek agreement -- we certainly seek it -- and I trust that we will be able to reach an agreement that would meet the interests of the American and the Soviet people as well as of the entire world.

Brezhnev: I want to repeat that there should be no public announcement of the points that have been agreed. Otherwise, the question of trust will arise! Now, Mr. President, I would like to have a brief conversation with only you and Dr. Kissinger.

[The meeting broke up at 12:10 p.m., with the President and the Secretary staying in the room for the restricted meeting.]

Drafted by: Alexander Akalovsky



GRFL N.S. Adv. Files 1973-1977
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DEPARTMENT OF STATE

7515292

Memorandum of Conversation

DATE: August 5, 1975
The White House
10:00 a.m.

SUBJECT: President's First Meeting with
Prime Minister Miki

PARTICIPANTS: Prime Minister Takeo Miki
Foreign Minister Kiichi Miyazawa
Ambassador Takeshi Yasukawa
Toshiki Kaifu, House of Representatives and
Deputy Cabinet Secretary
Sadaaki Numata, Ministry of Foreign Affairs
(Interpreter)

The President
The Secretary
Ambassador James D. Hodgson
General Brent Scowcroft, NSC
James J. Wickel, Department of State (Interpreter)

President: First of all let me say that I am most grateful for the warm reception I and all of my associates received in Tokyo last fall.

Miki: I appreciate the cordial reception I, my wife and the members of my party are receiving here in Washington.

Before I left Tokyo for Washington I had an audience with the Emperor, who asked me to convey to you his warm appreciation for the thoughtful arrangements being made for his visit to the United States this fall, and for the personal consideration you have shown, Mr. President, in several areas including whales. The Emperor also asked that I convey to you his warm personal regards, and to tell you that he is looking forward to meeting you again this fall.

President: When you return to your country, Mr. Prime Minister, please convey my warmest regards to the Emperor. I look forward to his visit early in October, and I am delighted to hear that the arrangements are proceeding smoothly.

EA/P: ^{gfw}JJWickel:rd
(Drafting Office and Officer)

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E.O. 12958, Sec. 3.5, 3.6
NSC Memo, 11/24/98, State Dept. Guidelines,
By lit/dac NARA, Date 9/7/01
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KUALA LUMPUR TERRORISTS

Miki: I regret the unfortunate incident that occurred in Kuala Lumpur. I regret it particularly because the guiding principle throughout my political career has been to promote dialogue and cooperation. And I regret it especially because the terrorists who resorted to blatant violence are Japanese.

I was first informed of this unfortunate incident at 2:00 a.m. day before yesterday. I immediately called Tokyo and instructed the Acting Prime Minister to organize a Task Force to deal with it. I instructed him that respect for human life and the safety of the hostages are to be given top priority. I have been informed that a plane carrying five of the seven prisoners whose release was demanded by the terrorists left Japan about 2:00 a.m. (EDT) this morning, and arrived at Kuala Lumpur about 8:30 a.m. (EDT). The other two prisoners refused to go. No one knows yet where these terrorists and released prisoners wish to go, but I fervently hope the hostages in this regrettable incident are released without harm.

President: I know these terrorists acted totally independent. It is unfortunate that they are Japanese, but we recognize that other terrorists from other countries do the same thing. I am grateful, Mr. Prime Minister, that you are personally involved.

Our nation's view is, was, and always will be as long as I am President, that we cannot and should not respond to the demands of terrorists. I know that some may feel our policy does not respond to the lives and safety of hostages, but if it were our policy to respond to terrorist demands, the United States would become the repeated target of terrorists who operate around the world.

Our instructions to our diplomats are not to respond to terrorist demands under any circumstances. That is the only way I know to meet forthrightly those foreign terrorists who want to disrupt the world. I told the Secretary of State, and he has told the Foreign Service not to respond to terrorist demands. I appreciate that this might cause difficulty for others, but I wanted you, Mr. Prime Minister, to know what our policy is.

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PURPOSE OF VISIT

Miki: Mr. President, I hope to have as forthright a discussion as possible with you this morning, within the limits of the time available. Let me say that when I met you last January, when you were Vice President and I was Deputy Prime Minister, I did not expect to meet you again on such an occasion as this, with you as President and I as Prime Minister.

On my first trip abroad in 1929 the United States was the first country I visited. Later I studied for several years in a university in California, although my English has since gotten rusty. As a result of these experiences my whole life and my 38-year career in the Diet have been guided by the ideals of freedom and democracy. We have something in common, Mr. President, our long careers in our nation's legislatures, and I share with you the same strong faith in democracy.

My purpose in this visit is to discuss frankly the whole range of Japan-US relations to affirm the unshakeable friendship between our two countries. I hope you will forgive me if I happen to offend you with some of my questions, but may I ask you about several matters of interest.

President: By all means. If we could not speak frankly with each other, this meeting would not be beneficial.

EUROPE - CSCE

Miki: Turning to Europe, Mr. President, you just returned from there last night. In everyone's eyes the European Security Agreement appears to have resulted from Soviet efforts to realize their original concept of freezing the status quo in Europe. I am aware that the United States and other nations attached conditions to their acceptance of participation in the Helsinki Conference, but what I wish to ask, Mr. President, is what is your foremost diplomatic objective in the United States' Soviet policy?

President: First, let me comment on the CSCE. I believe there is a lack of sufficient background information on what the CSCE really does. In the first place, with respect to borders, it reaffirms the borders agreed to in treaties signed in 1947 and 1948, and nothing further, except in the case of Germany, where the CSCE reaffirms the borders agreed to by West Germany in 1971. Therefore, the CSCE does nothing more than reaffirm borders agreed to in 1947, 1948 and 1971. This point is not well enough understood.

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Second, the CSCE Agreement adds an element of integrity and morality, in terms of the right way of doing things, so that the Soviet Union would not do again what it did in the cases of Hungary, Czechoslovakia and Poland.

The Eastern Europeans, if I may interpret what they said in the meetings and elsewhere, believe the CSCE is a document that will prevent the kinds of action from being taken as in the instances I described. They do not say this is guaranteed, but they seem to feel they have added protection that they didn't have before. In that sense CSCE is constructive. We will have a meeting in Belgrade in 1977, to review what happens in the subsequent two years.

My endorsement of CSCE is based on the good faith of those who agreed to it, including the Soviets. I expect all 35 signatories to live up to the agreement language.

In our relations with the Soviet Union we do not agree with their system (nor do they agree with ours). We do not feel that detente between the Soviets and the United States is a solution to all the world's problems, but it can be used, and has been in some cases, to ease tensions and avoid confrontations. I expect it to continue as a vehicle for those purposes.

Detente is a two-way street; it is not all one-way for the Soviets (and won't be as long as I am President). It is a mechanism for use at a time of rising tensions and confrontation. In some cases it has been disappointing, in other cases helpful. I do not mean that it is one-sided. It is mutually beneficial, and hopefully, can help solve some of the problems facing the world.

Secretary: If I may add a word, Mr. President, the debate about CSCE is totally cynical. It is generated by those who for 20 years advocated the exact opposite of what they now say. As the President has said, there are two realities in Europe, frontiers and political influence. There has been Yalta, and then the Paris Peace Treaties of 1947 and 1948, and the German Treaty with the Soviet Union in 1971. As a result there are no contested frontiers in Europe. To talk about frontiers is to reaffirm Treaties and legal language.

The political influence of the Soviets in Eastern Europe is not related to this conference. The Soviet Union has some 40,000 tanks between the Urals and the Elbe, and no

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Western nation wants to build that many tanks. Until someone does these critics are only engaging in an exercise of expressing demagogic platitudes.

I'm talking very frankly, but then I didn't have much sleep last night. I'm reading a new novel about Japan ("Shogun") and realize everything I'm doing is totally wrong.

Strategically we wish to weaken Soviet political influence in Eastern Europe, not confirm it. And we believe we can weaken it more effectively by detente than we could by cold war. During the cold war period we could use military force, but under detente we must use diplomacy.

If the President can be welcomed by tens of thousands as he was in Warsaw, Bucharest, Kracow, and Belgrade, this weakens the Soviet Union. This could not have happened without detente.

We are under no illusions about the Soviet Union. If they have the opportunity to use pressure, they will do so. We (and you) must adopt positions that our domestic opponents can't attack if we have to resist. I used the example yesterday of the prize-ring -- is it better for us to fight flat-footed in mid-ring where we can be hit easily, or to move around and make ourselves harder to hit? Then if the Soviets do something, and we can tell our people we have done all we can for peace, we will be in a stronger position to resist.

If we look at the Middle East, detente has not helped the Soviet Union. We do not aim at hegemony, and dividing the world between us, because that would be suicidal. We wish to contain the Soviet Union with modern methods, which are not those of the cold war period but are entirely new.

SALT, MBFR

Miki: Based on the outcome of the CSCE conference what prospects do you see for further progress in SALT and MBFR?

President: I had two meetings with General Secretary Brezhnev, in which we made some headway on SALT. There are some problems which are very technical, and some which are very fundamental. I believe the odds on an agreement are better than 50-50, but not certain. We will continue to negotiate. I believe that SALT is in the interest of the entire world as well as US-Soviet relations. We will

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continue to work at it, but we will insist that whatever materializes must be mutually beneficial.

Regarding MBFR, we recognize that the negotiations have been stalled for some time. We are working with our European allies to try to develop a position that might move the talks forward, but this depends on the reaction the Soviets have.

We believe that a MBFR that reduces military forces on an equitable basis is in the best interest of Europe, but the talks are stalemated. We hope the Soviets will be as flexible as we will. We will continue to work closely with our allies so that our efforts will lead to greater unity and not split us.

When are the MBFR talks scheduled to reconvene Henry?

Secretary: September, Mr. President.

CSCE EFFECT ON ASIA

Miki: Turning to the repercussions generated in Asia by the CSCE, the Soviets extended an invitation on July 30 to (LDP Diet Member) Hirohide Ishida, Chairman of the Japan-Soviet Parliamentarians Friendship Association, to hold a meeting to discuss an Asian Security Conference.

In the long term, although it may not be visible yet except in special circumstances, what the Asians are most sensitive to is Soviet and Chinese influence in Asia. The Chinese, for example, view the Asian Security Conference proposed by the Soviets as an attempt to encircle them...

Secretary: They're right.

Miki: ...and therefore oppose any third nation hegemony. The Treaty of Peace and Friendship Japan is negotiating with China, as you know, has been stalled by opposition to the inclusion of the hegemony clause. It is obvious that the Chinese are vigilant against any increase in Soviet influence in Asia. What do you feel will be the effect of the CSCE on this trend in Asia, in the context of Soviet influence?

President: First let me speak about the United States' relations with the People's Republic. Our relations were initiated by Mr. Nixon. I fully support these relations,

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and believe they are of vital importance. I expect to go to the People's Republic sometime late this fall. I feel that our relations are moving along on schedule. The Shanghai document is the basis for continuing and expanding our relations. I see no serious problem developing in that regard.

We all recognize that there is competition in Asia between the Soviet Union and the People's Republic. We believe that our continuing relations with China are important in maintaining stability in Asia, and we will make every effort, in a responsible manner, to broaden our relations with the People's Republic. Secondly, we expect to maintain continued close relations with your government, Mr. Prime Minister. We feel this is vitally important for the stability and security of the Pacific. I have been encouraged by our discussions in Japan, and this morning. Tomorrow we can reaffirm the importance of our relations.

I recognize there are problems in the Pacific area, not in our relations but in peripheral areas. We should be frank in discussing those relations, as they refer to relations between the United States and Japan.

Therefore, we seek to broaden our relations with China, while maintaining and strengthening our relations with Japan. This will have an impact on the influence of the Soviet Union in the Pacific area. Henry, have you anything to add?

Secretary: I was asked in Helsinki about an Asian collective security conference, and said if there is such a meeting, it would take place without the United States. I do not think Asia can be compared with the situation in Europe.

Miki: I agree.

Secretary: We will not participate in an Asian collective security conference, or anything of that kind.

Second, we believe the Soviet Union is trying to encircle China, and in no way do we wish to participate. China has its own aspirations, and in ten years may cause trouble for all of us, including Japan, but at the present time it is not in our interest to weaken China. Therefore, we will not cooperate with the Soviets in any anti-Chinese maneuver in Asia. It was for that reason that we signed the Shanghai Communique, with its hegemony clause. We knew what we were doing, and made it explicit.

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SINO-SOVIET COMPETITION IN ASIA

Miki: How do you view the present state of the Sino-Soviet conflict in Asia?

President: I might repeat what I heard from a number of sources in Helsinki. The Soviet Union has 44 divisions on the Chinese border. That certainly indicates to me that their relations are not better, and may even be considerably worse than before.

As the Secretary said, we do not adopt a policy of favoring one over the other, but at the same time we will keep our relations with you, Mr. Prime Minister, because of the strong influence of our relations on peace and stability in Asia.

Secretary: If there is a danger it is that Japan might over-analyze our policy, and initiate a leap-frog exercise that would be detrimental to both our interests. We are not following a parallel policy with the Soviets in Asia, but if Japan does something to get ahead of us, we might have to do something. Thus it is very important that we coordinate our policies toward the Soviet Union and China. We should not cooperate in the Soviet efforts to isolate China.

Miki: On my part, I believe we should have a full understanding of your China policy. Therefore, I wish to ask your view of the prospects for improving your relations with China, and how far you might go, Mr. President, in developing your relations during your visit to China?

Also, I would appreciate hearing a frank explanation of your long-term policy views regarding China.

President: As I said just a few minutes ago the Shanghai Communique is the basic document by which we are proceeding to develop our relations with China. We feel, and we believe the People's Republic feels, that our relations are within the context of the Shanghai Communique.

As I said, I will visit China later in the fall. There is no agenda, and no details have been worked out. The Secretary will probably go to the People's Republic before my visit, and at that time the agenda will be finalized.

We have made no commitment at this time with regard to our relations with Peking except in the context of the Shanghai Communique.

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RG 59 ENTRY # 5403
BOX 15 FOLDER 4

DEPARTMENT OF STATE
BRIEFING PAPER

X WS 1
to C draft SS

August 6, 1975

Tab 1 in
SALT -
Sensitive -
US - Soviet

Talking Points for the Secretary
at the Cabinet Meeting

Overall Impression

Successful trip that

- put CSCE in perspective;
- strengthened ties with Allies;
- graphically illustrated our desire to support independent policies in Eastern Europe;
- afforded opportunity for important bilaterals on SALT (with Brezhnev), on Cyprus and Eastern Mediterranean (with Caramanlis and Demirel), on economic interdependence (with Schmidt, Wilson, Giscard and Moro), and on Spanish bases (with Arias and Cortina).

In addition, I met with Prime Ministers Palme, Thorn and Tindemans and Foreign Ministers of Hungary, Bulgaria, Czechoslovakia, GDR, Norway, Finland and Italy, as well as

CLASSIFIED BY FRANK WISNER Secretary General Waldheim.

SUBJECT TO GENERAL DECLASSIFICATION

SCHEDULE OF EXECUTIVE ORDER 11652

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CSCE

-- The most striking thing about stage III of the CSCE was the extent to which it was a Western show. Despite the Conference's origins as a Soviet foreign policy initiative, intellectually it was dominated by the West.

-- This was not just a question of atmosphere, but quite a real reflection of the substantive outcome of the Conference. The main Soviet goal of obtaining full formal recognition of the situation in Eastern Europe had, as a practical matter, been overtaken by events before the Conference began, and the CSCE thus served quite a different purpose: it gave broad recognition to the possibility of peaceful evolution in Europe, including peaceful changes in frontiers.

-- In fact, the whole thrust of the Final Act of the CSCE, and of the speeches in Helsinki, was toward the possibility of evolution in Europe toward more open relationships between East and West and more open societies.

-- Some of the press, which was critical of the CSCE before they had read the final document, now seems to have come to a better understanding of its real significance.

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-- We continue to regard CSCE as an important element in the overall detente process, which is beneficial to the United States. The CSCE has underlined the need for having a greater human content in detente, and has pioneered in certain aspects of the freer movement of people and ideas. The President's speech, which has the most forceful expression at Helsinki of the Western view of CSCE, made it clear that we will participate fully in ensuring that the obligations undertaken in CSCE are carried out.

Brezhnev

See Tab 1.

Western Bilaterals

-- The main subject in Western bilaterals was the state of the economy. Schmidt and Giscard were particularly concerned about state of our recovery and the need for some mechanism to coordinate domestic economic decisions.

-- Giscard and Schmidt pressed for a Five-Power Summit. They want the U.S. to stimulate our economy more and take greater account of the effect of our measures (e.g. high interest rates) on their economies.

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-- Schmidt hopes that some monetary agreements can be reached in the IMF meetings (e.g. increased IMF quotas and inter-Central Bank gold transactions), recognizing that fundamental disagreements persist between France and the U.S. on exchange rates. In the interim, he wants us to agree to a system for managed floating and some commitment by the U.S. to support the dollar rate.

-- We also discussed the situation in Portugal. The Europeans are now more pessimistic and seem more willing to take initiatives to strengthen moderate military groups, as well as the Socialists, although they have no very precise ideas about how to do this.
Greece, Turkey and Cyprus

-- It is clear that our Congressional action has had a negative effect on the Cyprus negotiations at a time when the parties are moving closer toward an eventual settlement.

-- Demirel said that important concessions on territory could not be made as long as embargo is in effect.

-- The President told Caramanlis how unhelpful the actions of his Embassy had been.

-- Even Makarios has moved toward a bizonal, Federal system and more reasonable territorial percentages.

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- 5 -

-- But the embargo has permanently hurt our position in Turkey. We must make a maximum effort to get it lifted in September. The EC-9 want to be helpful and share our view that the embargo must be lifted to make progress.

East European Impressions

-- Poland and Romania, in differing degrees, want to strengthen their bilateral ties with U.S. Poland clearly has less flexibility but their agreement with the FRG shows that ties with the West are important, particularly to develop their economy.

-- Romanians are more outspoken and are alert to any and all opportunities to show their independence.

-- Tito wants to play a helpful role with the non-aligned world on issues like the Middle East.

-- Tito also wants more concrete results on our military sales program. The President promised fast, responsive action.

Spain

-- Arias and Cortina are still trying to see how they can get recognition for the defense contribution Spain makes to the West.

-- We pointed out that their hardware request is exaggerated, particularly if they are going to insist that we cut back on our bases in Spain.

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-- We promised to mutually review positions prior to the next round of negotiations in mid-August.

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*Sunday = 9/28/75
Return to W. Lord
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China File

R. 1101

THE WHITE HOUSE

WASHINGTON

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MEMORANDUM OF CONVERSATION

PARTICIPANTS:

Ch'iao Kuan-hua, Foreign Minister of the People's Republic of China
 Huang Hua, PRC Permanent Representative to the United Nations
 Chang Han-chih, Deputy Director, Asian Affairs Department, Ministry of Foreign Affairs
 Lo Hsu, Deputy Director, African Affairs Department, Ministry of Foreign Affairs
 Shih Yen-hua, Ministry of Foreign Affairs, Interpreter [Notetaker]
 Kuo Chia-ting, Second Secretary, PRC United Nations Mission, Notetaker [Interpreter]

Henry A. Kissinger, Secretary of State and Assistant to the President for National Security Affairs

Patrick Moynihan, U.S. Ambassador to the United Nations

Philip C. Habib, Assistant Secretary of State for East Asian and Pacific Affairs

Winston Lord, Director, Policy Planning Staff, Department of State

William H. Gleysteen, Jr., Deputy Assistant Secretary of State for East Asian and Pacific Affairs

Richard H. Solomon, Senior Staff Member, National Security Council

DATE & TIME:

Sunday, September 28, 1975
 8:10 p.m. - 11:55 p.m.
 Dinner Meeting

PLACE:

Suite of the Secretary of State
 35th Floor, Waldorf Towers
 New York City

SUBJECT:

The Soviet Union; CSCE; Europe; Japan; Angola; Indochina; the President's China Trip; the Global Strategic Situation; Korea

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National Archives
 Record Group 59, Records of the Department of State,
 Records of the Policy Planning Staff, Director's Files
 (Winston Lord), 1969-1977, Box 379, China-Sensitive Chron
 - October - December 1975

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The Soviet Union believes that they can undermine the will to resist of the West politically --

Foreign Minister Ch'iao: Of course they wish to achieve this.

Secretary Kissinger: -- but in the East, they must undermine it militarily. That is my view, but it is based on agnosticism.

Our policy is based on the proposition that a strategic gain on either [the U.S. or China] is a disaster for the other. Therefore we seek to prevent either.

Foreign Minister Ch'iao: You are right on this point. But you must have a very clear judgment about what is the focal point, as this has a bearing on many policies.

Secretary Kissinger: But if it is in the West, what should we be doing differently?

Foreign Minister Ch'iao (pauses in reflection): Your --

Secretary Kissinger (Ambassador Huang Hua): You are my advisor this evening!

Chang Han-chih (whispers in Chinese to Ch'iao): Helsinki.

Foreign Minister Ch'iao: Of course, your moves have both internal and external considerations. We have our differences. We notice your moves in the West and Eastern worlds. But some of your moves are not necessary.

Secretary Kissinger: But we are speaking now as friends. I know you want to strengthen Western Europe. We want to also. I would not consider this criticism.

Foreign Minister Ch'iao I would not like to mention highly controversial points, even among ourselves. But I should mention the Helsinki Conference. We do not see why it was necessary for you to take such a step. Why didn't you delay? I do not know why you permit them to take such a form which is of need to the Soviet Union.

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We do not exactly know your idea. Perhaps it was that Brezhnev is relatively good among the Soviet leaders and you thought you wanted to stabilize his position among these leaders. This is my own idea [of what the Secretary had in mind].

I will be very candid. There is a contradiction [in your position]: On the one hand you said that the Helsinki agreement has no binding force. On the other hand, [your agreement with the Soviets] took the form of a conference. This is contradictory.

Secretary Kissinger: Our motives had nothing to do with Brezhnev personally.

I once had the intention of writing a book on Bismarck. I find him more interesting than Metternich, with whom I am usually identified. Bismarck was more modern. He once wrote that a sentimental policy knows no reciprocity.

The European Security Conference cannot be analyzed in the context of just this year. You have to understand it in terms of its history. It was around for more than ten years as an idea. We negotiated on it for three years. We used it as a safety valve these past three years for other problems.

My instructions to our delegation were that they should remain one step behind the other European governments. We did not take the lead -- although we did not block the conference either.

Foreign Minister Ch'iao: This is what you told me last year. But at that time you had not decided whether to convene it as a summit meeting or a conference of foreign ministers.

Secretary Kissinger: That is correct. The foreign ministers' meeting was preempted as a result of Giscard's meeting with Schmidt in December [during which they agreed to hold the Conference at the summit level].

But I submit that you overestimate the European Security Conference.

Foreign Minister Ch'iao: No. That is not the case.

Secretary Kissinger: What is its significance?

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Foreign Minister Ch'iao: The American press has almost compared the European Security Conference to another Munich.

Secretary Kissinger: The American press is in a mood of nihilism, complete unreality.

Mr. Foreign Minister, the same people who called the European Security Conference another Munich would organize a real Munich at the first crisis. The most destructive thing we can do is to pay attention to our press in its presently destructive mood.

There is one certain prediction: The only way to pursue a strong foreign policy is to do as we are now doing with the Soviet Union. If we are only rhetorically strong, the Washington Post and New York Times would be saying that we missed an opportunity for progress. Any third secretary in the Soviet Embassy could dangle hints of progress before the press, and we would be spending all of our time explaining why we are unresponsive. Just read our press of the 1960s! I would much rather have the New York Times to my right than on my left.

Foreign Minister Ch'iao: About our assessment of the Helsinki conference, there is one point I would like to clarify: We do not attach much importance to that conference. There has not been even one editorial in our papers, only some commentaries.

Secretary Kissinger: I do not know if I like that. Indifference is a worse punishment than criticism.

Foreign Minister Ch'iao: In our recent speeches we made criticism of the Helsinki conference. The Soviet Union has lauded it to the skies. But in terms of the international situation, this will all soon evaporate.

Secretary Kissinger. I agree. It [the conference] had to be brought to a conclusion, as its continuation gave it a greater significance than it deserved. It was not worth a battle over the question of [whether to hold] a summit. If the Soviet Union gained [from the conference], it was internally not internationally.

Foreign Minister Ch'iao: Whether this conference was convened or not, how long it was held, or the form it took -- a summit meeting or foreign ministers' conference -- these things cannot affect the international situation.

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Secretary Kissinger: I do not think the results of the conference affected either. Borders -- there are no unrecognized borders in Europe. They were all recognized before the conference.

Foreign Minister Ch'iao: But there are some difficulties in it. Politically, they [the Soviets] can make some propaganda -- not legally -- that the borders are now more settled.

Secretary Kissinger: But the borders of the Balkans were fixed in 1946, the borders between Poland and the Federal Republic were established at Yalta. There are no unrecognized frontiers. What fixes the borders now is the presence of 25,000 Soviet tanks between the Oder and the Elbe. Until that situation changes there will be no [political] changes.

Foreign Minister Ch'iao: But at least this conference gives people the idea that the Soviets can station troops in Europe.

Secretary Kissinger: I doubt that we gave the Soviets anything in this agreement. We are trying to weaken Soviet influence [in central Europe] by [Presidential] visits and by our developing military relations with the Yugoslavs. But changes requires a political process in Europe.

At the conference, the attitudes of Yugoslavia and Romania, and less so Poland, were most interesting.

At any rate, I do not exclude the possibility that we make mistakes -- although I seldom will admit it. But our strategy is to weaken the Soviet Union.

Foreign Minister Ch'iao: I know you have taken some steps toward the Soviet Union -- tactical measures.

Secretary Kissinger: At present no other strategy is possible -- unless you have some other idea?

Foreign Minister Ch'iao (after a pause): Your former Secretary of State Stimpson had a policy of "non-recognition."

Secretary Kissinger: We tried that with you for twenty years. It was not one of our most successful policies. (Laughter)

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DEPARTMENT OF STATE
BRIEFING MEMORANDUM

S/S

OCT 1 1975

Mr. Clift
DC
AF
CSCE

~~CONFIDENTIAL~~

TO: The Secretary
THROUGH: C - Mr. Sonnenfeldt
FROM: EUR -- Arthur A. Hartman

CSCE Implementation: Overall Concept

The Need for an Overall Concept

As the President said in Helsinki, the real test of CSCE will be in its implementation, and this theme places a burden on us to come to grips with the complex problem of pursuing the implementation of the results of CSCE. This memorandum outlines what we see as basic US objectives in CSCE implementation, and sketches out the overall scheme which we are following in moving forward with our implementation efforts.

US Objectives in Implementation of CSCE

We see three basic US objectives in the CSCE implementation process:

-- Pursuit of Detente. We have a continuing interest in working constructively with the Soviets and the Eastern Europeans in the implementation of CSCE to identify additional areas where cooperation can be to our mutual advantage. In view of the close coordination with our Allies which characterized our approach to the CSCE negotiations themselves, our actions should form part of an overall Allied and Western effort.

-- Soviet and Eastern European Compliance. We have an intrinsic interest in Soviet and Eastern European compliance with specific CSCE provisions on such subjects as family reunification, binational marriages, improved working conditions for journalists and businessmen,

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CSCE (7/25/5) WH

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liberalization of travel restrictions, etc., most of which relate to long-standing bilateral problems between the US and the USSR or the Eastern European states. This is also the area in which there is a strong US public and Congressional interest, and in which critics of the CSCE will be watching our efforts, especially as we move into an election year.

-- Preparation for Belgrade. We have a practical interest in compiling information which will serve as background for the political decisions which will have to be taken at the follow-up meetings set for Belgrade in 1977. Decisions will then be taken on the organization of possible further CSCE follow-up meetings, and will be based to a large extent on the collective judgment of the success of CSCE implementation.

Problems Posed by Implementation

In pursuing our objectives in CSCE implementation, we should be aware of the problems involved. These can be broken down into the following categories:

-- The Lack of Precision of the CSCE Final Act. While some provisions of the Final Act are relatively specific, others are vague, ambiguous or subject to varying interpretations. In many other cases, the commitments which have been undertaken do not lend themselves to quantitative measurement.

-- Different Political Approaches. The political language of the Final Act is seen differently, depending on the political orientation of the country concerned. This is particularly true of the list of interstate principles, perhaps the most fundamental political part of the document. We have already seen in the case of Portugal how East and West can use CSCE principles to bolster their position on the same subject.

-- The Interdependence of the Provisions of the Final Act. The many cross references and linkages in the Final Act make it difficult to refer to specific provisions in isolation. For example, it is stated that cooperation in the Basket III area "should take place in full respect for the principles guiding relations among participating states," which the Soviets

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believe supports their position that Basket III is subject to domestic laws and regulations, and should not be used to interfere in internal affairs.

-- Interpretation of the Status of the Final Act. Some CSCE provisions imply further negotiations; others do not; still others are ambiguous in this respect. Some provisions identify a forum for pursuit of a subject; others do not, leaving this point open to differing views.

-- Possible Contradictions in US Position. Our objectives will not always be in complete harmony; for example, our support for freer travel provisions must be hedged in view of AFL/CIO opposition to contacts with Communist trade union representatives.

Organizing Ourselves for Pursuit of US Objectives in CSCE Implementation

Given the need to pursue the implementation of CSCE in a purposeful way, and the multitude of complexities and difficulties involved, we are moving forward with a concept which would provide overall policy control of the various functional aspects of CSCE, while adapting our specific interests to our bilateral relations with individual Eastern countries, coordinating with our Allies, the EC Nine (and, more informally, with the neutrals), and monitoring implementation efforts. The principle elements of the organization of this concept are the following:

-- Overall Policy Control. We have supported the NSC's recommendation that overall US Governmental responsibility for implementation of CSCE be vested in the NSC Under Secretaries Committee. Approval of this recommendation would provide a framework within which the Department of State (EUR) could exercise policy control over all the functional (military, trade, science, environment, human rights, culture, education, etc.) parts of the CSCE Final Act. Within this structure, small specialized working groups can identify points deserving our attention and decide on methods for pursuing them. This organization would also be used to ensure full US observance of the provisions of the Final Act.

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-- Bilateral Approaches. We have asked our embassies in the Soviet Union and Eastern Europe to recommend subjects on which bilateral approaches can usefully be made on the basis of CSCE provisions, avoiding a sterile or contentious dialogue. These approaches will form our principal vehicle for ensuring compliance by the USSR and Eastern European countries, and can be adapted to the situation as it develops, for example in response to specific problems which may arise later. They will also serve to identify areas where further cooperative efforts may be possible and desirable. We plan to consult and exchange information with our Allies on these approaches to ensure overall harmony, to preclude efforts which may be counter-productive, and to maintain Allied solidarity.

-- Monitoring. We are proposing a joint monitoring effort in NATO on those aspects of CSCE which lend themselves to record-keeping. We are also tasking our posts in Moscow and Eastern Europe to submit periodic reports on compliance in these areas. The first of these reports will be designed to provide us with a series of benchmarks - or a picture of the situation existing at the time of the signing of the Final Act, in order to facilitate, insofar as it is possible, actual measurement of progress. It should be noted that this is possible only in the case of a limited number of provisions. Some of the provisions which are of greatest interest to us, such as family reunification and binational marriages, can be measured quantitatively, but many CSCE provisions cannot be measured in this way. Even where some form of record-keeping is possible, interpretation and judgment will have to be exercised in determining real significance (e.g., in judging the degree of compliance with the provision on expanded travel opportunities for journalists). This monitoring effort will provide the basic factual input to the preparation of the political decisions which will be required in 1977 in Belgrade.

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Specific Actions Taken Thus Far

The specific actions we have taken thus far in pursuit of CSCE implementation form part of this overall scheme, and should be seen in this way.

-- CBMs. The Western Allies have given advance notification of five maneuvers thus far, and have invited observers to attend one of these. Coordination within the US Government has formed an example for our work within the structure of the Under Secretaries Committee, and NATO consultations have, of course, been close.

-- Multiple Entry Visas for Journalists. Our demarches with the Soviets on this subject constitute the kind of bilateral approach we envisage where this may be useful. We have also informed our Allies of steps we have taken on this subject.

-- Family Reunification. Our citing of the CSCE provisions in presenting the latest Representation List to the Soviets is the kind of continuing encouragement to progress which we foresee with the Soviets in areas of this kind.

Feeling Our Way

Finally, it should be recognized that in this unique effort we are very much feeling our way. We will be trying to take account of all the factors involved in this complex undertaking, whether they be international or internal US considerations, and will be developing and adjusting the basic concept outlined above in the light of our experience and the evolving situation.

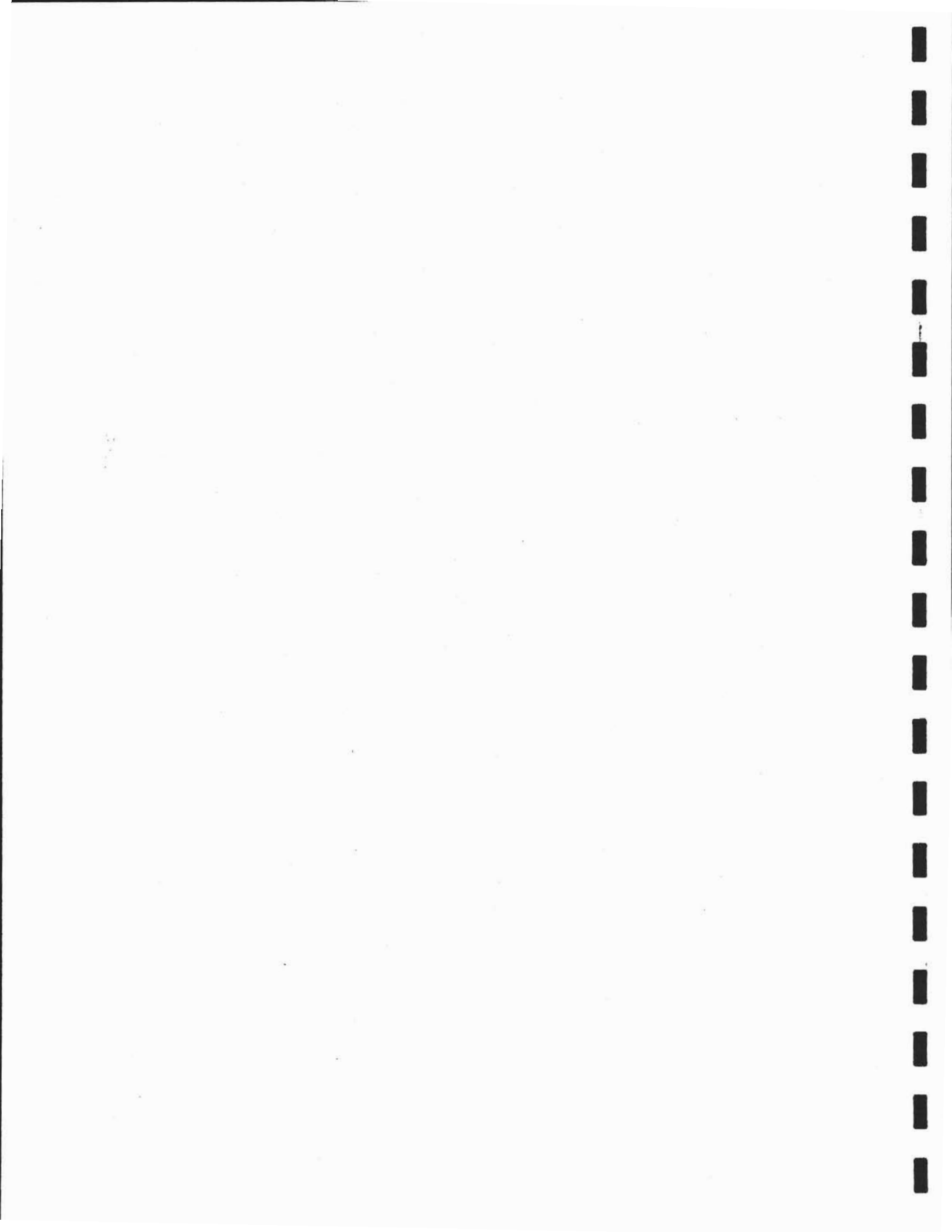
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From the Diary of
Kornienko G. M.

**Record of Conversation with U.S. Attaché
In the USSR Jack Matlock**

12 November 1975

Invited Matlock and in accordance with instructions made the following oral statement to him in response to the statement of the American side of October 14 regarding the issues of implementation of the postulates of the Final Act of the European Conference:

“We welcome the desire of the American side to approach implementation of the Final Act constructively and their readiness to cooperate with the Soviet Union in this endeavor. The positive experience of cooperation of our countries, which played a significant role in the development of the Final Act, and in the successful progress of the conference as a whole shows that continuation of such cooperation on the issues of practical implementation of the decisions of the conference would serve the interests of relaxing tensions and peace in Europe as well as Soviet-American relations.

The principal assessment of the results of the conference by the Soviet Union is well known. It has been stated repeatedly in the official documents and statements by Soviet leaders. It has been emphasized that it was essential that the principles and the agreements, as stated in the Final Act of the Conference on Security and Cooperation in Europe, were implemented in full by all the member-states. As far as the Soviet Union is concerned—and this had been stated clearly by L. I. Brezhnev in his speech in Helsinki—it will act precisely in accordance with this.

We began with publicizing widely the text of the Final Act, which was published in the USSR in full and in many millions of copies, which cannot be said about the American side. Now we have already started practical implementation of the corresponding steps. At the same time, just like the American side, we are continuing to think about concrete ways and forms of further realization of the stipulations of the Final Act.

The Soviet side starts from the assumption that the political substance of the Final Act is defined primarily by the principles of relations between the member-states, which it proclaims. Without in the least diminishing the importance of other stipulations of this document, one can say with full confidence that it is precisely these principles that provide the necessary basis for interstate relations in Europe in order for this continent to develop on the road of peace, détente, and cooperation among equals.

The Soviet Union has always stood by these principles, and from this point of view there is no need for our side to undertake some kind of special measures for their implementation. At the same time, in our opinion, the most important task of all the member-states and each one of them is strict adherence and consistent implementation of

the jointly developed principles in full. This is equally relevant for wider, multilateral aspects of relations between states in Europe, as well as for bilateral relations between them, such as the need to solve existing or emerging questions in accordance with the stipulations of the Final Act. Such questions also exist in the sphere of Soviet-American relations.

For instance, one cannot fail to note a question such as the work of the organs of mass media. It is directly stated in the Final Act that dissemination of radio information should benefit the interests of mutual understanding between peoples and the goals defined by the conference. However, the character of the activity of radio stations "Liberty" and "Free Europe," which are financed by the United States, is in no way compatible with the goals and provisions of the Final Act. Broadcasts of the "Voice of America" are not compatible with them either.

The provisions of the Final Act relating to economic and scientific and technological cooperation are to a great extent in tune with the mutual obligations in this sphere stipulated in bilateral Soviet-American documents. These provisions focus attention in particular on the need to get rid of all kinds of obstacles on the road to the development of trade.

However, it is well known that implementation of even those provisions in our bilateral relations, judging by everything, is not anywhere near [at hand].

As far as certain other issues are concerned, related to cooperation in the humanitarian spheres, which were touched upon in the U.S. Ambassador's statement on October 14, as the American side itself has noted we had already undertaken some practical steps, and of course we will take further steps in the future in accordance with the agreements reached at the European conference.

In particular, in terms of improving the working conditions of journalists, we have reached an agreement with the American side that we would grant multiple entry and exit visas for journalists permanently accredited in the USSR and the USA, respectively, and their family members on a reciprocal basis.

A number of cases regarding reunification of families, marriages between citizens of the two countries, and trips with the purpose of visiting relatives have been decided positively.

In deciding all these issues, we do and we will of course act in accordance with the laws and regulations existing in the USSR. The relevant formulations of the Final Act regarding these issues have been drafted through the active, joint efforts of our two countries, and we expect that the American side would adhere to the same approach to the resolution of such issues.

In the spirit of the provisions of the Final Act aimed at helping to develop contacts and cooperation in various spheres of people's activities, we would like once again to draw

the attention of the American side to the still existing obstacles and difficulties that interfere with the development of such contacts in the relations between our two countries.

In particular, we are talking about numerous instances of visa refusals for representatives of Soviet trade unions, scientific, youth and other public organizations, which travel to the United States at the invitation of corresponding American organizations, and about numerous and prolonged delays in visa processing for members of Soviet delegations traveling to the USA within the framework of agreements on scientific-technological and cultural cooperation. The timetable for getting tourist visas established by the U.S. side is too long (21 day), whereas the Soviet side grants those visas in a much shorter period of time. Relevant measures on the part of the American side aimed at normalization of the situation on these issues, would undoubtedly contribute to the further expansion of bilateral contacts and would be appreciated by the Soviet side.

The Soviet side would be prepared, whenever there is such a need, to continue to exchange opinions with the American side concerning concrete issues related to the implementation of the principles and agreements contained in the Final Act.

After having finished listening to the statement, Matlock said that he would pass it on to Washington immediately.

Then, citing the statements of U.S. Ambassador Stoessel made during the conversation of October 14, he once again emphasized the desire of the American side to implement all the provisions of the Final Act and to cooperate on that with the Soviet Union. In this connection, he expressed satisfaction with the fact that the USSR and the United States had now entered the stage of specific discussion of relevant issues, and expressed the readiness of the American side for further discussion of those issues.

The conversation was attended by Head of the U.S. desk cde. O. M. Sokolov and First Secretary of the U.S. Embassy in Moscow J. Joyce.

Deputy Minister of Foreign Affairs of the USSR.

[Signature]

G. Kornienko

[Source: Archive of Foreign Policy of the Russian Federation, Fond 733, opis 6, delo 2]

Translated by Svetlana Savranskaya
For the National Security Archive

У.А.И.
А.Е.А.
В.Т.
дневника
Корниенко Г.М.

В Доце: Соловьев

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" 12 " ноября 1975 года
№ 832/ГС-НС

И.И.
В.Т.

ЗАПИСЬ БЕСЕДЫ

с временным поверенным в делах США
в СССР Дж. МЭТЛОКОМ

12 ноября 1975 года

Пригласил Мэтлока и в соответствии с поручением сделал ему следующее устное заявление в ответ на заявление американской стороны от 14 октября с.г. по вопросам реализации положений Заключительного акта общеевропейского совещания:

"Мы приветствуем желание американской стороны конструктивно подойти к выполнению положений Заключительного акта и ее готовность взаимодействовать с Советским Союзом в этом деле. Положительный опыт сотрудничества наших стран, сыгравшего немалую роль в разработке Заключительного акта и успешном проведении совещания в целом, говорит о том, что продолжение такого сотрудничества по вопросам практического претворения в жизнь решений совещания шло бы на пользу разрядке и миру в Европе, как и советско-американским отношениям.

Принципиальная оценка Советским Союзом итогов совещания хорошо известна. Она неоднократно излагалась в официальных документах и в выступлениях советских руководителей. При этом подчеркивалось, что суть дела состоит в том, чтобы принципы и договоренности, как они изложены в Заключительном акте Совещания по безопасности и сотрудничеству в Европе, претворялись в жизнь в полном объеме всеми государствами-участниками. В том что касается Советского Союза, то он, - и об этом четко было сказано Л.И.Брежневым в его выступлении в Хельсинки, - будет действовать именно так.

Мы начали с того, что широко обнародовали текст Заключительного акта, который был опубликован в СССР полностью и многомиллионным тиражом, чего нельзя сказать об американской стороне. Сейчас мы уже приступили к практическому осуществлению соответствующих шагов. Одновременно, как и американская сторона, мы продолжаем обдумывать конкретные пути и формы дальнейшей реализации положений Заключительного акта.

Советская сторона исходит из того, что политическое содержание Заключительного акта определяется прежде всего провозглашенными в нем принципами взаимоотношений между государствами-участниками. Нисколько не умаляя значения других положений этого документа, можно с полным основанием сказать, что именно эти принципы подводят под межгосударственные отношения в Европе необходимую основу для развития этого континента по пути мира, разрядки и равноправного сотрудничества.

Советский Союз всегда придерживался этих принципов, и с этой точки зрения не возникает необходимости принятия с нашей стороны каких-то специальных мер для их реализации. Вместе с тем, по нашему мнению, важнейшей задачей всех государств-участников и каждого из них является строгое соблюдение и последовательное осуществление в своей практической политике совместно выработанных принципов во всем их объеме. Это в равной степени относится как к более широким, многосторонним аспектам взаимоотношений государств в Европе, так и к двусторонним отношениям между ними, имея в виду необходимость решения существующих или возникающих вопросов в соответствии с положениями Заключительного акта. Такие вопросы имеются и в сфере советско-американских отношений.

Нельзя, например, не обратить внимания на такой вопрос, как деятельность органов массовой информации. В Заключительном акте прямо указывается, что распространение радиосообщений должно отвечать интересам взаимопонимания между народами и целям, определенным совещанием. Между тем, характер деятельности финансируемых Соединенными Штатами радиостанций "Свобода" и "Свободная Европа" никак не совместим с целями и положениями Заключительного акта. Не отвечают им и передачи "Голоса Америки".

Положения Заключительного акта, относящиеся к экономическому и научно-техническому сотрудничеству, во многом созвучны взаимным обязательствам в этой области, зафиксированным в двусторонних советско-американских документах. Эти положения акцентируют внимание, в частности, на необходимости устранять всякого рода препятствия на пути развития торговли.

Но хорошо известно, что осуществление и этих положений в наших двусторонних отношениях, судя по всему, дело не близкое.

Что касается некоторых конкретных вопросов, относящихся к сотрудничеству в гуманитарных областях, затронутых в заявлении посла США от 14 октября, то, как отмечает это и американская сторона, нами уже предприняты и, разумеется, будут предприниматься в дальнейшем практические шаги по их решению в соответствии с договоренностями, достигнутыми на общеевропейском совещании.

В частности, в плане улучшения условий работы журналистов с американской стороны достигнута договоренность о выдаче на взаимной основе многократных въездных и выездных виз журналистам, постоянно аккредитованным соответственно в СССР и США, и членам их семей.

Положительно решен ряд дел, связанных с воссоединением семей, браками между гражданами двух стран, а также поездками с целью посещения родственников.

При решении всех этих вопросов мы, разумеется, действуем и будем действовать в соответствии с существующими в СССР законами и правилами. Соответствующие формулировки Заключительного акта на этот счет вырабатывались при активных совместных усилиях наших двух стран, и мы рассчитываем, что американская сторона будет придерживаться такого же подхода к решению этих вопросов.

В духе положений Заключительного акта, направленных на содействие развитию контактов и сотрудничества в различных областях человеческой деятельности, мы хотели бы еще раз обратить внимание американской стороны на все еще существующие препятствия и трудности, мешающие развитию таких контактов в отношениях между нашими странами.

Речь идет, в частности, о многих случаях отказа в выдаче виз представителям советских профсоюзных, научных, молодежных и других общественных организаций, направляющимся в США по приглашению соответствующих американских организаций; о многочисленных и длительных задержках выдачи виз членам советских делегаций, едущих в США в рамках соглашений по научно-техническому и культурному сотрудничеству. Весьма длительны сроки (21 день), установленные американской стороной для получения туристских виз, в то время как советской стороной такие визы выдаются в гораздо более короткий срок. Соответствующие меры с американской стороны, направленные на нормализацию положения в этих вопросах, несомненно, способствовали бы дальнейшему расширению двусторонних контактов и были бы оценены советской стороной.

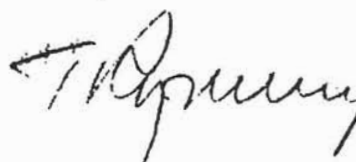
Советская сторона была бы готова, когда в этом будет возникать необходимость, и дальше обмениваться мнениями с американской стороной по конкретным вопросам, относящимся к осуществлению принципов и договоренностей, содержащихся в Заключительном акте."

Выслушав заявление, Мэтлок сказал, что немедленно передаст его в Вашингтон.

Сославшись далее на высказывания посла США Стессела в беседе 14 октября, он вновь подчеркнул желание американской стороны претворять в жизнь все положения Заключительного акта и взаимодействовать в этом деле с Советским Союзом. В этой связи он выразил удовлетворение тем, что СССР и США вступили сейчас в предметное обсуждение соответствующих вопросов, и высказал готовность американской стороны к дальнейшему их обсуждению.

На беседе присутствовали: зав. сектором Отдела США т. Соколов О.М. и I секретарь посольства США в Москве Дж. Джайс.

ЗАМЕСТИТЕЛЬ МИНИСТРА
ИНОСТРАННЫХ ДЕЛ СССР

 (Г. КОРНИЕНКО)

Пролетарии всех стран, соединяйтесь!

Коммунистическая Партия Советского Союза. ЦЕНТРАЛЬНЫЙ КОМИТЕТ

СОВЕРШЕННО СЕКРЕТНО

№ П198/93

Т.т.Брежневу, Подгорному, Косыгину, Андропову,
Тромяко, Кириленко, Суслову, Пономареву,
Замятину, Зимянину.

Выписка из протокола № 198 заседания Политбюро ЦК КПСС
от 18 декабря 1975 года

Об обращении к руководству ФКП.

1. Утвердить с учетом поправок текст телеграммы совпослу во Франции (приложение 1).
2. Утвердить текст заметки для публикации в "Правде" (приложение 2).

СЕКРЕТАРЬ ЦК

Подлежит возврату не позже чем в 7-дневный срок
в ЦК КПСС (Общий отдел, 1-й сектор)

17-ЗВ
МК

опубликовано 19. XII 1975 г.
"Грӯсод, грабшчыка"

К пункту 93 прот. № 198

СекретноПриложение 1

П А Р И Ж

СОВПОСОЛ

Встретьтесь с т. Марше или лицом, его замещающим, и передайте следующее.

"Политбюро Французской компартии.

Уважаемые товарищи,

Как вы знаете, в последнее время реакционные круги Франции, как и ряда других стран, вновь развернули антисоветскую кампанию, направленную на то, чтобы оклеветать Советский Союз и проводимую им политику, помешать дальнейшему развитию и укреплению разрядки в международных отношениях.

Одной из главных тем этой враждебной кампании является утверждение о том, что в Советском Союзе якобы имеют место нарушения демократических прав и свобод. Такого рода клеветнические утверждения уже в течение многих лет используются империалистическими кругами против нашей страны и против прогрессивных сил. Французские коммунисты не раз давали отпор этим измышлениям, убедительно показывая подлинность демократии в СССР, ее коренное отличие от буржуазной, формальной демократии, и КПСС неоднократно выражала свою признательность ФКП за это проявление пролетарского интернационализма.

Одним из последних проявлений антисоветизма во Франции была, как вы знаете, передача по французскому телевидению 11 декабря с.г. киносюжета, который был представлен как репортаж об исправительно-трудовом лагере, в котором якобы содержатся политические заключенные. Ясно, что эта очередная антисоветская передача сфабрикована нашими недругами в неблаговидных целях. Подобный фильм, снятый неизвестно где и неизвестно о ком, не дает никаких оснований для обвинений Советского Союза в нарушении демократических свобод. Разве можно принимать на веру бесчисленные клеветнические измышления, с которыми буржуазная пропаганда постоянно выступает как против Советского Союза, так и против Французской компартии и всех сил мира и социализма?

Поэтому мы считаем совершенно необоснованным коммюнике Политбюро ЦКП от 12 декабря, которое сделано после упомянутой антисоветской передачи по телевидению. Даже не запросив у нас информации по существу вопроса, Политбюро ЦКП сочло возможным выступить с коммюнике, в котором в ультимативной форме заявило, что, "если со стороны советских властей не будет сделано никаких официальных опровержений по этому поводу, оно выразит свое глубокое удивление и самое категоричное осуждение".

Мы считаем подобные методы действий не соответствующими нормам отношений между братскими партиями.

К сожалению, в последнее время со стороны представителей вашей партии следуют необъективные высказывания по вопросу о демократических свободах в СССР, в частности в связи с так называемым "делом Плуща". Ваше последнее коммюнике от 12 декабря нас особенно обеспокоило и огорчило, поскольку вольно или невольно вы оказались на поводу у организаторов антисоветской телепередачи.

ЦК нашей партии всегда считал и считает нормальным обращение братских партий с запросом о той или иной информации о положении дел в нашей стране, которая может оказаться необходимой для ведения борьбы с классовыми противниками.

Конечно, в нашей стране есть, как и в других странах, преступные уголовные элементы, которых советская власть вынуждена изолировать в местах заключения и трудового перевоспитания. Но это не имеет ничего общего с нарушениями демократических свобод советских людей. Мы с полной ответственностью сообщаем вам, что отдельные, крайне немногочисленные лица среди 250-миллионного населения страны осуждаются советским судом, в полном соответствии с Конституцией и при соблюдении норм судебного демократического процесса, лишь в том случае, если они ведут враждебную деятельность против социалистического строя и советского государства. В нашей стране в настоящее время строжайшим образом соблюдается социалистическая законность, неуклонно развивается социалистическая демократия, все больше расширяются

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материальные и политические возможности для свободного и всестороннего развития личности. Но мы давали и будем давать отпор любым посягательствам на основы нашего строя, который и гарантирует свободы и права трудящегося человека.

Товарищи,

Нам хорошо понятно, что ФКП ведет упорную борьбу за демократию во Франции, против попыток реакции посягнуть на права трудящихся. Это — законная борьба, и она встречает с нашей стороны полное понимание и поддержку. Но нельзя защищать свободу во Франции и допускать при этом нередко нападки на Советский Союз, наносить ущерб отношениям между нашими партиями.

Коммунистическая партия и Советское государство ведут многолетнюю и упорную борьбу против империализма. Проведение политики мирного сосуществования стран с различным социальным строем и разрядка напряженности сочетаются с принципиальной классовой борьбой на международной арене. Об этом ясно заявил Генеральный секретарь ЦК КПСС тов. Л. И. Брежнев во время визита Жискара д'Эстена в СССР. В ходе этой борьбы империалистические государства используют все средства. А в настоящее время, когда нет возможности опороочить великие завоевания социализма в области экономики, в подъеме жизненного уровня народа, когда внешняя миролюбивая ленинская политика пользуется огромным авторитетом среди народов мира, империалистическая пропаганда преднамеренно развивает фальшивый тезис об отсутствии свободы и демократии в СССР. Полагаем, что в наших общих интересах показывать преимущества социализма над капитализмом, социалистической демократии перед формальной буржуазной демократией, преимущества социалистического строя, в условиях которого работает и борется за коммунизм и за упрочение мира советский народ.

ЦК КПСС счел необходимым обратиться к вам с этим письмом, исходя из уверенности, что оно будет правильно понято как выражение заботы о дальнейшем укреплении наших отношений на принципах классовой солидарности, взаимного уважения и невмешательства во внутренние дела друг друга.

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Сообщаем вам также, что мы публично реагировали в советской печати на антисоветскую передачу французского телевидения.

С коммунистическим приветом

ЦЕНТРАЛЬНЫЙ КОМИТЕТ КОММУНИСТИЧЕСКОЙ
ПАРТИИ СОВЕТСКОГО СОЮЗА"



К пункту 93 прот. № 198

Приложение 2

ГРУБАЯ ФАЛЬШИВКА

На днях французское телевидение выпустило на телевизионные экраны очередную антисоветскую утку. Оно показало какой-то участок земли, огороженный колючей проволокой, перед телезрителями появилась какая-то автомашина, мелькнули какие-то люди, и было объявлено, будто это - "политические заключенные" в некоем "советском трудовом лагере".

Конечно, можно было бы не обращать внимания на эту фальшивку, в которой использованы кинокадры, снятые неизвестно кем, неизвестно когда и неизвестно о ком. Такие фальшивки фабриковались и показывались дюжинами службами "психологической войны" в конце сороковых и начале пятидесятых годов. И даже тогда они не были в состоянии вызвать в широких массах стран Запада вражды к стране Ленина.

Нельзя, однако, не выразить удивления по поводу того, что в семидесятые годы, когда климат международных отношений изменился к лучшему, а отношения между СССР и Францией приобрели конструктивный характер, французское телевидение все чаще допускает самые грязные антисоветские и антикоммунистические выпады, не останавливаясь перед использованием топорных фальшивок.

Еще большее удивление вызывает то обстоятельство, что кое-кто из числа тех, кто всегда давал достойную отповедь антисоветизму и антикоммунизму, принял на веру очередную провокационную акцию антисоветчиков и антикоммунистов и тем самым, вольно или невольно, содействовал дальнейшему раздуванию этой антисоветской вылазки.

В.Алексеев

01866

1976/01/09

MEMORANDUM

Authority NND009029
By JAS NARA Date 3/20/04

2177
[Signature]

THE WHITE HOUSE
WASHINGTON

CLASSIFIED BY FRANK WISNER
SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO-
YEAR INTERVALS AND DECLASSIFIED ON
DECEMBER 31, -----

SECRET/NODIS/XGDS

MEMORANDUM OF CONVERSATION

PARTICIPANTS:

Vasile Pungan, Counselor to
President Ceausescu of Romania

SECRET

Secretary Kissinger
Peter W. Rodman, NSC Staff

[Signature]

DATE AND TIME:

Friday, January 9, 1976
12:07 - 12:50 p. m.

SUBJECTS:

Middle East; CSCE Follow-up; Balkan relations;
bilateral economic relations; Soviet Union

Pungan: Busy as always, traveling?

Kissinger: Not so much traveling, but busy.

How is President Ceausescu?

Pungan: He is fine, and he asked me to convey his good wishes to you.

Kissinger: Thank you, and please convey my warm regards to President
Ceausescu and Mrs. Ceausescu.

Pungan: And please convey the President's good wishes also to President
Ford.

Middle East

The President asked me to convey to you something. If you can afford
another discussion on the Middle East.

You know we have very frequent discussions with the PLO, at different
levels. Arafat himself was in Romania several times. The last visit was
ten days ago with Jamil Hassan, who is political counselor to Arafat. In
this visit, and in other discussions, we get the impression they are expecting

SECRET/NODIS/XGDS

SECRET - NODS (3)
CLASSIFIED BY: HENRY A. KISSINGER

SECRET/NODIS/XGDSAuthority NND 009029
By JKS NARA Date 3/20/01

something new and important from this session of the Security Council. They wanted to have the Security Council session after the meeting of the committee of 20 nations on Palestine, but the Syrians insisted on having it earlier. They prefer the Security Council more than the Conference in Geneva because they believe the Security Council can solve quicker some problems, if the conditions are ready. And because only the Security Council adopted certain resolutions, and only the Security Council can alter them. And also, a decision of the Security Council can have stronger authority if it is adopted.

The PLO and Syrians are preparing some drafts for the session. It's important what they mentioned: They expect ... they hope a balanced resolution will be possible to be achieved -- that is, having in the mind the interests of both sides.

Kissinger: When are you going back?

Pungan: I intend to go tomorrow.

Kissinger: And you'll report right away to your President?

Pungan: Sure. They have already consulted with all the other Arabs, and with the Chinese too. And a delegation of the PLO will go to China to consult, and we have a delegation there; the Presidential counselor, Mr. Andrei, is to talk to Arafat.

They want to get in contact with you, the PLO.

Kissinger: Me personally, or the government?

Pungan: Arafat with you, but they realize conditions are not yet ready for that.

Kissinger: Because I will die not at the hands of Arab but of Jewish terrorists!

Pungan: They think it's very important to have contact. They would like such a meeting to take place in Romania -- for many reasons, including security. I was instructed by President Ceausescu to inform you of that.

Our opinion is this can be useful. And if you come to such a decision, we will be ready to help.

That's one point.

SECRET/NODIS/XGDS

SECRET/NODIS/XGDAuthority NND009029
By JKS NARA Date 3/20/01

Kissinger: We appreciate, first of all, your interest, and we appreciate the fairness with which you have always conducted yourself.

Regarding the PLO, we have a massive domestic difficulty until we are further into the election campaign. Those in the Arab world who want to see progress have to realize that if they push us too hard at the wrong moment, it will only hurt progress.

We will not have a very constructive participation in the Security Council debate. It doesn't mean we can't come back to the Security Council later on, but in this one, it will not be very constructive.

But they should not judge our final attitude from that.

Pungan: This session.

Kissinger: From this session. Because we are at the beginning of our primaries, in a very difficult domestic situation.

On relations with the PLO: If the PLO could bring itself to accept the existence of the State of Israel, and accept the principles of 242, we will definitely make a visible move towards them under those conditions.

I know they feel this gives a lot to Israel. But their concern should be not Israel's attitude, but the United State's attitude. I have prepared the way in my public statements. I have said that if they don't recognize Israel, we won't deal with them. This means that if they do recognize Israel, we will deal with them. This is no more than Syria and others have done.

Secondly, we are thinking not of governmental contacts, but non-governmental, with people we trust. We are thinking of February. But it would have to be secret, and technically non-official.

Pungan: I understand. If in all of this we can help...

Kissinger: If you want to report back a response... We are not hostile to the PLO. You can tell them that. But we must manage our affairs in a way that will be effective.

Pungan: Can I tell them you will contact them in February?

Kissinger: Yes. We have told no one else. This can't be public.

Pungan: I understand. Only to Arafat.

SECRET/NODIS/XGDS

Kissinger: If it gets public, we'll have to deny it.

Pungan: I understand.

Thank you, Mr. Secretary, I will report to President Ceaucescu.

I would like to give you our impression of that Security Council session. We propose to be more in contact. Because, as you know, we're a member. To get the best that can be expected on the Middle East and other issues.

In December we had a session of our Parliament, and President Ceaucescu made a speech, which gave an analysis of our relations with different groups of states -- with socialist countries, developing countries -- and about developments in Europe after Helsinki, and other aspects of foreign relations, including the Middle East. He asked me to tell you what we think about the future session of the Security Council, and to express our concern that we want to see some results there.

We believe we should take maximum advantage of the session. This session could, in our opinion, represent a significant moment toward finding further movement, toward other actions. It is significant to achieve a positive debate, prevent a confrontation, and avoid a veto. To achieve that end, one should not press for an immediate resolution. The meetings should be carefully prepared, so there will be a step forward. They should start on January 12, even if Israel is not present, and it should be left open two or three weeks for them to take part. The outcome should be a reiteration of previous resolutions, but should alter them. It should call for self-determination for the Palestinian people; and the maximum goal could be recognition of the PLO and other concrete measures. We don't expect spectacular solutions. But President Ceaucescu said we should not deteriorate the situation more.

One should proceed from recognition of realities, including the right to exist and peaceful coexistence for all states in the area. When President Ceaucescu met with Arafat, he recognized something good in what he said, that he [Arafat] would prefer a balanced resolution. I can't tell you more now about what he had in mind.

The Middle East issue, including the Palestinian one, should be kept under constant control of the Security Council so the role of the UN in this would be strengthened. The Security Council should give guidance to the Geneva Conference, which has to report to the Security Council. Consideration should be given to permit other members of the Security Council to participate in Geneva. The UN Secretary-General should be given responsibility to supervise the Geneva Conference.

President Ceaucescu believes the United States has a great role to play in this action. We would like to have close consultations with you, particularly since we are members of the Security Council, and to move toward progress on the Middle East.

To repeat, we are in consultation with many Arab heads, including Arafat.

You know our views on this, from discussions with President Ceaucescu.

Kissinger: First, we would have no objection -- as long as we don't have to propose it -- to a delay in the Security Council deliberations. If there were one week of debate, and then a delay of some weeks before they meet again, we'd certainly not oppose it. We would not propose it; but if you proposed it, we certainly wouldn't oppose a recess of four to six weeks, to permit everyone to think about it. We don't want to propose it because we don't want people to think we have a specific plan.

Pungan: I understand.

Kissinger: Nor do we object, if the Geneva Conference reassembles, that it makes reports to the Security Council from time to time, or to set up some means of reporting.

Our big difficulty will come in supporting resolutions that go beyond 242 and 338, under present conditions in America. I'm being very frank with you.

You can tell your President we are determined to make a major move towards peace in the Middle East after our elections, along the lines he would approve -- a comprehensive solution, including the Palestinian question.

But we don't want to be in the position where this Congress does what it is doing in Angola -- vote us out of what we're doing.

Pungan: Very good. I understand.

Kissinger: But, we quite frankly think this year should be put on procedural matters and defining the framework. After that, we are determined to bring a solution to it.

Pungan: After the elections.

Well, Mr. Secretary, I'd like to mention shortly some other aspects.

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CSCE Follow-up

Security in Europe: We are pleased with the results that were possible to be achieved. We are trying to give content to what is in our power to do. President Ceaucescu thinks we have to do something in '76 so as not to go to Belgrade next year empty-handed.

Kissinger: What can be achieved?

Pungan: Something in the economic aspects, transport -- common transport in Europe -- human rights.

Kissinger: These are all good ideas. It's a good idea.

Pungan: And we should pay attention to all aspects of the [Helsinki] document. If all countries do the same, we can have something for Belgrade.

Kissinger: Stay in touch with us.

Pungan: President Ceaucescu wanted me to mention personally to you about the military aspects. In this military and disarmament field, it will be absolutely necessary by next year to bring some new elements to this, including Vienna.

Kissinger: I have no precise idea.

Pungan: I don't know, but we hope some results will come out of your meeting with Russia. But in terms of a meeting next year; it has to include probably the military aspects. For Europe as a whole, not just a certain part of Europe. When we have something new, something more concrete, of course, we will contact you.

Kissinger: The other things are easier -- economic, human rights -- but we don't exclude that [the military field].

Pungan: Because the efforts of different countries to increase their arms are increased. They are more concerned than before.

Balkan Relations

I would like to inform you about the situation in the Balkans. We are concerned for the area, of course.

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This month there will be a meeting among us of deputy ministers for planning to discuss energy, the environment. Turkey also -- at the initiative of the Prime Minister of Greece. This will be only economic aspects, not political or military aspects, because we understand the complexity of that, being members of different social systems or blocs.

This will be useful. It will take place this month.

Kissinger: When?

Pungan: The 26th.

Kissinger: Where?

Pungan: I don't know. But that is the orientation and what is expected, and our appreciation that this is useful.

Kissinger: I appreciate the information.

Pungan: Others aspects of our views are very well known from your discussions with the President.

Bilateral Economic Relations

Kissinger: I can only affirm to you that we attach great importance to our relations with Romania. I think they have progressed in a very positive way. And we are giving special consideration to our relations with Romania, compared to all the other countries in Eastern Europe.

On our bilateral relations, I think we are progressing well. [He gets up and gets his briefing paper; he sits down again and leafs through it.] We seem to have no major outstanding problems between us. I'm just looking over the paper that was done for me. We seem to have no outstanding problems.

Pungan: I agree our relations are really improving well. When I think of our relations, this is the first time we have met that I haven't mentioned the Most Favored Nation clause. [Laughter].

Kissinger: Is it working well?

Pungan: Yes, we are making major efforts.

Maybe one day we will find a solution to those financial facilities.

Kissinger: You mean concessional aid?

Pungan: Yes. Maybe combining the efforts of private banks and some help from the Government. To buy more. Because we want to move some of our purchases from some markets to others.

Kissinger: We have a very imaginative Under Secretary for Economic Affairs, a very creative man. His name is Robinson. On one of his next trips, I would like him to go to Romania.

Pungan: Yes. We are thinking also of combining our efforts in developing countries. The other matter, the private banks, is the one item we will keep on the agenda.

Kissinger: We will do our best.

Soviet Union

Pungan: Relations with the Soviets are the same. But in the economic field, at least I can say they are not interested in increasing it.

Kissinger: Really? What is your estimate of the situation in the Soviet Union?

Pungan: Before the [25th Party] Congress?

Kissinger: Yes.

Pungan: I think they will take again measures to improve the internal economic situation. They have to. I don't expect -- this is just my personal opinion -- many changes in the top leadership. They may move ahead a small group of younger leaders. Most are over 70. In foreign policy, nothing new.

Kissinger: How do you explain their actions in Angola?

Pungan: President Ceausescu wanted all troops out and to stop the fighting.

Kissinger: That is right.

SECRET/NODIS/XGDS

Pungan: And they should organize themselves as they want. I see only here this movement of warships. I don't know about it. We can't say more than we have said.

Kissinger: But how do you explain the Soviets? Why do they put such emphasis on it?

Pungan: I have no other information. It is more of the usual.

Kissinger: I appreciate your President's courtesy in sending you. We appreciate the information on the PLO. We hope your visits will become a regular feature. It is probably tiring for you, but you should know you will be well received whenever you come.

Pungan: Maybe after this meeting of Mr. Andrei, we will have more to tell you.

Kissinger: By very secure means, if it is on the PLO. Maybe you will have to come yourself. I don't trust cables.

Pungan: We have experience with that.

Kissinger: We have no doubt about your ability to keep secrets, but about our ability to keep secrets.

Pungan: We don't want the Security Council session to do harm, and we want it to be helpful. To have a little step ahead. Not to withdraw from what you invest so much.

Kissinger: I have told you the direction in which we are preparing.

Pungan: You expect it will lead to a veto?

Kissinger: If it moves rapidly to a resolution, I see no other way out.

Pungan: That is why we say we shouldn't move rapidly. We agree this isn't the time to hurry.

Kissinger: On this basis we can work together.

[The meeting ended].

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THE DEPUTY SECRETARY OF STATE
WASHINGTON

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E.O. 12958 Sec. 3.8

MR 04-35, #3, at 12/1/03, NSC-11 3/9/04

del NARA Date 6/23/04

NSC UNDER SECRETARIES COMMITTEE

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January 15, 1976

NSC-U/DM-137

MEMORANDUM FOR THE PRESIDENT

Subject: First Quarterly Report on Implementation
of the Final Act of the Conference on
Security and Cooperation in Europe (CSCE)

This is the first report on implementation of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) to be submitted by the NSC Under Secretaries Committee in response to your directive. In accordance with that directive, this report covers all aspects of implementation of the Final Act, but devotes special attention to implementation by the Communist states and to the background of existing East-West activity against which CSCE is to be implemented.

In order to provide an adequate basis for comparison with subsequent progress on subjects covered by the CSCE, we have attempted in this first report to relate relevant CSCE provisions to important existing activities in the same fields. More detailed information is provided in cases where significant action has already resulted directly from the provisions of the Final Act.

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The enclosed report is organized in two parts. The first is a general discussion of actions related to each section of the Final Act. The second is an Annex with details on the status of CSCE implementation in the Soviet Union and the other Warsaw Pact states; this Annex is based on a checklist which has been provided to all of our embassies in the Soviet Union and other Warsaw Pact member states for the purpose of establishing a standard basis for monitoring implementation. The nominal period covered by this initial report is August 1 to October 31, 1975.

It should be noted that the Final Act of the CSCE is neither a treaty nor an agreement, and is therefore not legally binding on the signatories. Nevertheless, signature at the highest level constitutes a strong moral and political obligation to implement the provisions of the Final Act. These provisions generally establish goals and standards of performance in the fields covered by the Final Act. The extent of their implementation will inevitably vary from country to country, in the West as well as in the East.

The period since the signing of the Final Act on August 1, 1975 has been one of interpretation, review, and organization. Governments have sought to adjust to the post-Helsinki situation, to restate national views of the conference, to organize for the implementation period, and to undertake initial contacts and exchanges of view on the concept of implementation. In addition, there have been a number of specific initiatives resulting from CSCE provisions.

All participant countries have been seeking to define the significance of the post-Helsinki situation and this effort has been manifested in speeches, public statements and articles in both East and West. This has entailed reiteration of differing national interpretations, with the Communist states emphasizing the importance of the list of CSCE principles, especially the principles

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of inviolability of frontiers and non-interference in internal affairs. Western comments have concentrated on the objective of freer movement of people and ideas and the need for implementation of commitments made under the CSCE in this field.

The US has sought to impress upon the states participating in CSCE its interest in full implementation. To organize allied countries for implementation, the US took the initiative in NATO to coordinate actions related to Confidence Building Measures (CBMs) and, through a systematic exchange of information, to monitor Warsaw Pact implementation of CBMs and in other CSCE areas. This effort has been successful, and a system has been established providing for semi-annual implementation reports in NATO. The nine members of the European Community (eight of whom belong to NATO) have established a similar arrangement, and most other Western governments with whom we have consulted have taken national measures of some kind to deal with implementation matters.

The US has begun a series of bilateral demarches with the Soviet Union and other Communist states to encourage implementation of CSCE provisions of particular interest to the U.S., based on conditions in the countries concerned. Although initial verbal reactions to these contacts have been positive in general terms, and there has been some progress on a few specific provisions, we continue to await concrete action in most subject areas.

We have also been in contact with neutral CSCE participants to stress our interest in implementation and to offer to exchange information on post-CSCE developments leading to the CSCE follow-up meetings scheduled for 1977 in Belgrade. In the multilateral field, efforts are underway to identify activities for action in the UN Economic Commission for Europe (ECE) and UNESCO, which are specifically cited in the Final Act.

Specific steps which have been taken as a result of CSCE provisions include the publication of the

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CSCE Final Act in full in the national press of the Soviet Union and other Communist states, as well as in the US and Western states, the advance notification of six military maneuvers by the US and its NATO allies and one each by Yugoslavia and Switzerland, and the invitation by the FRG for CSCE participants to send observers to the NATO exercise Certain Trek (an invitation not accepted by the East). The Warsaw Pact countries did not notify any maneuvers to other CSCE states during the period of this report, although on January 4, 1976, the Soviet Union gave notification of a maneuver called "Caucasus" involving about 25,000 men to take place near the Turkish border from January 25 - February 6. The U.S. and the USSR have also agreed, by an exchange of notes, to issue multiple entry/exit visas to resident journalists of the other country, and several divided families of interest to us have been reunited following the annual presentation of the U.S. representation list to the Soviets, at which time the U.S. cited CSCE provisions on family reunification. Finally, we have raised in the CSCE context various subjects, mostly related to human contacts and information, with the communist governments.

It is too early to assess definitive Soviet intentions in the implementation of the Final Act, particularly the provisions on human contacts and information. The Soviets will be most reluctant to implement certain of the CSCE provisions under any circumstances and will probably proceed only with great deliberation to implement CSCE provisions which they consider potentially harmful to their basic interests. In addition the Soviet bureaucracy is notoriously slow in coming to grips with new issues, and the Soviets may have been initially unprepared for our rapid steps to implement the CSCE provisions after the Helsinki Summit. For example, when we approached them on the question of multiple entry/exit visas for American journalists, they seemed unsure of how to proceed on the matter; it was only after several exchanges that the issue was resolved.

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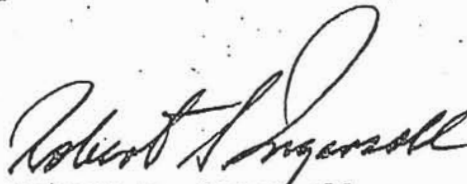
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We are only at the beginning of this process, but important questions will arise if the Soviets do not make satisfactory progress in CSCE areas such as human contacts and information, which are of special interest to the West, prior to the CSCE follow-up meetings in Belgrade in 1977. In these circumstances, public and parliamentary opinion in the U.S. and elsewhere in the West may well become even more skeptical regarding the value of the detente process in general and the CSCE in particular.


Robert S. Ingersoll
Chairman

Attachment:
CSCE Report

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THE DEPUTY SECRETARY OF STATE
WASHINGTON

NSC UNDER SECRETARIES COMMITTEE

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NSC-U/DM-137A

April 20, 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Second Quarterly Report on Implementation of the Final Act of the Conference on Security and Cooperation in Europe (CSCE)

This is the second quarterly report submitted by the NSC Under Secretaries Committee on implementation of the provisions of the Final Act of the Conference on Security and Cooperation in Europe (CSCE). It covers the period November 1, 1975 - January 31, 1976, and reports those actions related to the CSCE which have been taken since the end of the last reporting period.

While the CSCE involved thirty-five states, it is also an important element of our relations with the Soviet Union. Implementation of the Final Act's provisions offers additional opportunities to engage the Soviets in areas of constructive activity where cooperation can be mutually advantageous. It also gives us new possibilities for making progress in areas such as family reunification and binational marriages which have been long-standing bilateral problems between the US and the Soviet Union and the Eastern European states. The follow-up meetings set for Belgrade in 1977 will be an occasion for reviewing implementation and considering possible further steps in the CSCE context. Our approach to implementation of CSCE has been keyed to these aspects of the post-Conference situation, and to the fact that implementation is an integral part of the overall East-West equation.

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dal NARA Date 6/22/04

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The November-January reporting period can be characterized generally as one of transition from interpretation and organization to one of more active implementation efforts. NATO continues to be the focal point of Western coordination on CSCE implementation, with exchange of information and consultations on implementation a regular fixture on the organization's weekly agenda. The NATO International Staff prepared a report on implementation for consideration at the December 11-12 meeting of the North Atlantic Council at ministerial level. The US has participated fully in all these activities, and has urged the Allies to do the same.

The Warsaw Pact governments evidently developed guidelines for implementation at meetings of Communist Party leaders in Warsaw on December 9 and January 26-28 and of Foreign Ministers in Moscow on December 15-16. The communique of the Moscow meeting stated that the Warsaw Pact countries would "fully implement the principles and agreements" of the Final Act and would take steps to "lend more concrete substance" to European security and detente. These meetings were followed by several specific implementation steps by the Communist countries.

The USSR on January 4 gave advance notification of a major military maneuver named Caucasus held near the Turkish-Soviet border from January 25 - February 6. The Soviets also invited observers to this maneuver from CSCE participant states in the area, including two NATO members, Greece and Turkey.

General Secretary Brezhnev, in a speech in Warsaw on December 9, called for all-European conferences on energy, transportation and the environment to continue the process of cooperation in fields covered by Basket II of the Final Act. Two Eastern European countries, Czechoslovakia and Bulgaria,

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have issued decrees permitting establishment of foreign business offices, in keeping with CSCE provisions on improving working conditions for businessmen, and consultations have begun at the UN Economic Commission for Europe (ECE) in Geneva on carrying out those CSCE provisions which are the responsibility of the ECE.

In the more sensitive Basket III area, the Soviets have somewhat eased regulations governing internal travel by foreign journalists, and we have responded by easing our own regulations in a similar way. The Soviets have also taken a number of steps evidently aimed at simplifying application for emigration and reducing its cost, and have reportedly permitted delivery of some printed religious material, in accord with CSCE provisions. A Soviet official has also announced the USSR's intention to permit circulation of 18 Western newspapers, including the New York Times and Le Monde. We have no information on the conditions of distribution, but if past practice is a guide the availability of these publications is likely to be highly restricted.

Overall Eastern practices in the field of Human Rights have not changed. Dissident physicist Andrei Sakharov was denied permission to go abroad to receive his Nobel Peace Prize, and Mrs. Irina McClellan, the Soviet wife of an American citizen, has not been permitted to join her husband in the US despite widespread publicity and interventions by our Embassy in Moscow. Overall emigration and family reunification patterns remain about the same in the USSR and Eastern European states.

Interest in expanding cultural and educational exchanges is high in the US and in the Soviet Union and the Eastern European countries. We have tabled draft bilateral agreements on cultural-educational-scientific exchanges with Bulgaria, Czechoslovakia

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and Hungary, and negotiations are going forward at differing paces depending on the different local situations. In a report to Congress, the Chairman of the United States Advisory Commission on International Cultural Exchanges has recommended that the CSCE provisions be used to increase such exchanges. However, US government funds are insufficient for such an increase at this time.

Eastern steps toward implementation have been accompanied by more energetic Communist criticism of Western implementation action. Communist representatives and Eastern propaganda have accused the West of unduly stressing the freer movement provisions of Basket III, while ignoring the list of principles for interstate relations, which the Eastern nations themselves consider the most important section of the Final Act. The Communists have accused the West of seeking through Basket III to intervene in their internal affairs, and of failing to carry out certain provisions of the CSCE, such as full distribution of the Final Act and easing of procedures related to travel.

We believe our performance in implementing the great majority of the Final Act's provisions cannot be faulted. Nevertheless, certain US visa practices, such as exclusion of Communist party members, expose us to possible criticism for failure to "facilitate wider travel" and "gradually to simplify and to administer flexibly the procedure for exit and entry," as called for in the Final Act. Should fees for US immigration visas be increased, as noted in the first quarterly report, we could also be criticized for failing to implement the Final Act commitment "gradually to lower . . . the fees for visas." The State Department Visa Office has undertaken a review comparing the provisions of the Final Act to our current practices in an attempt to identify areas in which our procedures can be improved, within the terms of

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the Immigration and Nationality Act. Inability to expand our existing exchange programs with the USSR and the Eastern European states could also lead to accusations of failure to carry out the Final Act's provisions.

Activity during the reporting period suggests that the Soviet Union and its Allies have decided to take certain limited steps toward implementation of the provisions of the CSCE Final Act. However, the Eastern countries will have to come considerably closer to full implementation before the June 1977 follow-up meetings in Belgrade to satisfy Western public opinion. A serious analysis of the Final Act circulated during the reporting period by the American Jewish Committee (AJC) found that the West gained at least as much--and possibly more--in the Human Rights field in CSCE as the Soviets did in terms of legitimization of frontiers in Europe, but underlined the expectation of the US public that the Administration will continue to press for full implementation. The AJC report particularly noted the importance of the Belgrade follow-up meetings and of a continuing follow-up mechanism for ensuring full implementation.

At the same time, the Soviets and their allies have taken the offensive in criticizing Western implementation wherever possible in order better to defend gaps in their own implementation. The Western countries, including the US, will have to examine conscientiously their own practices in relation to CSCE commitments, and prepare themselves to respond to Eastern criticisms prior to and at Belgrade. The Belgrade meetings thus have considerable potential, not only for further constructive efforts, but also for East-West recriminations. Eastern representatives have indicated concern that such recriminations might occur. The follow-up meetings look increasingly as though they may be a complex and closely watched

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barometer of East-West relations. Our eventual approach to the Belgrade meetings will need to take into account the general state of East-West relations in mid-1977, as well as CSCE implementation.

Nevertheless, perceptions of the significance of the CSCE have continued to mature, and there has been a growing realization that the Final Act represents a Western achievement, provided it is implemented in a meaningful way. The views of Andrei Sakharov are particularly relevant to this question because of his role as spokesman for Soviet dissidents. In his Nobel Peace Prize acceptance speech, delivered on his behalf on December 11 by his wife, Sakharov criticized the USSR for not fully implementing the provisions of the Final Act, and said:

"The final agreement reached at the Helsinki conference has a special claim on our attention, because here for the first time official expression is given to a nuanced approach which appears to be the only possible one for a solution of international security problems. This document contains far-reaching declarations on the relationship between international security and the preservation of human rights, freedom of information and freedom of movement.

"These rights are guaranteed by solemn obligations entered into by the participating nations. Obviously we cannot speak here of a guaranteed result, but we can speak of fresh possibilities that can only be realized as a result of long-term planned activities, in which the participating nations, and in particular the democracies, maintain a unified and consistent attitude."

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In these circumstances, the policy enunciated in your Helsinki speech, with its emphasis on implementation as the test of the CSCE, continues to represent the most cogent approach to the results of the CSCE.



Charles W. Robinson
Chairman

Attachment:

CSCE Report

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Sen. Brewster /

What will European
Security Agreement do to our relations
with the Baltic groups - Latvians,
Estonians & Lithuanians - who are
so friendly & educated?

These groups seem to imply
it will confirm USSR. permanent
control. I recognize the facts of
life but does our sign confirm
this in writing?

If so, I can visualize
the Senate relating this with great
caution etc.

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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

1947

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INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger

SUBJECT: Impact of European Security Conference
on Baltic States

Members of the Baltic American Community have recently been seeking reaffirmation of the United States' policy toward the Baltic States, believing such reaffirmation is important on the eve of the European Security Conference. This memorandum addressed the questions you have raised on this subject.

The anticipated results of the European Security Conference will not alter the status of the Baltic states, and your signature of the final CSCE documents will not inadvertently serve either to confirm or endorse permanent Soviet control.

-- The final CSCE documents to be signed at the Heads of Government level will not be in Treaty form and they will not be legally binding. They will be declarations of a political, humanitarian, and technological/economic character reflecting a political and moral commitment by the participating states -- not a legal obligation.

-- The language of central importance to the Baltic states is that relating to the inviolability of frontiers and the peaceful change of frontiers. While the Soviets have from the beginning of the Conference attempted to turn it into a surrogate World War II Treaty formally confirming the territorial status quo of Eastern and Western Europe, we and the West Europeans have successfully resisted this. Thus, while the CSCE principles will state that borders are inviolable they will also state that borders can be changed by peaceful means. (With the future of the two Germanies in mind, the FRG has insisted on the peaceful change of frontiers language, and the USSR has agreed. This is a positive development in terms of the interests of the Baltic-American community.)

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-- State Department consultations thus far with various Senators would indicate that the CSCE declarations will not become a subject of emotional debate in the Senate. Concerned Senators have sought and have received assurance that the CSCE documents will have no legal force. It is realized that were the Senate to insist on having the documents submitted by the Executive Branch for formal Senate review, it would accord the documents more formal, treaty-like status than is desired.

Background on US-Baltic State Policy

The United States has never recognized the forcible annexation of Estonia, Latvia, and Lithuania by the Soviet Union in 1940, despite the fact Baltic States have the status of Constituent Republics of the Soviet Union. We have continued to accredit in this country diplomatic representatives commissioned by the last independent governments of the Baltic States (Latvia and Lithuania are represented by chargés d'affaires in Washington; Estonia by a consul general in charge of legation in New York).

Despite our non-recognition policy, we regularly deal with Soviet authorities on practical matters involving the Baltic States, such as consular affairs, postal matters, and cultural exchanges. The Baltic-American community generally has not objected to these steps, realizing that we must work through Soviet authorities if we are to have any contact with the Baltic peoples.

Although the Soviets clearly dislike our non-recognition policy, they have brought no public or private pressure to bear in an effort to change it. They may hope, instead, that time and detente will gradually erode our position.

Americans of Baltic background, with the support of some members of Congress, have been active and vocal in urging that we maintain our policy toward the Baltic States. They have been quick to criticize any move which could be interpreted as a weakening of our refusal to recognize Soviet annexation of these countries. They have asked for assurances that U.S. policy toward the Baltic States will not be altered by the European Security Conference.

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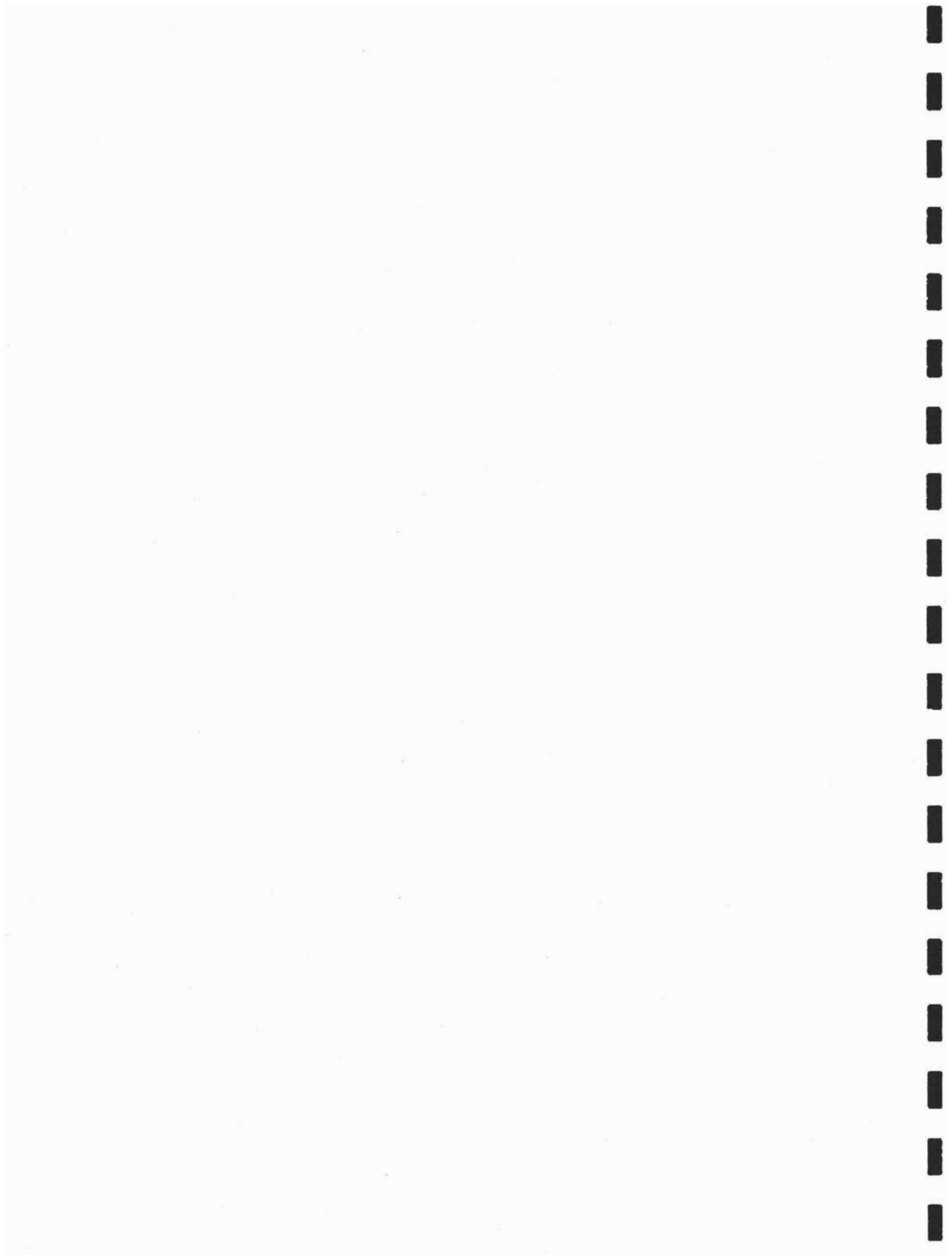
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The Department of State is in frequent correspondence with the Baltic American community and has offered written assurances that the U.S. position in the European Security Conference in no way alters U.S. policy toward the Baltic States.

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ACTION
April 27, 1976

MEMORANDUM FOR BRENT SCOWCROFT

FROM: Mr. Clift

SUBJECT: Implementation of the CSCE Final Act

The Chairman of the NSC Under Secretaries Committee has sent the President the second quarterly report on implementation of the CSCE Final Act by the Communist signatories (at Tab A).

The memorandum for your signature to the President at Tab I would forward the NSC/USC report, together with a brief summary. It would point out that since November the Communists apparently have developed guidelines for implementation of the Final Act and undertaken specific actions to that end. It would conclude, however, that the Eastern signatories will need to come considerably closer to full implementation before the 1977 follow-up meetings in Belgrade to satisfy Western public opinion. In this connection, it informs the President that communist practices in the sensitive human rights area have not changed appreciably.

RECOMMENDATION

That you sign the memorandum for the President at Tab I.

RGates:nw:4/27/76

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GA 7/12/01



NSC EUROPE G.S.F. Box 44
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MEMORANDUM FOR THE PRESIDENT

FROM: Brent Scowcroft

SUBJECT: Implementation of the Final Act
of the Conference on Security and
Cooperation in Europe

The Chairman of the NSC Under Secretaries Committee has sent you the second quarterly report on Communist implementation of provisions of the CSCE Final Act. The report concludes that the period November 1-January 31 was one of transition from interpretation and organization for implementation by the Communist signatories to one of more active implementation efforts.

The Warsaw Pact governments evidently developed guidelines for implementation at meetings of Communist party leaders on December 9 and January 26-28 and of Communist foreign ministers in Moscow on December 15-16. Subsequent to these meetings and during the November-January period, the Communist signatories undertook the following specific steps toward implementation of the Final Act:

- The USSR on January 4, in keeping with CSCE confidence building measures (CBMs), gave advance notification of a major military maneuver, "Caucasus," held near the Turkish-Soviet border from January 25-February 6. The Soviets invited observers to this maneuver from CSCE participant states in the area, including two NATO members, Greece and Turkey.
- General Secretary Brezhnev on December 9 called for all-European conferences on energy, transportation and the environment to continue the process of cooperation in fields covered by Basket II of the Final Act. In connection, Czechoslovakia and Bulgaria have issued decrees permitting establishment of foreign business offices in keeping with Basket II provisions on improving working conditions for businessmen.

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- 2 -

-- In the Basket III (human rights) area, the Soviets have somewhat eased regulations governing internal travel by foreign journalists and have taken several steps aimed at simplifying application for emigration and reducing its cost. They have reportedly permitted delivery of some printed religious material and have announced the USSR's intention to permit limited circulation (we would anticipate carefully controlled circulation) of 18 Western newspapers, including the New York Times and Le Monde.

This represents a modest advance over the information contained in my status report of January 29 in which the "Caucasus" CBM notification, multiple visas for journalists, publication of the Final Act, and several reunification-of-divided-family cases were reported.

The report concludes that the Communist countries will need to come considerably closer to full implementation before the June 1977 follow-up meetings in Belgrade to satisfy Western public opinion. In this connection, it points out that Eastern efforts to bring policies and procedures into line with CSCE provisions on human contacts and information represent only a very modest start and that much must still be done to implement fully the provisions of the Final Act in this sensitive area. The report observes that overall emigration and family reunification patterns in the Communist states remain about the same. Among the more publicized cases, dissident physicist Andrei Sakharov was denied permission to go abroad to receive his Nobel Peace Prize and Mrs. Irina McClellan, the Soviet wife of an American citizen, has not been permitted to join her husband in the U.S. despite widespread publicity and repeated interventions by our embassy in Moscow.

At the same time, the Soviets and their allies have taken the offensive in criticizing Western implementation wherever possible in order better to defend gaps in their own implementation. The report states that while Western performance in implementing the great majority of the Final Act's provisions cannot reasonably be faulted, the Communists have accused the West of unduly stressing the freer movement provisions of Basket III while ignoring the list of principles for interstate relations, seeking through Basket III to intervene in their internal affairs, and failing to implement certain provisions such as full distribution of the Final Act, easing procedures related to travel and certain U.S. visa practices.

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The NSC/USC report concludes that perceptions of the significance of CSCE have continued to mature, and there has been a growing realization -- represented most eloquently Soviet dissident Sakharov -- that the Final Act represents a Western achievement, provided it is implemented in a meaningful way.

The NSC Under Secretaries report is at Tab A.

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Department of Justice
Washington, D.C. 20530

May 26, 1976

Honorable James T. Lynn
Director, Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

This is in response to your request for the views of the Department of Justice on S. 2679, an enrolled bill which would establish a Commission on Security and Cooperation in Europe. The Commission would be authorized to monitor compliance with the articles of the Final Act of the Conference on Security and Cooperation in Europe (the Helsinki Declaration) with particular regard to the provisions relating to cooperation in humanitarian fields.

We note at the outset that 12 of the 15 members of the Commission are to be appointed by officers of the Congress. This raises the question as to whether the Appointment Clause of the Constitution, Art. II, § 2, cl. 2, has been violated. In general, that clause requires the President to appoint all officers of the United States. In view of the fact, however, that the powers of the Commission are restricted to collecting information and providing it to Congress, much as a congressional committee might, we believe that its members would not be officers of the United States and that no constitutional problem is presented. See Buckley v. Valeo, 96 S. Ct. 612 (1976).

It should be noted that the Helsinki Declaration is not a binding international agreement. Great care was taken to emphasize at the time of its negotiation that the declaration is a political statement and not

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an agreement. The Legal Adviser's Office of the State Department indicates that it is not to be transmitted to Congress as an international agreement under the Case Act, 1 U.S.C. 112b, nor will it be registered as an international agreement under Article 102 of the U.N. Charter. See H.S. Russell, The Helsinki Declaration: Brobdingnag, or Lilliput, 70 Am. J. Int'l. L. 242, 246-49 (1976). Nevertheless, we see no legal obstacle to creating a commission to monitor compliance with a non-binding declaration. Under the circumstances, it seems somewhat anomalous, however, to provide for a statutory body to monitor compliance with this document to the exclusion of other international human rights arrangements with a firmer legal basis.

The Department of Justice defers to the Department of State and expresses no view as to whether the President should approve this bill.

Sincerely,



Michael M. Uhlmann
Assistant Attorney General
Office of Legislative Affairs



DEPARTMENT OF STATE

Washington, D.C. 20520

MAY 26 1976

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.

Dear Dr. Lynn:

I refer to Mr. James M. Frey's communication of May 24, 1976, concerning the Senate-House bill (S.2679) to establish a Commission on Security and Cooperation in Europe.

S.2679 calls for the creation of a joint Congressional-executive branch Commission to monitor implementation by signatory states of the provisions of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), and to encourage the development of programs and activities of the US Government in connection with the CSCE. The Commission would be comprised of six members each from the Senate and the House of Representatives and of one Presidentially-appointed representative each from the Departments of State, Defense and Commerce. The Commission would have the power to subpoena witnesses and documents. The President would be required to submit to the Commission a semiannual report, the first to be submitted six months after the bill's enactment, giving a detailed summary of implementation actions by CSCE states, and a listing and description of present or planned programs by the executive branch and private organizations. The bill authorizes \$350,000 to be appropriated to the Commission for each fiscal year.

On January 19, 1976, the Department of State sent identical letters outlining its position on the CSCE Commission to Senator Sparkman, Chairman of the Senate Foreign Relations Committee, and to Congressman Morgan, Chairman of the House International Relations Committee. The Department explained in detail the steps being taken by the US to implement and to monitor the provisions of the CSCE Final Act, and to compile and analyze monitoring

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information. The Department further stated that it stood ready to cooperate with the Congress on CSCE matters within the established committee system, and to consult with individual members of Congress with an interest in CSCE. Finally, the Department noted that while it shared the interest of the bill's sponsors in CSCE, it did not believe the Commission would add to efforts and procedures already established.

As stated to the Congress in its letters of January 19, in view of steps already taken within the government regarding CSCE implementation and monitoring, the Department of State questions the need for a Commission on Security and Cooperation in Europe. Nevertheless, the legislation has overwhelming Congressional support. The Department therefore recommends that the President approve S.2679, or, alternatively, allow it to become law without signature.

Should a Commission on Security and Cooperation in Europe be established, the Department anticipates that the activities of its large staff, together with the requirement to prepare a detailed semiannual CSCE report, will significantly increase the CSCE workload of the Department of State. This would result in the need to increase staff and related expenses.

Sincerely yours,

Robert J. McCloskey
Robert J. McCloskey
Assistant Secretary for
Congressional Relations



EXECUTIVE OFFICE OF THE PRESIDENT
 OFFICE OF MANAGEMENT AND BUDGET
 WASHINGTON, D.C. 20503

MAY 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2679 - Commission on Security
 and Cooperation in Europe
 Sponsor - Sen. Case (R) New Jersey

Last Day for Action

June 5, 1976 - Saturday

Purpose

Establishes a Commission on Security and Cooperation in Europe to monitor implementation of Final Act of the Conference on Security and Cooperation in Europe.

Agency Recommendations

Office of Management and Budget	Approval
Department of State	Approval (or permit bill to become law without signature)
Department of Defense	Approval
Civil Service Commission	Approval
Department of Commerce	No objection
National Security Council	No objection (Informally)
Arms Control and Disarmament Agency	No objection
Department of Justice	Defers to State

Discussion

S. 2679 would establish the Commission on Security and Cooperation in Europe, composed of twelve congressional and three executive representatives, to monitor actions of the signatories "which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, "signed at Helsinki, Finland on August 1, 1975. The bill directs the Commission to monitor particularly the provisions of the Final Act

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relating to Cooperation in Humanitarian Fields (these include sections on human contacts, information, cultural and educational cooperation). It further directs the Commission to monitor and encourage the development of Federal and private programs to take advantage of provisions in the Final Act to expand East-West economic cooperation and interchange of people and ideas.

The fifteen-member Commission would be comprised of three Presidential appointees (one each from State, Defense and Commerce), six members from the House appointed by the Speaker (with one such member designated by the Speaker to serve as chairman), and six senators appointed by the President of the Senate. The six members from each House would include four from the majority party and two from the minority. S. 2679 requires the Commission to report periodically to the House and Senate and to provide information to Members of Congress as requested.

To assist the Commission in carrying out its responsibilities, the bill requires the President to submit semiannual reports to the Commission (the first six months after enactment) which shall include (1) a detailed survey of actions by signatories to the Final Act reflecting compliance with or violation of the provisions of the Final Act and (2) a listing and description of present or planned programs and activities of Federal agencies and private organizations to take advantage of provisions in the Final Act to expand East-West economic cooperation and interchange of people and ideas. Further, the bill grants the Commission subpoena power and authorizes the chairman, or any member he designates, to administer oaths to witnesses. It also authorizes appropriations of \$350,000 for each fiscal year for the Commission.

In discussing the purpose of this legislation, the report of the Senate Foreign Relations Committee states:

"The Foreign Relations Committee agrees that while the State Department and the Defense Department are keeping an eye on compliance with the Final Act of the Conference on Security and Cooperation, public attention must also be given to evaluating the degree of compliance, particularly in the all important area of human rights. The Committee believes that a Commission which would reflect the combined views of the Congress and of the executive branch would be an effective voice for the collective concerns of all Americans about the

observance of human rights concerns abroad, and particularly in the Soviet Union and Warsaw Pact countries. It would help to make clear once again to the Soviet Union and to the other signatories American interest in the furtherance of basic human rights as well as interest in economic and security cooperation."

The State Department, on behalf of the Administration, opposed enactment of this legislation in reports to appropriate congressional committees. It cited steps already being taken by the executive branch to implement and monitor the provisions of the Final Act and noted the Administration's willingness to consult with Congress through established procedures. In view of the overwhelming congressional support for the bill, however, State's enrolled bill letter recommends that you approve S. 2679 or, alternatively, permit it to become law without signature.

Justice's letter on S. 2679 states:

"We note at the outset that 12 of the 15 members of the Commission are to be appointed by officers of the Congress. This raises the question as to whether the Appointment Clause of the Constitution, Art. II, § 2, cl. 2, has been violated. In general, that clause requires the President to appoint all officers of the United States. In view of the fact, however, that the powers of the Commission are restricted to collecting information and providing it to Congress, much as a congressional committee might, we believe that its members would not be officers of the United States and that no constitutional problem is presented."

The Senate debate on S. 2679 tends to support the Justice view. The House did not discuss this constitutional question in its consideration of the bill.

The Office of Management and Budget agrees with State that the organization S. 2679 would establish is duplicative of existing executive and congressional activities and functions. Moreover, it is a hybrid

creation -- a statutory body composed predominantly of congressional officers but with representatives of three executive departments -- which would have oversight functions similar to those of a congressional committee. Further, the requirement that the President must submit reports to such a body is undesirable. Another serious consideration is that this single-purpose organization, outside the President's effective control, armed with appropriations, staff, and the power of subpoena, and with unlimited duration of existence, could become a forum for criticizing the actions of foreign governments, with attendant foreign relations embarrassment.

Despite these objections, the Office of Management and Budget recommends approval in view of Justice's opinion that the bill does not raise a constitutional question and the strong congressional support for this measure.

Finally, State anticipates that enactment of S. 2679 could increase the workload of the Department, resulting in the need to increase staff and related expenses. The Office of Management and Budget will review carefully any requests for such increases.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures