



Section V

Ostpolitik, the Berlin Negotiations and US-Soviet Relations



CIMA
Machiavelli Center





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BERLIN & EUROPEAN SECURITY

1969

- 3 Mar Luncheon with Dobrynin initiates special channel. Dobrynin expresses Soviet interest in status quo in Europe; HAK expresses US interest in ending harassment of Berlin access. (MemCon excerpt at Tab 1.)
- 3 Apr Dobrynin gives HAK advance word of Soviet note calling for CES. (MemCon excerpt at Tab 2.)
- 27 Sept Dobrynin asks HAK whether US prefers 2- or 4-power talks on Berlin. (MemCon excerpt at Tab 3.)
- 22 Dec Dobrynin complains US has never replied to Soviet proposal on CES and is linking it to Berlin. HAK says US is interested in concrete detailed negotiations. (MemCon excerpt at Tab 4.)
- 29 Dec Dobrynin lists CES among subjects Soviets wish to pursue in HAK-Dobrynin channel. (MemCon excerpt at Tab 5.)

1970

- 20 Jan Dobrynin sees HAK to protest Bundestag committee meetings in West Berlin. (Memo to Pres, Soviet note, at Tab 6.)
- 20 Feb Bahr message to HAK reflects FRG eagerness for 4-power talks on Berlin. Acknowledged by HAK 16 March. (Tab 7)
- 8 Apr Bahr visits Washington to brief HAK in detail on his talks in Moscow. (MemCon and prior cables setting up meeting at Tab 8.)
- 10 Jun Dobrynin, on Sequoia, tells HAK US is main obstacle to CES. He asks what we mean by proposing MBFR. HAK replies US will be more concrete on MBFR later in summer, once our own thinking is further advanced. (MemCon excerpt at Tab 9.)
- 20 Jul Dobrynin hands HAK note verbale on CES, including MBFR as a topic. (Tab 10)

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1970 (Continued)

- 24 Aug Haig gives Vorontsov President's reply to Soviet note on summit: agenda should include "agreement in principle on the calling of a CES." (Tab 11)
- 17 Oct HAK and Dobrynin discuss arrangements for President-Gromyko meeting. USSR will maintain its position that it favors economic but not political ties between FRG and GDR. (MemCon excerpts at Tab 12.)
- 22 Oct President and Gromyko discuss Berlin and European Security. President underscores that West Berlin's umbilical to FRG cannot be cut, but there might be room for understanding on lower-profile Federal presence and assuring access. (Mem-Con excerpts and President's report to Brandt at Tab 13.)
- 22 Dec In lengthy discussion of irritants in US-Soviet relations, Dobrynin claims US is holding up progress on Berlin and Soviets have made major concession by speaking of preferential, uninterrupted access. (MemCon excerpts at Tab 14.)
- 31 Dec Bahr informs HAK of recent talk with Falin, who conveyed Soviet impressions of Gromyko's visit with President. (Bahr cable at Tab 15.)

1971

- 6 Jan Soviets deliver note on Berlin complaining of US bad faith since Gromyko visit. (Note and analysis at Tab 16.)
- 9 Jan Dobrynin sees HAK to follow up Soviet note. HAK emphasizes Soviets' giving substance to transit agreements and taking responsibility for access, in exchange for our taking account of GDR concerns. HAK expresses willingness to have discussions with him and high FRG officials on Berlin if agreement seems possible. (MemCon at Tab 17.)
- 23 Jan Dobrynin tells HAK of Soviet desire to meet our concerns for Soviet and 4-power responsibility for access; he reaffirms use of this channel. Dobrynin also plugs CES again. (Mem-Con at Tab 18.)

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1971 (Continued)

- 25 Jan Bahr message to HAK on hopeful developments in Soviet-FRG relations, including imminent appointment of Falin as Soviet Ambassador in Bonn. (Bahr cable at Tab 19.)
- 27-28 Jan Fazio mission to Bonn, to invite Bahr and Rush to Washington. (HAK letters at Tab 20.)
- 28 Jan HAK informs Dobrynin that discussions would move into 4-power framework once agreement in principle was reached in HAK-Dobrynin channel. Dobrynin hands HAK note, which is strongest statement to date that Soviets would assume some responsibility for outcome of FRG-GDR agreement. (Mem-Con excerpt at Tab 21.)
- 31 Jan HAK confers with Bahr on Jetstar from Cape Kennedy. HAK informs him of conversations with Dobrynin and Soviet note of 28 January. Procedure worked out for HAK-Dobrynin Channel to be linked up with Bahr and Rush channels. (MemCon at Tab 22.)
- 2 Feb. Dobrynin informs HAK that Soviets are receptive to approach on Berlin outlined by HAK. HAK informs Dobrynin of his talk with Bahr of 31 January and his forthcoming talk with Rush. (MemCon excerpt at Tab 23.)
- 2-4 Feb Adm. Robinson sets up special Navy channel for HAK contact with Bahr and Rush. (Memos and note informing Rush at Tab 24.)
- 3-4 Feb HAK talks with Rush and informs Dobrynin of his conversation. (Dobrynin memcon at Tab 25.)
- 4 Feb Bahr message to HAK with enclosures on Federal presence. (Tab 26)
- 10 Feb At dinner meeting at Soviet embassy, HAK and Dobrynin review Rush-Bahr-HAK-Dobrynin procedures and express opposing positions on FRG presence. On access, Dobrynin asks about feasibility of a unilateral Soviet declaration of responsibility for what it understands as GDR's views on access. HAK reports to Rush and Bahr on Dobrynin conversation and asks for their views. (MemCon excerpt and correspondence with Rush and Bahr at Tab 27.)

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1971 (Continued)

- 22 Feb Dobrynin tells HAK that USSR sees our willingness to accept unilateral Soviet declaration of responsibility, which would then be absorbed in a 4-power guarantee, as a considerable step forward. He asks for illustrative text. Dobrynin describes Soviet mood on Federal presence as conciliatory, but HAK suggests they come up with a generous proposal on access. HAK reports to Rush and Bahr on talk with Dobrynin and asks for draft language. Rush sends proposed text on access. (MemCon excerpts and correspondence with Rush and Bahr at Tab 28.)
- 26 Feb HAK meets with Dobrynin to give him Rush formulation on access. Dobrynin raises Federal presence issue; HAK says access issue should come first; Dobrynin says Soviet view is the opposite. (MemCon excerpt and HAK report to Rush at Tab 29.)
- 10 Mar Bahr cable to HAK reports on his meeting with Kohl. (Text and HAK reply of March 12 at Tab 30.)
- 12 Mar Dobrynin asks if there is anything new on Berlin. HAK replies that we are awaiting Soviet access proposal. (MemCon excerpt at Tab 31.)
- 15 Mar Dobrynin raises Federal presence issue again. He also suggests that Moscow might move ahead on access if he can show some progress on Soviet presence in West Berlin. HAK reports this to Rush and Bahr and asks for their views. (MemCon excerpt and correspondence with Rush and Bahr at Tab 32.)
- 18 Mar Dobrynin gives HAK a Soviet draft, and also a handwritten letter complaining that Rush hasn't yet contacted Abrasimov on limiting Federal presence. HAK reports to Rush, and Rush replies with detailed comments. (Soviet text, Dobrynin letter, and HAK correspondence with Rush at Tab 33.)
- 22 Mar HAK sees Dobrynin and gives comments on Soviet draft, based on Rush summary. (DRYoung next day delivers full list of Rush "Partial Comments" to Soviet Embassy as oral note.) Dobrynin asks for our proposed wording on Soviet commitment and Federal presence. (MemCon excerpt and HAK report to Rush at Tab 34.)

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1971 (Continued)

- 23 Mar Rush responds with suggested formulas on Federal presence, access, and inner-Berlin. (Tab 35)
- 25 Mar HAK shows Rush's formulas to Dobrynin. Dobrynin asks questions about formulas on Soviet commitment and Federal presence. They discuss how Ambassadors should proceed. HAK passes Dobrynin's questions on to Rush. (MemCon and HAK cables to Rush at Tab 36.)
- 26 Mar Bahr informs HAK of paper given him by Falin. (Tab 37)
- 24 Mar - Rush reports near-leak by Abrasimov's deputy re "recent
1 Apr contact between Soviet and US governments." HAK and Rush exchange series of messages on how to carry on conversations in Bonn with Abrasimov while maintaining secrecy of HAK channel. (Tab 38)
- 29 Mar HAK gives Bahr updated report on meetings with Dobrynin. (Tab 39)
- 2 Apr Bahr tells HAK he will be at Bilderberg and gives his views on Soviet draft. HAK acknowledges. (Tab 40)
- 12 Apr HAK and Rush review arrangements for April 16 meeting between Rush and Abrasimov. (Tab 41)
- 13 Apr HAK meets Vorontsov to find out when Dobrynin would return from CPSU Congress and to suggest that Falin talk to Rush (along lines of HAK-Rush exchanges). (MemCon at Tab 42.)
- 19 Apr Rush reports to HAK that Abrasimov did not follow arrangements laid down for private contact before and after 4-power meeting of April 16. HAK promises to ask Dobrynin why. (Tab 43)
- 23 Apr HAK asks Dobrynin for explanation of Abrasimov's failure to meet privately with Rush, and indicates that the negotiations will be left in the bureaucracy until HAK and Dobrynin agree on general directions. Dobrynin agrees that Falin, not Abrasimov, should be the contact with Rush; HAK agrees to talk with Bahr to break deadlock. HAK reacts sharply to

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- 23 Apr (continued) Dobrynin suggestion that Summit is unlikely until Berlin question is settled. (MemCon excerpt and HAK report to Rush at Tab 44.)
- 24 Apr HAK meets with Bahr at Bilderberg and is given a copy of draft agreement and annexes (in German). They agree on further steps and procedures. (Draft treaty with HAK marginalia at Tab 45.)
- 26-27 Apr HAK meets twice with Dobrynin and suggests that they seek to break deadlock by drafting "juridically neutral" documents, stating obligations and undertakings of the two sides but not the legal arguments. (Bahr had suggested this to HAK.) Dobrynin sees this as reasonable approach. Bahr, Falin and Rush are to attempt to produce an agreed draft, with HAK and Dobrynin backstopping on the major issues. (MemCon excerpts at Tab 46.)
- 28-30 Apr HAK reports to Rush on his talks with Bahr and Dobrynin, and Rush approves the agreed-upon procedure. Rush meets with Bahr and is given copy of English translation of Bahr's draft agreement. (Exchanges between HAK and Rush, including text of Bahr draft, at Tab 47.)
- 3-5 May Dobrynin delivers note to HAK confirming Soviet readiness to conduct confidential US-USSR-FRG meetings in Bonn. (HAK reports to Rush and Bahr, and their replies, at Tab 48.)
- 11-12 May Rush reports to HAK on tentative conclusions reached in his "long and useful discussion" with Falin and Bahr on nonsubstantive parts of Bahr draft. Rush encouraged by Falin's style and flexibility. Bahr also reports to HAK on same "unpolemical and constructive" session with Falin. HAK replies to Bahr, backing his desire to introduce new approach to London Four Powers meeting, and also urging Brandt public statement against Mansfield Amendment. (HAK exchanges with Rush and Bahr at Tab 49.)
- 11-14 May HAK instructs Rush to hold no private meetings with Falin and to cool matters with Bahr "for the time being," for reasons not related to Berlin. Rush acknowledges. HAK

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then informs him obstacles have been substantially removed, though slight delay would still be helpful. Rush pleased. (HAK-Rush correspondence at Tab 50.)

- 24 May Bahr informs HAK of his talk with Hillenbrand in London, congratulates HAK on defeat of Mansfield, and suggests that Brandt meet with SFRC. HAK reassures Bahr that Hillenbrand will not be obstacle, and tells Bahr of working dinner planned for Brandt in U.S. (HAK-Bahr correspondence at Tab 51.)
- 24 May HAK calls in Dobrynin to disclose forthcoming trade relaxation. Dobrynin suggests Foreign Ministers meeting on Berlin; HAK suggests giving Falin-Bahr-Rush channel a chance to work. HAK cables Rush a note on general strategy, suggesting we want to keep Berlin and SALT talks "in some sort of balance." (Dobrynin MemCon and HAK cable to Rush at Tab 52.)
- 28 May Rush reports on latest meeting with Bahr and Falin, which elicited reasoning behind Soviet position on Federal presence. Rush sees hope for rapid progress, in view of softening Soviet positions, and therefore questions possibility of "synchronizing" with SALT. (Rush cable at Tab 53.)
- 4-6 June Rush and Bahr report on two meetings with Falin. Falin tries to weaken provisions on "special ties" between West Berlin and FRG, but makes "major concessions" on traffic clearance. (Rush and Bahr cables at Tab 54.)
- 8 June HAK and Dobrynin agree that matters are going forward well, on the whole. HAK promises to check on our consenting to Soviet trade mission in West Berlin. (Mem Con excerpt at Tab 55)
- 14 June Dobrynin delivers new Soviet formulations. HAK promises to review them in detail with Rush and Bahr and to set up combined meeting with Rush and Dobrynin. (MemCon, Soviet note, at Tab 56)

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- 15 June Dobrynin gives President note on conference of nuclear powers. President affirms that Berlin talks are at a point where we should reach an agreement. (MemCon at Tab 57)
- 17 June HAK meets with Bahr. (Talker and MemCon at Tab 58)
- 21 June HAK, Rush and Dobrynin review results of President's and HAK's meetings with Rush and Bahr. They agree that Four-Power Ambassadorial talks are best forum for surfacing compromises reached in Rush-Bahr-Falin channel. HAK confirms that we are prepared to concede Soviet trade mission; Rush will surface U. S. answers on other specific issues. HAK, Bahr, and Rush foresee solution in special channel by end of July and among Four Powers by end of August. (MemCon excerpt at Tab 59)
- 23 June HAK backchannel advises Bahr that Rush will explain new procedures to him. Bahr replies 24 June that he has cleared up Falin's confusion as to reason for meeting. (Tables Tab 60)
- 28 June HAK complains to Dobrynin that Soviet official in Bonn had referred to special channel in conversation with USEmbassy official. Dobrynin assures HAK this was inadvertent; Moscow felt definite progress was being made. (MemCon, Rush cable reporting incident, at Tab 61)
- HAK reports to Rush and also requests delay in talks until after July 15, "for reasons that will become apparent." Rush acknowledges. (Tab 62)
- 29 June Rush reports on June 28 meeting with Bahr and Falin. They completed access part, agreed on affirmative acknowledgement of federal ties, but had difficulty with committee meetings. (Rush cable, with text of tentatively agreed parts, at Tab 63)
- 30 June Rush reports on June 29 session, which finished parts on visits by West Berliners. Bahr reports on June 28 and 29 meetings and encloses draft. HAK replies, suggesting to Rush that he cite HAK Asia trip as reason for delay. (Tab 64)

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- 7-9 July Rush reports that at July 6 session Falin conveyed Gromyko's approval of most of agreed parts and offered new approach on Federal presence. Haig again urges delay; Rush acknowledges. (Rush report, exchange with Haig, Tab 65)
- 14 Jul Rush reports problem restraining German, British, and French impatience for final agreement. (Tab 66)
- 19-22 Jul HAK tells Rush he can now proceed with deliberate speed, noting we have no Soviet reaction yet to Peking caper. Rush and Bahr congratulate HAK on China coup; Bahr comments on Russian reaction. (Cables, Tab 67)
- 23 Jul Rush reports on day's session, at which Falin accepted a number of Rush's amendments. Rush sees Consulate as pivotal issue for reaching final agreement, and he intends to cable State formally requesting revision of NSDM 106. (Rush backchannel, Tab 68)
- 28-29 Jul Rush reports July 27 session reached tentative final agreement on practically everything except Soviet presence. Rush pleased with draft, and congratulates President and HAK. At follow-up session July 28 Rush tentatively agrees to Consulate. He cables State requesting NSDM revision. (Rush backchannels with draft agreement, Rush cable to State, Tab 69).
- 29 Jul Dobrynin tells HAK Berlin talks are going well, as HAK predicted and this made good impression in Moscow. He says Summit invitation would have issued within 5 days after preliminary Berlin accord, but for Peking announcement. (Memcon excerpts, Tab 70)
- 30-31 Jul Bahr urges linking Consulate to FRG passports for Berliners; he notes complexity of shifting into 4-power framework. HAK agrees, adding that we are assuring Russians we still desire detente. HAK informs Rush that Consulate issue is being resolved in interdepartmental framework but may take time. (Cables, Tab 71)
- 2 Aug Bahr reports to HAK on Brandt's reaction to draft agreement. (Tab 72)

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- 5-6 Aug. Falin tells Rush and Bahr Aug. 4 that Gromyko turned down use of FRG passports by West Berliners in USSR. Rush and Bahr plan to link this issue with Consulate. (Rush cable, with Falin's suggestions and draft minute on Consulate; Bahr cable; Tab 73)
- 7-9 Aug. HAK tells Rush that Consulate issue is now in IC machinery. He inquires about weak language re inspection of seals. Rush replies with text of access clause. (Cables, Tab 74)
- 9 Aug. Rush, Falin, and Bahr agree Aug. 8 on tighter language on inspection of seals. Rush sees Soviets weakening on FRG passports. (Rush cable, Tab 75)
- 11 Aug. NSDM 125 states U.S. requirements on access, passports, and Soviet Consulate. (Tab 76)
- 13 Aug. Rush reports marathon negotiations going "very well, almost entirely according to script," except for French and British nervousness. He thanks HAK for "very skillfully drafted" instruction on Consulate. (Cable, Tab 77)
- 14-15 Aug. Rush reports Soviets at Aug. 13 session still unyielding on passports but make surprise turnaround on Teltow Canal. They discuss who should be parties to implementing agreement on access. Rush reports temporary stalemate developing at Aug. 14 session, as UK and France are tempted by Soviet concessions into reverting to maximum positions on access. Dobrynin complains to HAK Aug 17. (Rush backchannels; HAK-Dobrynin memcon excerpt, Tab 78)
- 16 Aug. Bahr reports on Aug. 13-14 sessions with Falin and Rush. (Cable, Tab 79)
- 17 Aug. Rush reports new formula Aug. 15 broke impasse and opened way to complete agreement. Bahr, too, reports access questions settled, with consulate and passport issues likely to be solved by next day; "nothing to worry about any longer." HAK informs Dobrynin by phone next morning. (Rush and Bahr cables; HAK-Dobrynin telcon, Tab 80)

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18-19 Aug. State instructs Rush not to conclude ad referendum agreement but to pause for consideration by governments. But agreement is already completed. Rush tells HAK "bureaucrats have been foiled" and "Bahr is in ecstasy." HAK advises Rush to go along with 2-week pause. (Tab 81)

Text of August 18 draft agreement. (Tab 82)

HAK forewarns Dobrynin and Haldeman of bureaucratic problem. Rogers tells HAK "we took a beating" in area of rights and responsibilities. HAK reassures Dobrynin that bureaucratic delay has no significance. (Telcons, Tab 82)

Rush cables State his preliminary evaluation of draft: It meets most of NSDM 106 objectives and offers genuine practical improvements. (Bonn cable 10252, Tab 84)

20 Aug. Rogers tells HAK "Rush has openly violated President's instructions" in NSDM; HAK acquiesces in Rogers cable calling Rush back for consultation. Sonnenfeldt sees August 18 agreement as providing minor practical improvements, at cost of minor reduction in Federal presence and significant dilution of Western view of status of Berlin. (HAK-Rogers telcon, State cable 152955, Sonnenfeldt memo, Tab 85)

20-21 Aug. Rush tells State and HAK he will return briefly August 25 for consultation and to defend text. HAK and Rush agree that State objections are "almost totally frivolous." (Tab 86)

HAK asks Bahr for Brandt letter to President strongly endorsing text. Brandt writes to President next day. (HAK backchannel, Brandt letter, Tab 87)

21-23 Aug. HAK asks Rush for backchannel analysis of why he sees August 18 draft as close to Western maximum position and where text is advance over previous formulations. Rush replies with summary comparison of February 5 Western draft and August 23 text. (Tab 88)

HAK tells Dobrynin we might seek to change a word or two but it will have no substantive significance, and probably won't be necessary. (Telcon, Tab 89)

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- 25 Aug. Attorney General phones Rush at State to make sure he knows of President's desire for White House announcement. Rogers calls HAK and again enumerates defects in text. HAK invites Rush to San Clemente to see President. (Telc Tab 90)
- Rogers tells Dobrynin that draft is good "general framework" but "we of course want to look over draft" and might have changes to suggest. HAK advises Dobrynin not to report to Moscow without checking with White House. (Rogers-Dobrynin memcon, HAK-Dobrynin telcon, Tab 91)
- 25-27 Aug. State -- without clearance -- instructs Berlin to seek revision of Part I, paragraph 4 ("situation in area not to be changed unilaterally"); White House modifies the instruction. Soviets refuse all textual changes and discourage further discussion of Russian-translation discrepancies. (Cable traffic; Sonnenfeldt memo on translation discrepancies, Tab 92)
- 27 Aug. President meets with Rush and HAK to congratulate Rush for his key role in Berlin agreement. (President's talking points; Rush press briefing, Tab 93.)
- 30 Aug. - 2 Sept. Soviets continue to refuse changes in Russian text; GDR and FRG squabble over German text. Rush sees an agreed German translation as essential, but Soviets refuse to cooperate. GDR yields on many points of translation by Sept. 3. (Rush backchannel report of Sept. 8; cable traffic Sonnenfeldt memos, Tab 94.)
- Intelligence reports indicate Brandt seeking to visit USSR. Bahr informs HAK of Soviet invitation to Brandt Sept. 2. HAK acknowledges (Backchannels; TDCS's, Tab 95.)
- 3 Sept. Initialing of Quadripartite Agreement on Berlin. (Text, Tab 96.)
- 20 Sept. Bahr reports via back-and State channels on Brandt's talks with Brezhnev in USSR: Brezhnev refused to intervene with GDR on Berlin translation problem; Brandt was nevertheless impressed by Brezhnev's tone and style. Talks covered CES, MBFR and FRG-GDR relations. (Tab 97)

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 By CIA/NARA Date 6/25/02
 N-NSC - Eur - 682

MEMORANDUM

Rec'd
 OCT 22 1969

THE WHITE HOUSE
 WASHINGTON

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INFORMATION

October 20, 1969

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*

SUBJECT: Visit by Willy Brandt's Emissary, Egon BAHR

I had a two-hour session with Bahr on Monday, October 13. The trip was his suggestion and I agreed, after discussion with Secretary Rogers on the understanding that there would be no negotiation of specific matters.

Bahr said he wanted to assure us, in Brandt's name, of the basic continuity in German foreign policy and of Brandt's desire to have close relations. He indicated there was no difficulty with Brandt over your election night phone call to Kiesinger. I assured him of your desire to maintain close and confidential relations with Brandt. We agreed on a confidential channel of communications which, together with the direct line from you to the Chancellor, can be used for strictly private exchanges or contact in moments of crisis. I stressed the need for absolute secrecy when such communications are made and Bahr agreed. (He has unfortunately not had a reputation for discretion and we will have to test the privacy of this channel in practice, now that Bahr is to become Brandt's foreign and security policy advisor in the Chancellor's office.)

In a discussion of the policy intentions of the new coalition in which Assistant Secretary of State Hillenbrand participated, Bahr made the following points:

1. After Brandt's election by the Bundestag, the Germans intend to approach the allies with a proposal to enhance the voting rights of the 22 Berlin deputies in the Bundestag. The matter is controversial in Germany on constitutional grounds and also because it is clearly intended to boost the SPD's slender majority in the Bundestag. We made no commitments to Bahr but will pursue our internal examination of our options which will also have to take into account problems that might arise with the French (who oppose any change in the existing limitation on Berlin voting rights) and with the Soviets. The Secretary of State is to submit a study for your review.

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2. Bahr outlined a fast-paced timetable for German signature of the NPT. It includes a demarche to us concerning interpretations of the certain clauses in the NPT. Such a demarche was already in train under the outgoing German government and should not pose problems for us. Once the Germans sign, we can expect early Soviet willingness to jointly complete ratification with us, as we have proposed.

3. Bahr outlined a series of German moves toward the USSR, Poland and East Germany. In themselves they pose no major problems for us (e.g., a German-Soviet understanding on renunciation of force, a new German offer to the Poles amounting to de facto acceptance of the Oder-Neisse line); but they could become troublesome if they engender euphoria, affect Germany's contribution to NATO and give ammunition to our own detente-minded people here at home. The Germans may also become so engaged in their Eastern policy that their commitment to West European unity may decline. The Soviets -- and, with some apparent prodding by Moscow, Ulbricht -- seem willing enough to receive Bonn's overtures. The Germans may wind up combining the disadvantages of each of their major policies: getting sucked into more and more concessions to "save" their new Eastern policy while causing their Western allies to question their reliability. It is questionable whether the internal strength and cohesion of the FRG is strong enough to sustain a series of frustrations and setbacks.

4. Bahr expressed concern about unilateral US troop reductions in Germany, mostly because he felt this would reduce Western bargaining leverage in negotiations with the Russians on mutual troop cuts. I told him that we had no plans or intentions to cut our troops but that, realistically, the trend in Congress and elsewhere toward doing so could not be ignored. I said we would hope to deal with this problem in an orderly way by consulting with our allies on a viable strategic concept and on a force posture which we and the allies would abide by. We are preparing a NSSM on our NATO forces for early issuance. But it is clear that the Germans expect substantial US cuts in the next two years or so and are themselves examining various schemes for negotiating with the Russians on major reductions on both sides. NATO also has a study underway on such mutual reductions. I believe it is essential that we have an agreed strategic concept before any negotiations with the Soviets occur.

Altogether, the points in Bahr's substantive presentation contained no surprises. He did say that we should expect less of a guilt complex in Bonn under Brandt and President Heinemann, and hence a more self-reliant and

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not always compliant attitude toward us. The Socialists may well seek to take on a more nationalist coloration by presenting themselves as defenders of the German national interest. In any case, we can probably expect to see a posture of greater independence toward us in Bonn. I told Bahr that we want to deal with Germany as a partner, not a client.

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Department of State

TELEGRAM

CONFIDENTIAL 471

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ACTION EUR-12

Germany

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R 111730Z FEB 70
FM AMEMBASSY BONN
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C O N F I D E N T I A L BONN 1539

LIMDIS

SUBJECT: BRANDT UNHAPPINESS REGARDING EASTERN POLICY

1. BRANDT, IN A RECENT CONVERSATION WITH AN AMERICAN OFFICIAL WHOM HE KNOWS WELL, EXPRESSED GRAVE UNHAPPINESS ABOUT THE EFFECT OF SEEMINGLY EXCESSIVE FRG ACTIVITY IN EASTERN POLICY AT THE PRESENT MOMENT. AS BRANDT PUT IT, HE WOKE UP ONE MORNING TO FIND THAT, NOT ONLY WAS BAHR IN MOSCOW AND DUCKWITZ IN WARSAW, BUT EMMEL WAS IN MOSCOW, WISCHNEWSKI TURNED UP IN BUDAPEST, AND AS IF THIS WERE NOT ENOUGH, ARNDT ALSO TURNED UP IN BUDAPEST ON YET ANOTHER MISSION. BRANDT EXPRESSED REAL CONCERN THAT ALL THIS FRANTIC ACTIVITY WOULD AROUSE GREAT HOPES WHICH WOULD NOT BE FULFILLED.

2. IN HIS REMARKS, BRANDT WAS GENERALLY PESSIMISTIC ABOUT ANYTHING CONCRETE COMING OUT OF ALL THESE ACTIVITIES, AND HE WAS WORRIED ABOUT THE EFFECTS OF THE INEVITABLE LETDOWN. BRANDT SAID HE WANTED TO GET AWAY FROM FIXATION ON "OSTPOLITIK" AS SUCH. HE SAID HE DOES NOT LOOK UPON EASTERN POLICY AS A SEPARATE POLICY TO BE PURSUED BY ITSELF, BUT ONLY AS AN INTEGRAL PART OF AN OVERALL FOREIGN POLICY. BRANDT WAS ALSO VERY STRONG IN STRESSING REPEATEDLY THE IMPORTANCE OF ATLANTIC AND EUROPEAN COMMUNITY TIES.

RUSH

CONFIDENTIAL

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DATE 6/27/02



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

SECRET

~~INFORMATION~~
February 12, 1970

HK

MEMORANDUM FOR MR. KISSINGER

MAR 1 1970

FROM: Helmut Sonnenfeldt *HS*

SUBJECT: Further Developments in Ostpolitik

There have been several developments on the German Eastern front.

First, Stoph replied to Brandt's letter, and proposed direct talks between them on February 19 or 26 (the Soviets proposed Berlin talks for the 18th). The letter is a replay of the East German position on establishing relations under recognized principles of international law. In contrast to Ulbricht's press conference a few weeks ago, however, Stoph acknowledges that the talks could include a renunciation of force agreement. Ulbricht had said that such a subject would have to wait conclusion of negotiations between Bonn and Moscow. Bahr pointed out to Gromyko the contradiction between Ulbricht's statement and Gromyko's repeated question whether Bonn would conclude a similar agreement with the GDR as with the USSR (Tab A).

Concerning those Moscow talks, the German Foreign Office has prepared a preliminary assessment which takes a somewhat optimistic view. They believe that talks are in a "pre-negotiation" stage with each side trying to sort out what should be in a renunciation of force agreement. The Germans were encouraged that Gromyko did not rebut Bahr's explanation concept of the "German nation." Gromyko's willingness to come to the German Embassy and permit photographers this week has also apparently impressed the Germans.

The principal Soviet demand is that an agreement include provisions on the inviolability of frontiers, etc. On the other hand, the Germans believe that the Soviets will agree to specific reference to Article II of the UN Charter. Also the Germans feel that the Soviets will not insist that their treaty be identical to any treaties signed with other Communist countries of East Europe. (This would seem confirmed by the Stoph letter.) (Tab B.)

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BY *JA* NARA Date *6/27/02*

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-2-

Meanwhile, in the German-Polish talks, Duckwitz told the Embassy that it was too early to predict the outcome though he was encouraged by the atmosphere. The central issue, of course, is the Oder-Neisse. The Poles' opening position was that Bonn should grant outright recognition without limitations or restrictions or reference to Potsdam. They contend that Potsdam refers only to a "peace settlement," not a "peace treaty." The German rejoinder was that the entire existence of the FRG depended on the London and Paris agreement under which they could not recognize the Oder-Neisse as definitive (Tab C). It appears that the German position is going to involve us, since the Poles have indicated that if the three or four power agreements are an obstacle Bonn should seek a change in position from these countries.

Finally, there is a peculiar report of Brandt's concern over the excessive activities in the pursuit of Ostpolitik. Talking to an unnamed US official, he referred with apparent consternation to all the negotiations and travels to East Europe going on at the same time, and expressed his real concern that all this frantic activity would arouse great hopes that would not be fulfilled. These remarks were to an American official that Brandt knows well, and were couched in terms of Brandt's desire to make sure that Eastern policy remained an integral part of foreign policy including ties to the West and the European community. These remarks may either be intended to reassure us or indicate that Brandt already feels like a sorcerer's apprentice (Tab D).

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MEMORANDUM

Germany

THE WHITE HOUSE

WASHINGTON

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MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger

SUBJECT: Brandt's Eastern Policy

*a very perceptible
Panic*

FEB 20 1970

The Goal as Brandt Sees It

The German Chancellor has stated the goals of his "Ostpolitik" in rather sober and realistic terms: he wants to normalize relations with the Communist countries and move "from confrontation to co-operation;" he is prepared in this context to accept the GDR as a separate state and to accommodate the Poles, within certain limits, on the question of the Oder-Neisse Line. He hopes in this way to reduce the antagonism toward West Germany in the USSR and Eastern Europe and to make the division of Germany less severe. He rejects the idea that Germany should be free-floating between East and West and he remains strongly committed to NATO and West European integration. Indeed he believes his Eastern policy can be successful only if Germany is firmly anchored in the West. He has in effect renounced formal reunification as the aim of German policy but hopes over the long run to achieve special ties between the two German states which will reflect the fact that they have a common national heritage. He has cautioned Germans not to expect rapid progress.

Brandt probably commands the support of a majority of Germans for this approach, although there is a strong and vocal minority among Christian Democrats and in sections of the press which is strongly opposed. Although Brandt has stressed that his Western policy has priority, German attention is currently heavily focussed on the East. The criticism of his opponents has been vigorous and has drawn bitter Government responses.

The Reasons for Concern

Much of the opposition within Germany and the concern among its allies stems not so much from the broad purposes which Brandt wants

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NARA Date

to achieve but from suspicions or fear that Eastern policy is acquiring its own momentum and will lead Brandt into dangerous concessions. Moreover, while even his critics generally credit Brandt with sincerity and wisdom, some of his influential associates -- for example his State Secretary, Egon Bahr -- are deeply mistrusted. Much of the worry inside and outside Germany focusses on the danger that as Brandt pursues the quest for normalization, his advisors and supporters will eventually succeed in leading him to jeopardize Germany's entire international position. This fear has already embittered domestic debate in Germany and could in time produce the type of emotional and doctrinaire political argument that has paralyzed political life in Germany and some other West European countries in the past. It is this possibility that we must obviously be troubled about ourselves.

Pressure for Concessions

Brandt has now made the opening moves in Moscow and Warsaw and has made overtures to East Germany. As was to be expected, the Communists have advanced maximum positions: full recognition of the GDR as a separate, equal and sovereign state under international law, acceptance of post-war territorial changes, notably Poland's western frontier as final, and acceptance of West Berlin as a separate entity dissociated from the FRG. Having staked much prestige during the electoral campaign and since on progress in his Eastern policy, Brandt is now under some compulsion to demonstrate that he can deliver.

Moreover, a potentially important state election is scheduled in June in North Rhine Westphalia where SPD and FDP now govern in coalition just as at the Federal level in Bonn. The CDU hopes that if it can reduce the strength of the FDP to knock it out of the coalition at the state level, it will have undermined the coalition in Bonn. "Ostpolitik" could become a significant issue if it either is demonstrably stuck or if Brandt, to save it, moves much further to meet maximum Communist demands.

Thus even in this early stage of his negotiating effort Brandt may find himself impelled to adjust his initial positions. While this may produce results for him -- in part because the Soviets may want to help Brandt for the time being -- it may arouse the opposition even further and make the German domestic debate more virulent. Some of Brandt's present support may desert him.

The Longer Term Danger

The most worrisome aspects of Ostpolitik, however, are somewhat more long-range. As long as he is negotiating with the Eastern countries over the issues that are currently on the table -- recognition of the GDR, the Oder-Neisse, various possible arrangements for Berlin -- Brandt should not have any serious difficulty in maintaining his basic pro-Western policy. There is, at any rate, no necessary incompatibility between alliance and integration with the West on the one hand, and some degree of normalization with the East, on the other.

But assuming Brandt achieves a degree of normalization, he or his successor may discover before long that the hoped-for benefits fail to develop. Instead of ameliorating the division of Germany, recognition of the GDR may boost its status and strengthen the Communist regime. The FRG may find itself in a race for influence with the GDR in third areas which could quickly put FRG policies at odds with those of its allies, for example in the Middle East. Even in Europe, particularly in Scandinavia and the UK, the FRG might find its relations clouded by increased GDR commercial and other activities.

More fundamentally, however, the Soviets having achieved their first set of objectives may then confront the FRG with the proposition that a real and lasting improvement in the FRG's relations with the GDR and other Eastern countries can only be achieved if Bonn loosens its Western ties. Having already invested heavily in their Eastern policy, the Germans may at this point see themselves as facing agonizing choices. It should be remembered that in the 1950s, many Germans not only in the SPD under Schumacher but in conservative quarters traditionally fascinated with the East or enthralled by the vision of Germany as a "bridge" between East and West, argued against Bonn's incorporation in Western institutions on the ground that it would forever seal Germany's division and preclude the restoration of an active German role in the East. This kind of debate about Germany's basic position could well recur in more divisive form, not only inflaming German domestic affairs but generating suspicions among Germany's Western associates as to its reliability as a partner.

It should be stressed that men like Brandt, Wehner and Defense Minister Schmidt undoubtedly see themselves as conducting a responsible policy of reconciliation and normalization with the East and intend not

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to have this policy come into conflict with Germany's Western association. There can be no doubt about their basic Western orientation. But their problem is to control a process which, if it results in failure could jeopardize their political lives and if it succeeds could create a momentum that may shake Germany's domestic stability and unhinge its international position.

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SECRET/NODIS

WASHINGTON

INFORMATION

March 10, 1970

It looks like Brandt is over his head; he has very little to offer - & they have a great deal

MEMORANDUM TO THE PRESIDENT

FROM: Henry A. Kissinger *H*

SUBJECT: The Current Status of Brandt's Ostpolitik

This week the West German government resumed negotiations in Moscow and Warsaw and held the first staff-level preliminary contacts to prepare a meeting between Chancellor Brandt and the East German Premier Willy Stoph. On the Eastern side, following the conclusion of the first round of talks in Moscow, Foreign Minister Gromyko paid an unexpected visit to East Berlin and stopped off in Warsaw on his return. Bonn is obviously entering a phase in which the various strands of its negotiations with the East will have to be pulled together. At the same time, our negotiations with the USSR over Berlin will become part of the general dialogue.

A. The German-Soviet Talks

The basis for these talks is the West German proposal for a renunciation of force agreement which was the basic framework of the talks during 1967-1968. In the first phase of the current contacts (December 7 - February 16) both sides have tried to define the scope of such an agreement. Four issues have emerged:

1. Border recognition: The Soviets are demanding that Bonn explicitly confirm all existing European borders, and pledge not to change them in any manner.

--Bonn's position is that it is constrained by the Potsdam agreements and the 1954-1955 agreements with the three Western powers from legally recognizing all European borders as final and irrevocable; as a practical matter Bonn would renounce any change from the 1970 borders.

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2. The West German - East German Relations: The Soviets continue to press for a clarification of the future relationship between the two Germanies, claiming that Bonn must accept the border with East Germany as an international frontier.

--The Soviets also insist that it be understood in advance that any Soviet-West German agreement would have to be similar to subsequent agreements between Bonn and the other "socialist countries".

--Bonn contends that future relations with East Germany must have a "special" character, based on equal rights between two states, but not on international relations, since Bonn will not accept East Germany as a "foreign country".

--Gromyko has found this "illogical", and has insisted that any mention of unification or the "German nation" in an agreement with the USSR is out of the question.

3. Berlin: The Soviets insist that the renunciation of force agreement apply to West Berlin; West Germany would pledge not to change the borders of West Berlin, thus conferring a special status on West (but not East) Berlin. The Soviets have said that all matters, such as access, were matters for the four powers.

--Bonn has responded that while negotiations with the USSR over Berlin are beyond its competence, there could be no confirmation of the status quo from Central Europe, while the status quo in Berlin was thus modified. Berlin's relations would have to be "normalized" and West Germany's economic, financial, cultural, and legal ties with West Berlin would have to be respected by the USSR. In turn, Bonn would respect the status of Berlin, subject to four power agreements.

4. FRG - Soviet Relations: Bonn has wanted to insert in any agreement some reference to Article 2 of the UN Charter, which obligates the members to respect each other's sovereignty. This arose because of previous Soviet claims that under Articles 107 and 53 of the UN Charter the USSR retained certain legal rights of intervention in German affairs.

--Originally, Gromyko claimed that this issue could not be discussed but most recently he acknowledged that there might be a reference to Article 2 as Bonn desires.

B. The Polish - West German Talks

The issue here is relatively straight forward. The Poles insist that the "starting point" for any normalization of relations is West German recognition of the Oder-Neisse border as a final boundary, and without any qualifications.

Bonn's position is that the Poles could achieve the same practical effect by concluding a renunciation of force agreement, in which Bonn would undertake not to change any boundaries by force. Bonn further argues that the Potsdam agreement specifically envisaged a final "peace settlement" to determine Germany's Eastern border, and that, in any case, the 1954 treaty between Bonn and the three Western powers, ending the occupation of West Germany, retained for the three powers the right and responsibility of a final settlement under Potsdam.

The Poles countered by asking why Bonn did not ask the three Western powers either to revise the 1954 treaty or to endorse the Oder-Neisse line as final.

The West Germans are fairly sanguine about these talks. The main question is whether the Poles will settle for less than their maximum demands of definitive recognition of their borders. The answer may depend, in part, on the Moscow talks and on the East-West German talks.

C. The Brandt-Stoph Talks

When the Brandt government followed its election by proposing negotiations with Moscow and Warsaw, a debate broke out within the Warsaw Pact. Reliable reports of a Pact meeting in Prague in early December indicate that East Germany was opposed to any normalization with Brandt's government, that Poland and Romania favored negotiations and that the Soviets and other members took the middle ground. The Soviets argued that the Brandt government presented opportunities that each of the Warsaw Pact countries might exploit in separate negotiations, but that the recognition of the GDR

should be retained as a common objective. Naturally, the Soviet position prevailed.

The East Germans then inserted themselves onto the scene by proposing a draft treaty with East and West Germany and an early meeting between Premier Stoph and Brandt. Despite the harsh and patently unacceptable terms of the treaty, the East Germans posed no preconditions for a meeting with Brandt in East Berlin. Brandt accepted and proposed a first meeting in mid-March (this is one reason the West Germans are urging speed in opening the four power talks on Berlin). Staff level discussions on the portocol and the agenda are underway. After the first Brandt-Stoph meeting, Bonn is thinking in terms of lower-level negotiations (4-6 weeks) to lay the bases for a "contractual relationship". The negotiations might divide into several areas: (1) political relations; (2) improvement in communications; (3) reductions in discriminatory treatment; (4) joint institutions; and (5) economic relations.

Bonn would hold back on the critical question of East German participation in international organizations until progress was achieved on political relations and improved communications. After a period of bargaining Stoph would come to Bonn.

While the East German tactics are largely a matter of guesswork, their aims are clear: to obtain the maximum possible recognition from Bonn as a separate state, equal in all respects including in international law. While Brandt is prepared to acknowledge the existence of two separate states, his concept of two states within one "German nation" is likely to prove an unacceptable circumvention for the East Germans. A key unknown is the degree of conflict between Moscow and East Berlin, which has been evident, and within the East German leadership as Bonn alleges (and wishes to believe).

D. The Outlook

It is still early in these talks to see how they might ultimately fit together or how the issues might be resolved. On the Eastern side there are no great pressures for an early agreement if, in fact,

they want any agreement. On the West German side, however, there are some serious misgivings within the country over Brandt's policy. An early test for the Brandt government may come this June when there are local elections in Germany's largest industrial state, North-Rhine Westphalia. If Brandt's coalition partners, the Free Democrats, do poorly in those elections, the party could splinter or turn to a local coalition with the Christian Democrats, and jeopardize the Brandt national coalition government. For this reason alone, Brandt feels under pressure to show some early success in his dealings with the East.

*even if Brandt continues on
his soft headed line - -
This would be in our interests.*



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By MB NARA Date 07/19/02

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*NSC
PAK OFFICE
Box 57 Folio 1-4*

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INFORMATION
April 8, 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Luncheon Conversation Between Henry Kissinger and Egon Bahr, April 8, 1970

At lunch, Bahr began by giving his general impressions of Moscow and Soviet working habits and style. He noted the slowness with which the Soviets move, Gromyko's frequent delays in order to obtain instructions, the probability that everything has to be decided on by all Politbureau members, etc.

Bahr felt that the basic Soviet motivation in dealing with the FRG is to get peace and quiet in the West because of the Chinese problem. Bahr recounted instances of Soviet concern and sensitivity about China which he encountered while in Moscow. At the same time, Bahr felt the Soviets had few coherent ideas on how to deal with the China problem. Mr. Kissinger concurred in the view that the Soviets were deeply disturbed by China.

Bahr then recounted the general course of his talks with Gromyko. He said, in reply to a question, that no papers were being exchanged but that he and Gromyko were each holding in writing formulations that had been discussed. There were three of these as far as the renunciation of force agreement is concerned. The first formulation dealt with renunciation of force itself; the second with respect for (not recognition of) all European frontiers and the third with the proposition that the agreement would not have any effect on the bilateral or multilateral treaties which either party had with third parties. The last point was designed to preserve intact the four-power status of Germany as a whole and of Berlin. Bahr noted that no agreement had been reached on Germany's insistence that the Soviets explicitly accept the FRG's commitment to reunification as their ultimate goal. The FRG's other proposal is to prevent later Soviet claims that the reunification goal contravenes the other clauses. The first point involves a commitment by each side that their relations will be based on Article 11 of the UN Charter. In the German view this violates Soviet intervention claims under Articles 53 and 107.

Bahr said he talked about Berlin a good deal but only by giving his views not in terms of negotiation. The latter could only be done by the four powers. Bahr stressed German need for progress on Berlin as a crucial element in their Eastern policy. They want a package whereby the four

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powers would authorize FRG-GDR negotiations on improving access modalities, the FRG would represent West Berlin in foreign affairs and the FRG would then reduce the official activities of its constitutional organs in West Berlin.

Bahr said Brandt would be asking the President to consider a reaffirmation by the Three Allies together with the FRG of the validity of the Paris Agreement and other valid agreements. This would be issued simultaneously with the completion of a Soviet-German agreement.

In response to Mr. Kissinger's question as to what the Germans expected from the Soviets in return for giving them peace and quiet in the West, Bahr indicated that he was looking for a response mainly in the area of GDR-FRG relations. That is, the Soviets would exert pressure on Ulbricht to work toward normalization of relations, including improvements on Berlin access. Bahr stressed at various points that the FRG will not grant international recognition to the GDR to exchange ambassadors and that normalization would have to occur within those limits. This German position is, of course, a consequence of maintaining unification as an eventual goal. Bahr stressed, and recounted several examples from his talks in Moscow, how he had insisted on the 'special' nature of the FRG-GDR relationship. He said he illustrated his point by citing relationships among Soviet republics that are UN members (Ukraine and Byelorussia).

Bahr recounted what he construes to have been the Soviet role in bringing about the Briart meeting between Brandt and Stoph over East German objections. He noted his impression that the GDR had not kept the Soviets fully informed of the FRG-GDR preliminary talks and had been rather taken aback when he, Bahr, had given them a complete read-out. In this way the Soviets had discovered East German obstructionism and moved in to unblock the talks. (Bahr recounted instances of boorishness by East Germans in the USSR.)

Bahr gave the German position in favor of stronger NATO signal on MBFR in May. He agreed that more Western substantive homework is needed, however. He denied that the German envisage MBFR as an agenda item for a European conference; they want it to stand on its own merits.

On Offset, Bahr stressed the need for early renegotiation of the present agreement. He was skeptical about burden-sharing. Mr. Kissinger stressed that we would exert no pressure and that there was no need to begin negotiations on Offset now. Mr. Kissinger noted that there has been no decision on US troop cuts and that the President's reference, in his Report to the Congress, to our maintaining our forces through mid-1971 did not mean there would be cuts thereafter. He referred to the proposed NATO Review of strategy as the means for considering the question of force contributions by the allies. Bahr said Germany could not increase its forces in any case.

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It was agreed that there would be no communique at the end of the Brandt visit.

Mr. Kissinger stressed the need for cooperation between the German and US press officers so that the unfortunate incidents of previous occasions would not be repeated. Mr. Kissinger stressed that Ziegler must be the one who reports on what the President says. Bahr said he understood.

It was agreed that Bahr would accompany Mr. Kissinger to Camp David by helicopter the following day.

* * * *

Bahr reported that a Soviet, who might have been talking out of turn, told him there were 6000 Egyptians in training in the USSR every six months on (rockets). The training area seemed to be near the Caspian. Bahr said he could not tell whether this referred to SAMs or other rockets.

Bahr referred to Israeli approaches to the FRG concerning the possibility of the FRG making available German funds held by the US as part of Offset for Israeli arms purchases in the US. It was agreed that this should not be pursued unless the FRG itself felt it wished to do so. It was agreed that this would not be raised with the President by Brandt.

11 East 59th Street

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URGENT ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger

SUBJECT: Proposed Visit of German Foreign Minister Scheel

*July 18 - 1968
Sessentfeld
S/S
James*

FRG Foreign Minister Scheel has requested an appointment with you, as well as with Secretary Rogers, on Friday, July 17. Despite the short notice of this request, I think it is important that you agree to receive him.

The immediate purpose of Scheel's visit is to consult with you and the Secretary on the opening of formal (and final) negotiations with the Soviets on the proposed USSR-FRG renunciation of force agreement. After a period of some hesitation, prompted in large part by severe press leaks and internal CDU opposition attacks, the FRG Cabinet has just decided to go forward with their negotiations with the Soviets. Scheel will go to Moscow at the end of this month or early August, but the Cabinet will not make the decision on timing until after Scheel completes consultations with the US and UK.

Consultations with the French were taken care of during President Pompidou's July 3-4 visit to Bonn, and Scheel is planning to stop in London en route from his talks in Washington. President Pompidou apparently made a real effort during his Bonn visit to give Brandt's eastern policy French support. The Germans probably assume they can count on a large measure of British support, taking into account the UK's interest in having the FRG's support during the Common Market accession negotiations. Thus, it is very important for the Brandt Government to be assured of your support for its negotiations with the Soviets:

-- A major part of the CDU opposition attack has been based on the fear that the US (and to a lesser extent the UK and France) did not fully support Brandt's policy. Scheel's successful visit with you is designed to mute that charge.

-- Scheel also is the chairman of Brandt's tiny coalition partner, the FDP, which was dealt heavy blows in the recent German state elections. Division within the FDP is sharpest over the Soviet negotiations, and there is some possibility that a significant number of FDP leadership may bolt over this issue--endangering the very existence of the coalition. Scheel's visit should also be seen in that light as an effort to steel his own party

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- 2 -

membership. (We do not at present have an interest in wrecking the German coalition--however fragile it is--because a CDU/FDP alternative would be no more sturdy at the moment.)

-- Brandt appreciates that his hand is not particularly strong in dealing with the Soviets. It is vital to the success of the negotiations, he argues, that US, UK and French support for the FRG position be clear, strong and visible.

For you not to receive Scheel at least briefly on July 17 would be taken as a serious affront by the Brandt/Scheel government. In their eyes it would expose the lack of genuine US support at a time when it is most needed, and at a time when the French and British are willing to stand on the German side. Our dealings with them on other issues--burden sharing for example--would become difficult. The CDU opposition could be relied upon to seize such action as evidence of the foolishness and dangerousness of the SPD/FDP eastern policy, and may make an attempt to bring down the government.

If you agree to receive Scheel, I shall provide you with talking points and detailed background information prior to your meeting. In the meantime, however, it would be useful to advise the bureaucracy of general guidelines to be followed during the Scheel visit--to ensure that the Scheel party does not pick up conflicting signals during its stay. I would propose the following guidelines:

-- the US supports the general policy of the FRG with respect to its relations with the East, and in particular its efforts to reach agreement with the Soviets on the renunciation of force.

-- the US will not involve itself in the details and specific negotiating tactics of the German Government, for it is confident that the Federal Republic fully understands the continuing need for the protection of the Allied responsibilities and rights with respect to Berlin and Germany as a whole.

-- in confidential discussion with Scheel, it should be made clear that, together with this expression of public support, we would expect the FRG to be responsive to any textual modifications which we and the other Allies with similar responsibilities might feel necessary to suggest.

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By JA NARA Date 6/27/02

MEMORANDUM

NATIONAL SECURITY COUNCIL

MEMCON'S

SECRET/NODIS

INFORMATION

October 16, 1970

MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt

SUBJECT: My Visit to Bonn, October 5, 1970

Attached are the records of all my talks in Bonn as well as copies of State Department reporting telegrams occasioned by the visit.

I believe the trip was worthwhile in continuing the effort to keep major allies directly informed of important Presidential activities. Brandt appreciated the gesture -- though regretting that you could not come -- as well as the President's letter which reached him on the morning of my call on him and which he has now answered (see separate memorandum).

There were two problems that arose in connection with the trip. The first resulted from an article in Welt am Sonntag (Springer), the only paper published in Germany on Sunday -- the day before my meetings. The article alleged that your trip -- and now mine in your place -- was chiefly related to a major difference that had arisen between ourselves and the FRG over the Berlin negotiations. This story was apparently stimulated by Ehmke's activities in Washington where, unable to see most of the people he had originally wanted to see because they were on the President's trip, he spent his time claiming that the Soviets had made constructive new Berlin proposals but that we, especially State, were now dragging our feet because we were opposed to Ostpolitik. (The US Embassy had actually protested to the German Foreign Office on Ehmke's shenanigans in Washington.)

To counter this, I took special trouble in all my talks to keep the focus on the President's trip. When Bahr tried to shift the discussion to Berlin, I merely asked him a couple of clarifying questions and then let Ambassador Rush do the talking. Similarly, with Brandt, I talked exclusively about the trip and let the Ambassador raise Berlin.

I also took occasion of an approximately 60 second encounter with about ten journalists outside the Chancellor's office to say that

-- the Welt am Sonntag article was wholly wrong;

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By SPNARA Date 6-28-02
Authority E.O. 12958

-- I had come solely to brief the Chancellor and his officials on the President's trip, although some other subjects like Berlin had come up in the natural course of our conversations;

-- we had established a tradition of such briefings after Presidential trips: last year the President talked directly to Chancellor Kiesinger who came to Washington a few days after the President's return from his round-the-world trip, while you had gone to Paris to brief Pompidou;

-- Ambassador Rush was in full charge of our Berlin negotiations in Berlin and the allied consultative machinery was working very well in Bonn, so that there was no need for any one to make a special trip from Washington. (Bahr interjected that there was complete agreement between us on all points relating to Berlin.)

I got one press question to the effect that the WAMS article had identified me as a major opponent of Ostpolitik in Washington; if that was inaccurate, was I optimistic about the prospects for Ostpolitik? I replied that it was my view that if there was to be a genuine era of negotiation there clearly had to be a normalization in Central Europe, including in the Federal Republic's relations with its neighbors.

Press coverage the following day correctly placed the stress of my visit on the report I made on the President's trip.

The second problem arose after my trip. Since several foreign representatives and Brosio were present when the President made his comments on burden-sharing in Naples, I decided that I could not very well purport to give a report on the trip without referring to the President's comments. (In fact, Brosio had already briefed Grewe and the NATO Permreps in Brussels by the time I got to Bonn.) I therefore cited the President's statement in two of my meetings, using almost verbatim the formulation sent out for guidance in the Madrid telegram. I only added in amplification that the President had long felt that effective alliance partnership would depend far less on money that might pass between the allies than on their sense of joint and proportional participation in the defense effort on the basis of agreed strategy.

Ehmke professed to be greatly disturbed by the word that had got through to Bonn that our position had changed and by what I had reported the President as saying. He asked whether we were now no longer interested in financial contributions. I said that the President had stated his basic philosophy and his long-term preference but that over the short-run certain financial arrangements clearly were not excluded. I added the personal judgment that the

Euro Dinner Minute of October 1 would provide a good basis for working out a burden-sharing mix compatible with the President's philosophy and the practical problems in certain special situations such as those pertaining to Germany. This seemed to satisfy Ehmke.

Subsequently, evidently more on the basis of what had seaped out of Naples and Brussels than of what I had said, there were certain anguished noises by Finance officials in Bonn and, I gather directly by Schmidt to Laird, that the President's statements had "pulled the rug out from under the Germans." This whole matter has of course by now been aired in the NSC.

* * * * *

In addition to the talks reported in the attachments, I had a wholly private conversation with Berndt von Staden at dinner on October 4. He is now head of the unified political department of the Foreign Office and has long had strong doubts about Ostpolitik. He asked me what I thought the principal problems with it were. I said I would speak personally, as a friend and in continuation of conversations he and I have had over a period of some eight years.

I said that I took the Moscow treaty as given now and there was no point going over its terms or whether it was or was not a good deal. The lawyers had pored over it and found no juridical problems and it has been signed, and that was that. The problems, as I saw them, were derivative and potential and would require a lot of thought and management all around.

I said that perhaps the most immediate problem related to the Berlin negotiations because we were expected to provide the quid for the quo the Germans had given in Moscow. This obviously held dangers of mutual recrimination if the talks were stalled. In addition, a stalemate over Berlin would face Brandt with the awkward problem of what to do about the Moscow treaty and whether and how to admit that his Eastern policy had not worked and its assumptions had been faulty. My concern related to the potential in all of this for German domestic political paralysis and the undermining of public confidence in the political and constitutional structure of the Federal Republic. This in turn could have repercussions for Germany's Western relations.

On the other hand, I went on, if there did turn out to be a Berlin agreement that could be deemed to meet the criterion of improving the situation and led to ratification of the Moscow treaty, I saw a fundamental problem in the

evident contradiction between Soviet and German interpretations of what was being done. The Soviets would see the treaty and its recognition of the status quo and the division of Germany as endorsing Soviet hegemony in Eastern Europe and as German support for a freezing of existing conditions; the Germans would see it as a starting point for changing the status quo both as regards the condition of life in East Germany and Germany's role in Eastern Europe. This incompatibility -- heightened, incidentally, by some rather wildly romantic German right-wing nostalgia for a colonizing mission in Southeast Europe -- could lead either to a violent clash with the Russians or to German frustration.

I made the further point that problems would arise for the FRG and the rest of us from what would be to all intents and purposes a full recognition of the GDR (regardless of metaphysical German distinctions in this area). There would be a flood-tide of additional recognitions and probable admission of both Germanies to the UN. In this situation, the GDR would run the FRG a strong race for the favor of the third world since it would have no political inhibitions in backing the most extravagant political positions of these countries. The FRG could very quickly get into difficulty with its Western allies if it sought to compete with the GDR in this respect.

I said that no one I knew questioned the firm intentions of Brandt and the FRG's government to remain strongly committed to NATO and to European integration. Yet one could foresee a point down the road, where many of the benefits that the Germans anticipated from Ostpolitik had failed to materialize and where the Russians would take the line that any such benefits could only accrue to the FRG if it changed its relationships with the West. At this point, there would be some bitter arguments and anguished soul-searching in Germany and one could at least question whether (a) the Germans would take the right fork in the road, or (b) the fabric of their political life was strong enough to face such agonizing issues.

I said -- and, incidentally, this was not the monologue rendered above but rather a much-interrupted conversation with many supporting or clarifying comments by Staden -- that I had answered his question about some of the problems I foresaw; I had not necessarily tried to analyze all the implications of Ostpolitik, positive as well as negative; nor was I necessarily saying that what I had depicted was inevitable and could not be counter-acted. But I added one thought which I said in all friendship and frankness one had to recognize: this was that Germany had a past that was almost universally viewed with dismay and skepticism. I had been struck that everywhere in

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Europe as well as at home, not to mention within Germany itself, this past weighed heavily on people's minds when Germany made itself the engine for change in Central Europe and the source of a new fluidity and uncertainty in European politics and East-West relations. This was a fact of life which Germans, hopefully without self-pity or spite -- to both of which they are prone -- could not escape, almost no matter what they did. Staden said he understood this point only too well, though of course if carried to extremes it would simply lead to utter passivity, which no German government could permit itself to fall into, given the stirrings of its young.

I said that all of us in different ways carried certain burdens we could not escape. We, the US, carried the burden of great power which meant that what we do or don't do can have implications far different than those of identical actions by others. Thus no one really worried if the Danish Prime Minister went to Moscow; but if an American President goes to the summit it immediately raises either extravagant fears of deals behind backs or hopes of millennial settlements. Or, if de Gaulle quits Algeria he is lauded as a statesman who courageously ended an anachronism and liquidated an untenable position; whereas if an American President simply walked away from a commitment the tremors would be felt around the globe and, indeed, at home. In any event, there was no magic that could make German history disappear and consequently none that could wipe away people's memories of it or the inferences they drew from it.

Our talk concluded with some reflections on a situation wherein the SPD was now eagerly depicting itself as the truly national party (by in effect claiming to be trying to reunite Germany through first recognizing the reality of its division) while Spiegel, Zeit and the rest were picturing the CDU/CSU as the separatists who used the rhetoric of unity but practiced the policy of permanent division. This was of course the culmination of the great encounters between Schumacher (and Kaiser) on the one hand and Adenauer (the "seperatist Rhineland state advocate" of the twenties) on the other, back in the 50s in the debates over Germany's entering NATO and signing the Treaty of Rome. We agreed that if the political argument between Germany's parties became increasingly one over which was the greater nationalist -- or the greater traitor -- it would be a most unpleasant rerun of a 40-year old tragedy.

Staden ended the conversation on the upbeat note that, as Hallstein's former chef de cabinet, he felt the most encouraging element in contemporary affairs was the quiet work being done to unify the currencies and fiscal

policies of the Six. He himself was encouraging it and was delighted that the people involved were wholly different from those who were making headlines with Ostpolitik and other more glamorous endeavors. He felt that success in this quiet, highly technical effort would have infinitely greater political significance than Davignon's plan for political coordination and would serve to offset many of the debits resulting from Ostpolitik, including the opportunities that either the failure or the success of this policy might give the Russians for playing a divisive or Finlandizing game in the West. It was late, and I did not feel like ending the evening by questioning Staden's hopes. (Indeed, I feel that while in purely private conversations with Germans we should not guild the lily, we should at the same time not talk ourselves and them into such a depth of fatalism that our fears become self-fulfilling prophecies.)

* * * * *

At one point in our talk, Staden switched the subject to burden-sharing, saying that he had heard our position on financial relief had changed. I said I would be referring to this more formally the following day in my official calls when I would report on the AFSOUTH meeting in Naples.

However, for Staden's background, I said that in line with the general approach of the Nixon Doctrine and with what he had said about the nature of partnership in the alliance in the President's Report to Congress last February, the President felt that financial contributions were essentially a short-run remedy tailored to specific situations. The more fundamental goal should be agreement to a joint strategy, adherence by all concerned to a harmonious interpretation of that strategy and equitable participation by all the allies in the implementation of the strategy. A healthy and organic partnership must involve a real sense of shared responsibility for the defense of Europe; we could not forever appear to be more interested in the security of our allies than they were themselves.

Staden asked whether this meant that we would cut our troops and expect the Europeans, particularly the Germans, to fill in the gaps. He commented German soldiers could never take the place of Americans because (a) they would not deter the Russians to the same degree, (b) both Germany's allies and its enemies would be scared to death if the Bundeswehr acquired an even greater relative weight in the alliance than it already occupied, and (c) German domestic trends simply would not permit an increase in the size of the German army.

MEMORANDUM

NATIONAL SECURITY COUNCIL

SECRET

INFORMATION
October 16, 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Luncheon Meeting, Tuesday, October 13, Dr. Kissinger
and Mr. Franz Josef Strauss

After meeting briefly with the President, Mr. Strauss talked at length with Dr. Kissinger over luncheon, mainly about relations with the Soviet Union, the new German-Soviet treaty, and about the internal political situation in Germany.

German-Soviet Relations

Mr. Strauss began by referring to a conversation he had had with a visiting Soviet journalist (Yuriy Zhukov). From this conversation it had become clear that the Soviet interpretation of the new Soviet-German treaty differed greatly from that being given in Bonn by the SPD Government. He had talked with Horst Ehmke and Foreign Minister Scheel about Soviet motives and German aims. Ehmke had told him that the treaty would create the conditions for the Soviets to abandon, step by step, their hold over Eastern Europe. The Soviets recognized, according to Ehmke, that they could not hold Eastern Europe indefinitely, and their aim was to create a gradual loosening up of Eastern Europe. Ehmke told Strauss that through the new treaty with Moscow Bonn would be able to move into Eastern Europe, and finally create a zone of democratic, socialist states. Dr. Kissinger interjected that even if this were true, the Soviets would never allow Germany to fill the vacuum in Eastern Europe. Strauss agreed and continued that Ehmke claimed the Government's goal was to roll back the Soviet sphere of influence to the USSR. Strauss had told Ehmke that if he accomplished this he (Strauss) would be the first to congratulate him, but that he strongly doubted that this is what the Soviets expected. In a similar conversation, Scheel told Strauss that the Soviets needed to consolidate their position in Eastern Europe and at home. For this they needed Western Economic help. The Germans, according to Scheel, would offer this in order to remove Soviet concern. Once the Soviets consolidate their position the Germans could expand their influence.

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Dr. Kissinger commented that in other words, the Soviets would consolidate their position in Eastern Europe in order to give it up. Strauss continued that he had argued with Scheel that they did not need a treaty to convince the Soviets to accept economic help from Germany. He had told Scheel that this was as if Germany were paying reparations to the Soviet Union. They, the Germans, could hardly expect the Americans to be sympathetic while the Soviets with European help continued to support North Vietnam, cause tension in the Mediterranean and build up their strategic armaments on European credits. In such circumstances, how could Germany ask the United States to maintain troops against the USSR in Europe, while Germany was embracing the Soviets.

Strauss argued that the Soviet aim was to increase its influence over Germany, and that the treaty was a step in this direction. The Soviets also wanted to discourage freedom-loving Social Democrats in Europe, many of whom had told him that the SPD had abandoned them. He recalled that the last two wars had actually started long before the fighting broke out. Before each there was a turning point. He felt that Germany had reached such a turning point. After the treaty had been ratified, Europe would never be the same and Germany would never be the same. In a treaty between a weaker power and a stronger power, the final interpretation of the meaning of the treaty would be that of the stronger party.

In these circumstances, he concluded that America's greatest service would be to avoid supporting or applauding the treaty and Brandt's Ostpolitik. Brandt was constantly claiming that the CD/CSU was isolated in its opposition and pointed to support from America, Britain, France, Scandinavia, etc.

Dr. Kissinger asked Mr. Strauss about the Berlin negotiations, and how they fit into his view of relations with the Soviets. Dr. Kissinger commented that it was difficult to see how the situation could actually be improved. What could we do if the German government decided that a certain agreement was satisfactory. We could not be more German than the Germans.

Strauss said that there was no real solution for Berlin. The only solution (which he did not identify) was understood by everyone, and everyone agreed that the situation was abnormal. His party was adamant that there could be no treaty without a Berlin agreement, and they would not accept a mere agreement in principle as the Soviets wanted. The Americans should slow down the negotiations and put forward the stiffest possible terms.

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Internal Political Situation

Dr. Kissinger asked about the domestic political situation. He noted that Rainer Barzel, when he was in Washington, had given the impression that the CDU/CSU did not want to bring down the government at this time, but might wait up to a year. Mr. Strauss indicated some surprise at this, and said that perhaps Barzel was concerned to be quite correct in his remarks at the White House. He, Strauss, did not know if the SPD-FDP coalition could last for a year. The elections in Hesse next month and in Bavaria at the end of November would be crucial. If the FDP did poorly the national party would collapse. Then it was a matter of arithmetic as to how many of the FDP would come over to the government. Strauss foresaw that there might be a grand Coalition, since the CDU could not make up its mind about the Chancellorship. He believed Barzel would be the next Chancellor. He ruled out Schroeder, though Kiesinger might want to govern until the next elections. He knew that he himself had no prospects unless there was a major crisis, but that he would probably become Finance Minister or perhaps Foreign Minister. Schroeder might also take the latter post, though he was not well thought of in France. He thought that the combination of Barzel and Strauss would be a good one; Strauss for the Germans and Barzel for Germany's allies.

He felt that if the SPD called for new elections that they would be beaten at present. Strauss' idea, which was causing problems with the CDU, was to combine with the ~~remnants~~^{remnants} of the FDP with his Christian Social Union and run a candidate outside Bavaria on a ticket called the German Union. In this way the CDU/CSU could get an absolute majority. Dr. Kissinger noted that in this case Strauss would have a policy veto. Strauss responded that he would not abuse it, but would of course use it.

He commented briefly on the economic situation, noting that if the Social Democrats ruled for one more year, no major damage would be done, but if they stayed in power for longer the problems would mount. He meant co-determination laws, and general socialization of society, as well as increase in inflation, cost of living, etc. In this connection, he noted the economic theories of Herbert Wehner, concerning convergence of reform Communism and democratic socialism. He said that Wehner was reverting to his old ideas, and explained at some length that there was a long standing psychological competitiveness between Wehner and Ulbricht. Wehner still hoped to be the man that lead all of Germany into a socialist society, rather than Ulbricht.

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At the end of the luncheon, Mr. Strauss expressed his appreciation to Dr. Kissinger for receiving him and conveyed the regards of Kiesinger and Barzel. He indicated that he would keep the conversation in strictest confidence, and might see Dr. Kissinger again in December when he returned to the United States. He would understand, however, if Dr. Kissinger could not receive him then.

W.
William G. Hyland

Original: Mr. Kissinger

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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November 6, 1970

National Security Decision Memorandum 91

TO: The Secretary of State
The Secretary of Defense

SUBJECT: United States Policy on Germany and Berlin

As a result of the discussion in the National Security Council meeting of October 14, 1970, the President directs that the following guidelines be used as the basis for (1) our general approach to the problems and issues raised by the further development of the Federal Republic of Germany's relations with the USSR and the Communist countries of Eastern Europe, and (2) the conduct of the negotiations with the USSR over Berlin.

GERMANY

1. Our principal objectives in relations with the FRG will be:

-- to create the conditions and opportunities for the FRG to maintain and deepen its relations with its western allies and western institutions in all respects, political, economic and military;

-- to develop a sense of confidence and trust in relations with the FRG, whether governed by the CDU or SPD;

-- to counteract any impression in the FRG that our longer term commitment to the western alliance is in doubt;

-- to avoid to the fullest extent feasible any involvement, either indirectly or directly, in the internal political affairs of the FRG and, in particular, to avoid any impression that we favor or support any political party in the FRG.

2. Our approach to the specific question raised by the FRG's Eastern policy should continue to be one of general support for the avowed objectives, without obligating ourselves to support particular tactics, measures, timing or interpretations of the FRG's policies. We approve the establishment of

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normal relations between the FRG and the states of Eastern Europe. We should not conceal, however, our longer range concern over the potentially divisive effect in the western alliance and inside Germany of any excessively active German policy in Eastern Europe as well as our concern over the potential risks of a crisis that such a policy might create in relations between Eastern European states and the USSR.

3. We should also ensure that our juridical position with respect to Germany as a whole is in no way impaired by the actions of the FRG or others.

BERLIN

1. Whatever the outcome of the negotiations over Berlin, it must be clearly understood by all parties involved that we will continue to exercise our responsibility for the viability, well being and security of the inhabitants of West Berlin. While favoring improvements, the President considers the present arrangement to be an adequate basis for fulfilling our obligations. A new four power agreement is, therefore, not an essential requirement in terms of our interests or our policy.

2. For both humanitarian and political reasons, we can accept practical improvements in the present situation as long as our juridical position is unaffected and our acceptance would not thereby involve us in German domestic political disputes.

3. In light of presently prevailing circumstances, and given the position taken by the present German government, any new four-power agreement concerning Berlin must include the following basic provisions:

-- regular procedures for access to and from the Western Sectors of Berlin for goods and persons, guaranteed by the USSR to the maximum degree feasible;

-- unrestricted opportunities for the further development of economic, cultural and financial links between West Berlin and the Federal Republic of Germany;

-- provisions for the movement of West Berlin residents to Eastern sectors and areas adjoining greater Berlin;

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-- an agreement must include the detailed provisions necessary to implement these requirements; and

-- on matters such as the nature and extent of FRG political activities in Berlin, or the movement of West Berliners into the Eastern sectors, we can abide by the decisions of the FRG, as long as the other requirements of this paragraph are met.

4. It is also desirable, but not essential, that a new agreement allow for the representation of West Berlin's interest abroad by the FRG. If this is not obtainable in agreement with the USSR, however, the United States, assuming agreement with the UK and France, will continue the present practice of permitting the FRG to perform this function.

5. The US representatives should not take any initiative in reducing the terms of agreement as outlined in paragraph 3. Agreements on principles only, or secret protocols are unacceptable. Should it become apparent that no agreement is possible, or that only an agreement on lesser terms than outlined in paragraph 3 can be achieved, the President will decide whether any modifications in our basic position could be made, or whether we will terminate the negotiations.

6. The President desires that our negotiators make every effort to demonstrate that our position is a reasonable one and that should negotiations fail it will be the result of the policy of the USSR. Our representatives should not regard themselves as operating under any particular deadlines and should also make every effort to coordinate our policy with the governments of France and the UK.

7. As for the relationship between the Berlin negotiations and the German-Soviet treaty, the United States did not, as a matter of its own initiative, insist on an organic connection between the present four-power discussions and the ratification of the German-Soviet treaty. The disposition of this treaty will be regarded as an internal affair of West Germany, so long as its interpretation or implementation is consistent with the rights and responsibilities of the United States resulting from the wartime and post-war agreements and the unconditional surrender. We support, however, the West German position to maintain a link between the ratification of the treaty and the outcome of the Berlin negotiations. Should, however, the West German government at some point decide to sever this link, our position will be subject to re-examination, consultation with our allies, and a new Presidential decision.

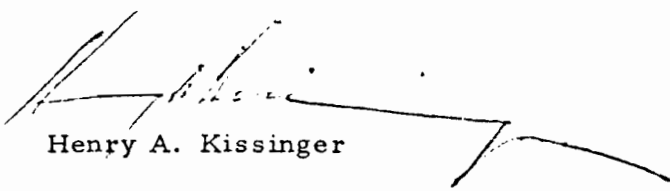
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This policy will be communicated to the British and French governments and to the FRG as part of the normal consultative process.



Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff
Director of Central Intelligence

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By MB NARA Date 07/19/02

MEMORANDUM

THE WHITE HOUSE INFORMATION
WASHINGTON January 25, 1971

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BAK OFFICE
Box 57 1-4

MEMORANDUM FOR: THE PRESIDENT
FROM: HENRY A. KISSINGER *HK*
SUBJECT: Soviet Note on Berlin

Attached is the Soviet note on the Berlin negotiations which the Soviets delivered to the White House on January 6, 1971 and was relayed to me in San Clemente. You will recall our discussions on this and the fact that this was one of the topics that Dobrynin and I covered in our January 9, 1971 meeting (I am sending you separately a summary and the full record of that conversation).

I thought you would be interested in a fuller analysis of the attached note. It is a politely worded and rather plaintive charge of bad faith and it is based on the Soviet interpretation of Gromyko's conversations with you and Secretary Rogers.

What the Soviets expected to flow from those talks appears to be as follows:

- At that time Secretary Rogers made quite an issue over the Soviet negotiator's unwillingness to discuss the question of Berlin access, without first reaching an understanding on their demand for a reduction in West German presence in West Berlin. Gromyko made a "concession" and agreed to discuss both issues simultaneously. On this basis the Soviets apparently expected the negotiations would go more rapidly.
- The note suggests they believe we have not lived up to the bargain of simultaneous discussions of the two issues -- access and West German presence. They expected to learn more of our position on West German presence, while they would reveal more of their position on access. In fact, the Soviet negotiator, Ambassador Abrasimov, did make a new proposal on access, and accompanied it with a reminder that he expected "parallel" progress on all the main issues.

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Ambassador Rush, however, replied that the question of West German presence would have to cover activities to be excluded and those permitted. This latter point was new, Abrasimov claimed, and in contradiction of the understanding reached by the Foreign Ministers, including Secretary Rogers and Gromyko.

-- The third complaint is that we have permitted continuing West German meetings and activities in Berlin, which force the Soviets to react. Probably, the Soviets believe we could prevent these incidents if we wanted to, and they expected us to, following the Gromyko visit.

On the more positive side:

-- The Soviets indicate they are willing to move into more intensive discussions if that is desired (picking up the Brandt proposals).

-- The negotiators should be empowered to work out detailed texts and to put agreements in "formal shape."

-- The Soviet "package" already introduced (i. e., a four-power agreement, an intra-German agreement, and a subsequent covering document for the entire package) will provide a "definite assurance that the agreement will be observed in all parts."

If this latter "definite assurance" could be translated into a similar commitment in the negotiations, one of our principal concerns would be met, since what we want is a Soviet assurance. We do not merely want the Soviets to pass on, as a kind of honest broker, the unilateral assurances of East Germany.

What do they expect of us?

-- Apparently, the Soviets expect some sort of procedural signal from us, either to hold the sessions more often, or perhaps break them down into working groups to come up with detailed language.

-- On substance, they are looking for us to reveal some of the fallbacks on German presence that their contacts with Bonn and other intelligence probably inform them we have considered.

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-- Since the Soviet offer on improved access of December 10 did come some distance toward our position, they probably want a sign that we have properly evaluated what they had done.

The note makes a special point that when the conversations resume this month it will be "very important" what they start with and how they will be "arranged."

The Soviets probably are beginning to have some doubts that a Berlin agreement is possible. But they have a major stake in an agreement, because of the treaties with Bonn. After Gromyko's discussion in Washington last October, it does appear that the Soviets decided they would have to loosen up their own position. In the session of November 4, Abrasimov was generally conciliatory, and accepted our general concept that traffic should be "unhindered and preferential." About that time Brezhnev originated the new formula, adopted at the Warsaw Pact meeting in early December, that was unusually conciliatory (i. e., an agreement would have to meet the "wishes of the Berlin population").

The Soviets may believe our response has been to harden our terms and challenge them on the Federal German presence. Our willingness to negotiate a reduction of German political activities was an essential part of our original approach in 1969 and the incentive for the USSR to negotiate.

Since the Polish riots and purge, the Soviets must have come under fire from the East Germans, and perhaps within the politburo for investing too heavily in Ostpolitik and accepting Western precondition of a Berlin settlement. This note seems to be an appeal of sorts at the highest level for a show of responsiveness.

The Soviets may have some considerable concern that they cannot go into a Party Congress in March with their Western policy in a shambles -- no Berlin progress, no move to ratify the German treaties, no prospect for economic assistance from the West Germans -- but that we hold the key to this increasingly complicated tangle of issues.

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Soviet Note
Jan. 9, 1971

From the conversation of the USSR Foreign Minister A.A. Gromyko with President Richard M. Nixon came the impression that there is a sufficient degree of accord between our sides as to the necessity to remove tension in and around West Berlin. This in effect is the central point from which the negotiations should proceed, a recognition that complications which occur there, are not in the interests of either the Soviet Union or the United States, and that, consequently, our countries - both of them together and each one separately in fulfillment of their competence - must see to it that appropriate measures are taken which would exclude such complications for the future.

Taking into view the position of the Western powers the Soviet Union has expressed readiness to have a possible

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agreement on West Berlin which now would include a minimum of questions, primarily of practical nature, and not involve some points of principle on which it is difficult to reach understanding in the present circumstances. Such practical solutions are possible on the basis of inter-Allied agreements related to that city. As it could be concluded from the A.Gromyko - R.Nixon conversation, our Governments' viewpoints on this score are close, too.

The abovesaid gave reason to believe that the four Ambassadors would take up the whole range of subjects that are within their competence and would consider them in their essence. Both the questions in which the Soviet side is primarily interested, as well as those to which particular significance is attached by the Western powers, must

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have been subject to the discussion.

It should be said that the meetings of the four Ambassadors did not actually proceed in this direction. The position of the U.S. representatives - and this was especially noticeable at the last stage of the meetings - was not marked by the spirit of cooperation in favor of which the President of the United States and the USSR Foreign Minister spoke earlier. There is reason to speak even to the effect that the position of the United States and its allies continued to be affected by the inertia of the earlier, incorrect views of the intentions of the Soviet Union and of its approach toward the negotiations, which, it seemed, must have dissipated after the high-level conversations between the representatives of the sides.

Having in mind the importance which the West Berlin question has assumed in our

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relations, it would be desirable to know the point of view of the White House. In particular, we cannot leave unnoticed the fact that the discussion at the high level, which led to a useful clarification of the sides' positions and to their drawing nearer has not subsequently found expression in the specific measures and negotiations conducted by the Governments. Evidently, such a state of affairs should be avoided considering the role and importance of the USSR and the United States in international relations.

The negotiations on West Berlin are to resume in mid-January. It will be very important what they will start with and how they will be arranged. A definite bearing will also have the atmosphere in which the talks proceed, prevention of the type of occurrences which evoke and cannot but evoke a retaliatory reaction and aggravate the political climate in that area in general.

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The Soviet side can definitely state that its representatives are empowered with due authority to conduct the negotiations and to put their positive results into formal shape. We expect that the same authority will be given to the U.S. representatives as well as to the other participants in the negotiations. If for the success of the matter a more regular format of the negotiations is required, that possibility should also be weighed. On our side we are prepared to support that.

It seems that the questions of principle are already sufficiently clarified. They have been talked over at the high level, and the Ambassadors should not, apparently, repeat the work which has already been accomplished earlier. The time now is ripe for formulating possible decisions, to work

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out the texts which are to constitute an accord on West Berlin. Since the negotiations are carried on within the framework of the existing inter-Allied agreements, and no new legal basis is sought, then there should be no attempts made to circumvent these agreements or to acquire beyond these agreements some rights that are not given by them to one or another country.

We are for discussing all questions which the four Ambassadors have the authority to discuss. We are for the representatives of the FRG, West Berlin Senate and the GDR holding, in their turn, necessary discussions with the view of solving those practical questions that they must solve between themselves.

Accord on West Berlin is contemplated as a kind of package. This is not a unique

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case in international practice. Solution of this kind provides a definite assurance that the agreement will be observed in all parts, and that this or that side, meeting the other one half way, will not subsequently find itself passed around and that her interests will be kept.

In discussing the West Berlin set of problems such method is especially appropriate considering the subtleties and complexities existing there.

The Soviet side would like to draw the attention of the White House to the above set considerations and to express the hope that it will find proper understanding. The Western powers have endeavoured to present the West Berlin question before the public as a test of good will of the Soviet Union. In the same measure this question is a test of good will of the Western powers themselves, first of all of the United States.

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By MB NARA Date 07/19/02

~~THE WHITE HOUSE~~
WASHINGTON

Nixon 11/11/71
HAK OFFICE F.I.B.
Box 57 1-4

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INFORMATION
January 28, 1971

MEMORANDUM FOR THE PRESIDENT'S FILE

FROM: HENRY A. KISSINGER

SUBJECT: Meeting of Dr. Kissinger and Ambassador Anatoliy Dobrynin
in The Map Room, The White House, 1:00 p.m., January 28

I requested the meeting in order to give Dobrynin the answers to our discussions of the previous week. After an exchange of pleasantries, I told Dobrynin that the President had studied his presentation and had found it positive. He agreed to a Summit in principle, to take place either the second half of July or the first half of September, in the Soviet Union. The Summit could cover the agenda items discussed between the President and the Soviet Foreign Minister. The President wished to confirm the channel of Dobrynin-Kissinger in order to work out the preliminary details of the agenda.

I then went through the various subjects with him.

Berlin.

I told Dobrynin that the President was prepared to proceed along the lines that we had discussed; that is to say, that Dobrynin and I would discuss the outstanding issues, and after some agreement in principle, move our conclusions into the Four-Power discussions on Berlin. I also told Dobrynin that I planned to speak to Bahr on an early occasion, and that we were also bringing Ambassador Rush back to make certain that he would be in on these arrangements.

I reiterated the need for total secrecy of this channel, and that if the channel became public or was leaked to people other than those authorized to know, we would simply break it off. Dobrynin said they had always respected the privacy of this channel; moreover, it was very much in their interest to preserve its secrecy, and I could therefore be sure. He said that Falin had told Bahr that there might be a separate channel, but had not told him its nature and, except for that, no other person had been told. Dobrynin said that he thought this information would be well received in Moscow, and that he was hoping that some significant progress could be made in the next few months.

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"It goes without saying that the arrangement reached between the four powers on questions related to the status of West Berlin, as well as the agreements between the GDR and respectively the FPG and the Senate of West Berlin on questions of civil transit to West Berlin and therefrom, and on access for persons from West Berlin to the territory of the GDR, including its capital, are to be strictly implemented. Implementation of the arrangement on each question presupposes implementation of the arrangement on other questions.

In those cases if facts of violation of the arrangement in this or that part thereof would take place, each of the four powers would have the right to call the attention of the other participants in the arrangement to the principles of the present

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settlement with the view of holding within the framework of their competence proper consultations aimed at removing the violations that took place and at bringing the situation in compliance with the arrangement".



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By MB NARA Date 07/19/02

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

February 4, 1971

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EXCLUSIVELY EYES ONLY

INFORMATION

Nixon NSC
HAK
Box 57

MEMORANDUM FOR: THE PRESIDENT
FROM: HENRY A. KISSINGER *HK*
SUBJECT: Meeting with Egon Bahr, January 31, 1971

As a result of my discussions on Berlin with Dobrynin on January 28, I arranged a meeting with Egon Bahr on Sunday, January 31. The following are the highlights of the meeting which lasted for an hour and a half.

Bahr explained that the major issues from the Federal Republic's point of view were:

- (1) the legal access procedure,
- (2) the problem of guarantees, and
- (3) the legal status of federal organs in West Berlin.

On the third point the FRG was prepared to agree that:

- no constitutional organ (the President or Parliament) could meet in Berlin,
- the German Ministries would be made subdepartments of the Representative of the FRG in Berlin, and
- the Three Powers could notify Bonn that Berlin was not considered part of the FRG.

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too far*

I told him about my conversations with Dobrynin and showed him the Soviet note on guarantees (covered in the separate memorandum to you on my January 28 meeting with Dobrynin). He said that the Chancellor had authorized him to say that the FRG would welcome with

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enthusiasm any bilateral Soviet-American conversations and he felt the note was quite far-reaching. It was then decided that Bahr would let me know the German position on each of the three issues - access, guarantees and status, and that I would discuss them with Dobrynin. As we made progress on these points I would give them either to Ambassador Rush to introduce into the Four-Power discussions or, alternatively, to Bahr to raise as German ideas. I explained that we would not make any move that had not been approved by the FRG.

I concluded the conversation by emphasizing that it was essential to avoid the slightest leak and that the only persons aware on our side would be you, Ambassador Rush and myself. Bahr replied that he would tell only the Chancellor. We then agreed upon a procedure for establishing a secure communication link and reviewed the steps to be taken.

A full record of the conversation is attached at Tab A.

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MEMORANDUM

NATIONAL SECURITY COUNCIL

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INFORMATION
February 9, 1971

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MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt **HS**

SUBJECT: Four Power Meeting on Berlin, February 8;
Rush-Abrasimov Dinner, February 7, 1971

The main purpose of the Ambassadorial meeting was to learn the Soviet reaction to our draft treaty which had been handed over at the advisors meeting of February 5.

Judging from Abrasimov's glittering generalities he probably had no instructions of substance from Moscow. He took refuge in predictable critical remarks -- "one sided, poor in content, ignores Soviet positions, etc." -- but he was careful not to reject the draft. According to Ambassador Rush the meeting was one of the "more harmonious" ones, and Abrasimov was affable. As expected, he countered with a proposal to take up the Western draft section by section, and indicated the Soviets would present their own language and proposals.

This strongly implies that as far as general structure is concerned the Soviets are not going to throw the draft away. As the French Ambassador said at the outset of the meeting, the structure of the draft -- a four power agreement, an intervening German negotiation, and a final Four Power Act -- was the "main contribution" of our draft. Abrasimov responded that the Western draft was a "point of departure" and the schematic three stage agreement could be the basis for ultimate agreement.

Abrasimov gave no real indication of how the Soviets intended to treat the substance. He merely reiterated what we already know is the Soviet position.

The question of Federal German presence obviously remains at the center of Soviet concern. Abrasimov specifically called attention to the failure of our draft to address the issues of prohibition of Bundestag Committee and commission meeting (this of course was in the original draft but subsequently taken out by the FRG).

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It is still fairly clear that the Soviets suspect we are trying to undermine and thwart Ostpolitik. For example, Abrasimov noted that the draft treaty was a maximum position put forward for "deliberate tactical purposes". In his private dinner with Ambassador Rush, Ambrasimov was more direct he asked whether we supported the CDU or Brandt, and whether we really supported Ostpolitik.

Linkage

In their private conversations Abrasimov made another effort to draw us into a bilateral exchange or deal. This time, he proposed a bizarre meeting of Rush, Abrasimov, and Brandt in Hannover, at the home of a Professor Hillenbrecht !! Later he said this was merely an off the cuff suggestion. (Presumably, Abrasimov is duty bound to launch these probes, as he does with all three Western powers).

Of more importance, Abrasimov and Rush engaged in a byplay on Berlin linkage to other international issues. While Abrasimov rejected any tie in to ratification of the Eastern treaties, he did assert that a Berlin solution would effect the prospects for solution of other outstanding world problems, and he assumed that the Ambassador knew which he had in mind.

Harassments

Rush reports that Abrasimov's defense of recent harrassments of traffic was not accompanied by new warnings. This might be interesting in light of the forthcoming SPD Vorstand meeting on February 15, which the East Germans have already warned Bahr will not go "unanswered".

Rush tried out on Abrasimov a modus vivendi on harassments and Federal activities. He said that on the one hand, all activities could cease pending agreement, but that this would be unacceptable to Bonn; on the other hand, all activities could proceed, but the Soviets would not agree. Rush's idea, therefore, was that those activities that had not caused difficulties in the past could continue pending an agreement. Apparently, Abrasimov did not respond.

It will be an interesting signal if, in fact, the harassments are less severe next time, or Abrasimov is authorized to reply.

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Folder 5

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(Comment: In your conversation with Rush last week at which I was present you agreed with his idea of talking to the three FRG party leaderships to see if some reduction in their Berlin activities can take place. I assume that Rush knew whereof he spoke in now making his suggestion to Abrasimov. At the same time, there is no evidence in cable traffic that he informed the Allies (and Germans) in advance of or after making his proposition to Abrasimov. Rush's own report on his comments to Abrasimov does not indicate how he defined "FRG activities as had taken place without difficulty in the past." The "past" began yesterday and by that standard a whole host of FRG activities would have to stop. The Soviets of course maintain that all FRG political activities have caused "difficulties" for them even if they and the East Germans have not always reacted. In sum, this strikes me as rather slippery semantic ground and potentially quite dangerous if the subject is pursued without intra-allied consultation.

Meanwhile, as you are aware (see my memorandum of February 6, Log 25737), US officials in Berlin have vigorously denied the accuracy of Bahr's assertion, following his recent US trip, that we would like the Germans to think about reducing their presence in the context of a four-power agreement. This, however, is unlikely to stop Bahr from making the assertion and from being believed. I would judge that when the Rush initiative eventually gets out and is put alongside Bahr's assertion, we will be clearly identified as assuming a posture of initiative with respect to the reduction of the German presence in Berlin.)

The Next Round

The Western side proposed the next meeting for February 18, and in agreement with the Soviets, who urged intensification, there will be an advisors session on February 12, and, provisionally, on February 16. This represents an increase in the pace of the talks, and should relieve some of the pressures in Bonn and on us. (It also makes more important some clarification of our fall back positions, if any).

The whole tenor of the meeting was that we have reached a new stage -- a stage of drafting concrete sections of the agreement. The Soviets urged that the advisors come prepared to go through each major section, and when confronted with a major problem, move to the next section, etc.

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Conclusions

Good humor, affability, and proposed "secret" meetings aside, it is not possible to tell from this meeting whether we have moved an inch.

The Soviets, of course, recognize that we have given them what Abrasimov described as a maximum position, 80-90 percent in our favor. Considering some of the trepidations we had about advancing such a position in mid-course of the talks, the Soviets reaction has not been very ominous.

Setting the probable intensification of these talks along side of the shift in the Bahr-Kohl talks to inner-German "principles", one could conclude that the Soviets will keep the option of agreements open for a time. Abrasimov will return to Moscow for the Party Congress, and perhaps by then or shortly after, we will be clearer on the general course of Soviet policy.

We may get one signal next week in any case, when the Five Year Plan supposedly will be completed and the regional Soviet Party Congress begins.

Soviets Deny Souring on Ostpolitik and Brandt (Maybe).

The Soviet Embassy in Bonn meanwhile has denied the authenticity of the interview with a senior Soviet official (actually Vorontsov) which appeared in the Hearst press last week. (See my memorandum of February 5, Log 25734). The denial was, however, only partial in denying that an interview "of this kind" had been given by a Soviet official. In point of fact, the Hearst reporter who wrote the original story was later called back to the Soviet Embassy and told that he had overwritten his story. The position in Moscow, according to this second interview, was indeed one of disenchantment with Brandt and the Ostpolitik but had not yet reached the point of "turning the back on it." The Soviets also again mentioned differences of view in Moscow. Interestingly enough, Die Welt today carries a Stockholm-dated story attributed to a Soviet diplomat there by name and following closely the points of the Hearst piece. These are the only two items of this kind so far, but there does seem to be a line being put out from Moscow.

At Tab A is the full reporting cable of the Meeting.

At Tab B is the report of Rush's private dinner with Abrasimov.

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9. Paper

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MEMORANDUM


NATIONAL SECURITY COUNCIL

SECRET

INFORMATION
February 17, 1971

Nixon NRC
DAX office file
Box 58

MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt 

SUBJECT: The Berlin Talks: The Issue of Federal Presence

In the SRG meeting last week you properly highlighted the critical nature of this issue and the importance of getting from the FRG a statement of their fallback position, or that they will have a fallback position at some future point, or that there is no fallback. In light of this, I thought you might like to have some more detailed information on just what the parties are talking about with respect to Federal presence. To keep the focus narrow, this memorandum does not include any discussion of Federal representation of Berlin abroad, Berlin's representation in the Bundestag or Bundesrat, or the so-called "hostile activities" in West Berlin such as the NDP and demilitarization. The memorandum also does not cover the basic status questions, such as the provision in the Western draft agreement and the Allied suspension of the Basic Law provisions relating the incorporation of Land Berlin will remain suspended.

The Western position on Federal presence was presented to the Soviets in the proposed draft agreement, as Annex III; it is at Tab A. The last Soviet document on Federal presence was its paper of November 4, which is at Tab B. The detailed discussions in Berlin on the Western draft have not yet reached the Federal presence section, though the Soviets have made it clear that the Western concessions as recorded in the draft are inadequate.

The Bundesversammlung. There is no issue here. The Soviets have made it perfectly clear that further meetings of the Federal Assembly must be eliminated, and the Western draft states that "the Bundesversammlung will not be held in the Western sectors" (paragraph 3 at Tab A).

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Bundestag and Bundesrat. Plenary sessions of the Bundestag have not been held in Berlin (at Allied request) since 1965, and the Bundesrat has not met there since 1961. The Western draft states merely that the "Bundestag and Bundesrat in plenary session, will not perform official constitutional acts in the Western sectors." The Soviets hold firmly that there can be no sessions of either body in Berlin, whether or not they refrain from performing official acts. (Admittedly, it is difficult to understand how either body could hold a plenary session without performing official acts.)

Committees and Fraktionen. There is a split over this issue. The Soviets include these as organs of the Bundestag, which must not meet in Berlin. In an interview published in East Berlin on February 8, between Stoph and SEW chairman Danelius, the GDR stated that all sessions of the Bundestag committees and party groups must be discontinued as a prerequisite for an agreed settlement.

The Western draft agreement contains no provision on committees or fraktionen. However, during the Western drafting sessions, the FRG had included the following provision:

Committees of the Bundestag and the Bundesrat and the Fraktionen of the Bundestag will meet in the Western sectors to consider draft legislation to be taken over by the appropriate authorities in the Western sectors, to review legislation which has been taken over, and to consider matters relating to obligations undertaken by the FRG regarding the Western sectors.

Before final Western agreement was reached on the draft text, the FRG representative withdrew this language, noting that the FRG did not feel it could support any language which would restrict the activities of these groups until it had been cleared with party leaders in the Bundestag. If the Three Powers felt that at some point advancing some language to the Soviets became unavoidable, he continued, then the Federal Government would at that point consult with Bundestag leaders with a view to providing a formal Federal German position.

It should be noted that the withdrawn German language would in effect permit virtually all committees and fraktionen to meet in Berlin. The Defense committee and the emergency committee would be the only ones clearly

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excluded. Since probably 85% of Federal legislation is in force in Berlin, the limitation which restricts committees and fraktionen meetings to those reviewing previous legislation actually amounts to hardly any restriction.

Visits of the President, Chancellor and Cabinet. There is less divergence on this point. The Western draft states that the President, Chancellor and the Cabinet will not perform official constitutional acts in West Berlin, whereas the Soviet paper of November provides that FRG officials may visit West Berlin as guests of the occupation authorities and Senat without, however, carrying on in the city any acts of supreme state authority. The President maintains an official residence in Berlin, and both he and the Chancellor travel to Berlin on US air force planes.

Political Meetings. All Federal political parties have held congresses in Berlin, as well as meetings of the Laender political leaders. The Soviet paper of November states flatly that "Federal conventions and congresses of FRG political parties or organizations are not held in West Berlin." The Western draft contains no provision for these meetings. The lists at Tab C indicate the number of Federal and Laender party officials, as well as Cabinet members, who plan to visit Berlin in the coming month (the schedule is unusually heavy because of the Berlin elections in March).

Federal Institutions and Agencies. There are some 42,000 employees of the Federal Government and quasi-governmental offices and organizations in West Berlin. Most Ministries maintain offices in the city; the largest employers are the Federal Revenue Directorate, Printing Office, Post Office, and Social Security Administration. The Soviet paper of November includes "the functioning of offices of FRG agencies" in the listing of Federal activities which will no longer take place.

Brandt and Bahr and others on the FRG side have maintained that there can be no substantial reduction of Federal personnel in Berlin (indeed, several months ago Bahr told Berlin leaders that not a single employee will ever have to leave his job). To circumvent this, the FRG has chosen to apply cosmetics. Thus, the Western draft contains the provision that:

The Government of the FRG maintains liaison offices with the French, British and US authorities and with the Senat. These offices are subordinate to the Federal Plenipotentiary who represents the FRG to these authorities and the Senat.

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The point of this provision is that it will become clearer (and so more acceptable to the Soviets) that the Federal agencies in Berlin do not govern there, but rather merely represent the Federal government in Berlin, and are tucked under the Federal Plenipotentiary who in turn has a quasi-diplomatic representational role in Berlin. In fact, the office of the federal plenipotentiary already exists and there is already some relationship between it and the Federal agencies. Unfortunately, however, there is a great lack of clarity on the Western side over exactly what is meant by the language in the draft agreement. State has asked the Embassy for a precise description of the organization of federal offices at present and as foreseen for the future, but so far we have not received anything.

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13 FEBRUARY 1971

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TO: HENRY A KISSINGER
FM: EGON BAHR

1) GESTRIGES GESPRAECH MIT KOHL: DDR IST NUNMEHR BEREIT, DEN BERLIN-VERKEHR MATERIELL BEVORZUGT ZU REGELN, D.H. BESSER ALS DIE SONSTIGEN TRANSITVEREINBARUNGEN. DAS IST EIN GROSSER FORTSCHRITT. SIE WILL ABER NACH WIE VOR DIESE REGELUNGEN DES BERLIN-VERKEHRS ZUM TEIL EINES ALLGEMEINEN TRANSITABKOMMENS ZWISCHEN DEN BEIDEN DEUTSCHEN STAATEN MACHEN. WIR WERDEN BEI DER UEBERLEGUNG ZU DIESER ANREGUNG DARAUF ACHTEN, DASS DIE DEUTSCHE ABMACHUNG KLAR EINE FUNKTION DER VIER-MAECHTE-UBER-EINKUNFT BLEIBT, D.H. UNSERE ANTWORT KONSULTIEREN.

DDR (UND SOWJETS) WOLLEN AUCH NACH WIE VOR, DASS ZWEI DEUTSCHE VERKEHRSVEREINBARUNGEN GESCHLOSSEN WERDEN: BRD-DDR FUER PERSONEN UND GUETER AUS DER BUNDESREPUBLIK NACH WEST-BERLIN UND ZURUECK UND DDR-WEST-BERLIN FUER ALLE PERSONEN UND GUETER AUS WEST-BERLIN DURCH DIE DDR IN ALL LAENDER, AUCH DIE BRD, UND ZURUECK.

DIESER PUNKT IST GEGENWAERTIG IN DEN VIER-MAECHTE-VERHANDLUNGEN ZURUECKGESTELLT. ES HANDELT SICH DABEI UM EINE PRINZIPIELLE FRAGE. ICH WAERE DANKBAR, WENN SIE SIE ZU DEM IHNEN RICHTIG ERSCHEINENDEN ZEITPUNKT IN UNSEREM SINNE ANSCHNEIDEN: ES SOLLTE NUR EINE REGELUNG AUF DEQSCHER EBENE GEBEN, DIE DIE BUNDESREGIERUNG MIT DER DDR ABSCHLIESST AUCH FUER WEST-BERLIN, WOBEI DIE BRD DURCH WEST-BERLIN ODER DIE DREI MAECHTE DEAUFRAGT WERDEN KANN.

2) KOHL HAT ANGEBOFEN, ICH KOENNE SOGAR MIT DER BUNDESVEHR NACH OST-BERLIN FLIEGEN. DAS IST ETWAS KOMISCH ANGESICHTS DER TATSACHE, DASS WESTDEUTSCHE FLUEGE NACH WEST-BERLIN BISHER NICHT MOEGLICH SIND. BEABSICHTIGE NICHT, AUF DIESES ANGEBOT ZURZEIT EINZUGEHEN.

3) FALIN KOMMT MITTE NAECHSTER WOCHE ZUM DIENSTANTRITT.

4) ICH BIN SEHR BESORGT UEBER DIE ENTWICKLUNG IN POLEN. NEBEN DER UNZUFRIEDENHEIT DER ARBEITERSCHAFT WEGEN DES GERINGEN LEBENSSTANDARDS GIBT ES SCHNELL WACHSENDE TENDENZEN EINER DEMOKRATISIERUNG, DIE AN DIE ENTWICKLUNG IN DER CSSR ERINNERN: AUSWAHL UNTER MEHREREN KANDIDATEN FUER DIE PARTEIGREMIEN, D.H. ANSAETZE EINER ECHTEN WAHL. VERSTAERKUNG DER BUDGET-RECHTE DES PARLAMENTS GEGENUEBER DER REGIERUNG. GLEICHZEITIG LIBERALISIERUNG AUF DEM KULTURSEKTOR. WENN ROMAN POLANSKY ALS TEIL DER SOZIALISTISCHEN POLNISCHEN KULTUR BEZEICHNET WIRD, WIRD ES UNHEIMLICH.

MAN KENNT DEN ANFANG.

BRESCHNEV HAT DIE VON GIEREK EINGELEITETE LINIE GEBILLIGT. WENN DIE ENTWICKLUNG IN POLEN DIE FORM EINES STEPPENBRANDES ANNIMMT, WIRD DIE SOWJETUNION FRUEHER INTERVENIEREN MUESSEN ALS IN PRAG, WENN ES NICHT ZU RUECKWIRKUNGEN AUF DIE SOWJETISCHE FUEHRUNGSSPITZE KOMMEN SOLL. JEDENFALLS WUERDE BEI EINER SOLCHEN ENTWICKLUNG EINE BLOCKIERUNG DER OST-WEST-ANGELEGENHEITEN EINTRETEN, WIE NACH PRAG; DIE DDR WUERDE SICH MIT BEGEISTERUNG SCHADLOS HALTEN UND WIR WUERDEN EINER BERLIN-KRISE GEGENUEBERSTEHEN, WENN WIR BIS DAHIN NOCH KEINE REGELUNG ABGESCHLOSSEN HABEN.

5) ZU IHRER FRAGE VOM 16.2.:

ZU DEN BUNDESMINISTERIEN KOENNTE MAN VORSCHLAGEN, DASS EINE ("EINE" UNDEMSCORED.) VERBINDUNGSSTELLE ZU DEN DREI MACHTEN UND DEM SENAT GESCHAFFEN WIRD, DER ALLES UNTERSTENT. DAS WAEERE EINE KOSMETISCHE OPERATION, BEI DER KLAR SEIN MUSS, DASS NIEMAND, DER BEI BUNDESBEHOERDEN IN WEST-BERLIN BESCHAEFTIGT IST, DIE STADT ZU VERLASSEN BRAUCHT.

22 Feb 1971

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Authority E.O. 10501
By MB NARA Date 07/19/02

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TO: HENRY A. KISSINGER
FROM: EGON BAHR

IN DER FRAGE DER ZUGANGSPRINZIPIEN UND DER AUSGEWOGENHEIT
IM SOWJETISCHEN INTERESSE ZWISCHEN VIER-MAECHTE-VEREINBARUNG
UND EINSEITIGER SOWJETISCHER ERKLAERUNG SCHEINT MAN SICH
JETZT IN DER VIERER-GRUPPE UND MIT DEN SOWJETS ZU EINIGEN.
EINEN SOWJETISCHEN FORMULIERUNGSVORSCHLAG KANN ICH NICHT
MACHEN. ICH EMPFEHLE, DOBRYNIN UM EINEN DRAFT AUF INFOR-
MELLER BASIS ZU BITTEN, DEN MAN SICH DANN ANSIEHT.

NACH DEN BISHERIGEN SOWJETISCHEN FORMULIERUNGSVORSCHLAGEN
SIND DORT SO UNAKZEPTABLE FORMULIERUNGEN WIE "FRIEDLICHER
VERKEHR" ODER "IM RAHMEN IHRER (SOWJETISCHEN) KOMPETENZEN",
WOBEI DIE SOWJETS BEKANNTLICH KOMPETENZEN FUER DEN ZIVILEN
ZUGANG NEGIEREN. ES MUSS DOBRYNIN KLAR SEIN, DASS EIN RUECK-
FALL AUF SOLCHEN SOWJETISCHEN FORMULIERUNGEN NICHT WEITER-
FUEHRT.

ZUM THEMA DER BUNDESPRAESENZ BIN ICH EINVERSTANDEN, DASS SIE
IHM INFORMELL UNSERE GEDANKEN SAGEN.

ZU DEN PARLAMANTARISCHEN GRENZEN:

- A) SIE DUERFEN IN BERLIN TAGEN.
- B) SIE WERDEN NICHT GEGEN DIE BESTIMMUNGEN VERSTOSSEN
(D.H. DER VERTEIDIGUNGS-AUSSCHUSS WIRD NICHT DORT TAGEN).
- C) SIE WERDEN KEINE REVISION DES ABKOMMENS VERLANGEN
ODER BERLIN ALS LAND DER BUNDESREPUBLIK REKLAMIEREN.

DIE VIERER-GRUPPE HIER UEBERLEGT EINE FORMULIERUNG, VON DER
ICH PERSOENLICH NICHT SEHR BEGEISTERT BIN, WEIL SIE NOCH
WEITER EINSCHRAENKT: SOLCHE SITZUNGEN SOLLEN FUER BEHANDLUNG
VON GESETZEN STATTFINDEN, DIE SPAETER NACH BERLIN UEBERNOMMEN
WERDEN.

EINE VERBINDUNGSBEMOERDE (IM GEGENSATZ ZU MEHREREN) IST
EXAKT DER BUNDESBEVOLLMAECHTIGTE. IHM WUERDEN DIE VERTRE-
TER DER MINISTERIEN UNTERSTELLT, OHNE DASS SIE DIE VER-
BINDUNG ZU IHREN HAEUSERN IN BOMM VERLIEREN, AENNLICH DEM
DIREKTVERKEHR VON ATTACHES MIT WISSEN DER BOTSCHAFTER.

ICH BETRACHTE ES ALS GUTES ZEICHEN, DASS STOPH SEIN
VERHANDLUNGSANGEBOT AN SCHUTZ AUF BESUCHE BESCHRAENKT
UND VON VERKEHRFRAGEN FREIHALTEN HAT. AUSSERDEM AKZEP-
TIERT ER ERSTMALIG DAS GLEICHZEITIGE INKRAFTTRETEN ALLER
REGELUNGEN IM ZUSAMMENHANG MIT BERLIN. DIE GANZE AKTION
IST AUCH EIN ZEICHEN DAFUER, DASS DIE DDR MIT EINEM POSITI-
VEN ERGEBNIS DER VIERER-VERHANDLUNGEN ZU RECHNEN BEGINNT.

HERZLICHEN GRUSS

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*Part in file
J. L. J.*

TOP SECRET

TOR: 22088 157

TOP SECRET

FM: AMBASSADOR RUSHIN
TO: HENRY A. KISSINGER

MARCH 15 1971

THANKS VERY MUCH FOR YOUR HELPFUL MESSAGES. I AM RELYING UPON OUR CABLES TO KEEP YOU INFORMED IN GENERAL, BUT IF AT ANY TIME YOU SHOULD LIKE FURTHER FACTS, OPINIONS, OR COMMENTS, PLEASE LET ME KNOW. I SHOULD ALSO LIKE TO PASS ON TO YOU NOW A FEW SUPPLEMENTARY REMARKS AND OBSERVATIONS.

1. IT WAS ONLY ON FRIDAY, MARCH 5, THAT I HEARD FROM MY POLITICAL COUNSELLOR THAT THE PREVIOUS EVENING THE FOREIGN OFFICE HAD INFORMED US THAT BAHR INTENDED TO DISCUSS THE DRAFT OF A PROPOSED MODEL TRANSIT AGREEMENT WITH KOHL AT THE TALKS TO BE HELD MONDAY, MARCH 8. AT THE SAME TIME, WE RECEIVED A COPY OF THIS DRAFT OF PROPOSED MODEL TRANSIT AGREEMENT. AFTER DISCUSSIONS AMONG THE THREE ALLIED AMBASSADORS, WE ARRANGED TO SEE BAHR IN BERLIN SUNDAY AFTERNOON, MARCH 7, WHERE, AS A RESULT OF A FRIENDLY AND COOPERATIVE DISCUSSION, HE AGREED NOT TO DISCUSS THE PROPOSED MODEL WITH KOHL. ALSO AS A RESULT OF THAT TALK PLUS PRIVATE TALKS I HAVE SINCE HAD WITH BRANDT, SCHEEL, SCHUETZ, AND OTHERS, I THINK THE FOLLOWING COMMENTS CAN BE SAFELY MADE:

(A) NO PROGRESS WILL BE MADE IN THE FOUR POWER TALKS UNTIL THE RUSSIANS ARE CONVINCED THAT THEIR DIVISIVE TACTICS AND THEIR ATTEMPT TO HAVE THE PROBLEMS OF ACCESS AND INNER-CITY RELATIONS SETTLED PRIMARILY BETWEEN THE GDR ON THE ONE HAND AND THE FRG AND THE BERLIN SENAT, RESPECTIVELY, ON THE OTHER, CANNOT SUCCEED.

(B) THEREFORE, THE FRG AND THE BERLIN SENAT, RESPECTIVELY, WILL NOT DISCUSS TRANSIT OR INNER-CITY RELATIONS (EXCEPT SUCH ITEMS AS EASTER PASSES) WITH THE GDR UNTIL A TENTATIVE AGREEMENT HAS BEEN REACHED IN THE FOUR POWER TALKS CONCERNING THESE SUBJECTS AND THE FOUR POWERS HAVE GIVEN TO THE GERMAN PARTIES THE SIGNAL THAT THEY CAN PROCEED WITH THEIR TALKS UNDER THE UMBRELLA OF THE FOUR POWER ACCORD.

(C) IN VIEW OF THE RUSSIAN DIVISIVE TACTICS AND THE COMPLEX NATURE OF THE THREE SETS OF TALKS NOW GOING ON, IT IS ESSENTIAL THAT CLOSE AND CONTINUED CONSULTATIONS, WITH ADEQUATE TIME FOR FULL CONSIDERATION OF ALL MOVES, TAKE PLACE BETWEEN THE FRG, THE SENAT, AND THE THREE ALLIED POWERS. PAST PROCEDURES MUST BE TIGHTENED UP AND IMPROVED. BAHR HAS FULLY AGREED TO THIS.

att to...

2. AT THE POST-LUNCHEON MEETING WITH ABRASIMOV FOLLOWING THE FOUR POWER TALK ON MARCH 9, I TOLD ABRASIMOV THAT AS A POLITICAL FACT OF LIFE NO MOVEMENT, IF ANY WERE POSSIBLE, COULD BE MADE ON THE FEDERAL PRESENCE ISSUE UNTIL A TENTATIVE AGREEMENT ON ACCESS HAS BEEN REACHED. WHILE REFUSING TO ACCEPT THIS, ABRASIMOV DID MENTION THAT CERTAIN ELEMENTS WERE OF PRIMARY IMPORTANCE TO HIM, NAMELY,

(A) VERY FEW SUGGESTED COMMITTEES AND FRAKTIONEN MEETINGS SHOULD TAKE PLACE IN WEST BERLIN, AND THESE SHOULD CONSIST ONLY OF THOSE DEALING WITH MATTERS OF A NON-POLITICAL NATURE PERTAINING TO BERLIN;

(B) A SINGLE FEDERAL REPUBLIC OFFICE SHOULD REPRESENT THE TWENTY-ODD FRG MINISTERIAL OFFICES OF THE REPUBLIC NOW IN WEST BERLIN;

(C) AN EXPLICIT STATEMENT THAT WEST BERLIN IS NOT A LAND OR PART OF THE FRG;

(D) A UNILATERAL STATEMENT BY THE ALLIES, OUTSIDE THE FOUR POWER AGREEMENT, PROHIBITING NEO-NAZI ACTIVITIES IN WEST BERLIN; AND

(E) SOME FORM OF SOVIET COMMERCIAL REPRESENTATION SHOULD BE ALLOWED IN WEST BERLIN.

HE SEEMED ANXIOUS TO BRING OUT THE FIRST TWO POINTS, WHICH MAY BE THE RESULT OF INSTRUCTIONS FROM MOSCOW AS MENTIONED TO YOU BY DOBRYNIN.

copy 1-2-62
Page 1 of 2

TOP

3. I THINK THAT SOME DIFFICULTIES HAVE OCCURRED IN THE PAST BECAUSE OF LACK OF ADEQUATE COMMUNICATION BETWEEN THE FOREIGN MINISTER AND THE CHANCELLOR'S OFFICE AND BETWEEN THE CHANCELLOR'S OFFICE AND THE ALLIES. THEREFORE, I AM MAKING A SPECIAL EFFORT TO SEE BAKR AND, LESS FREQUENTLY, BRANDIN SO THAT THEY ARE FULLY AWARE OF ALL ITEMS WITH REGARD TO THE TALKS. IN THIS CONNECTION, THEY GREATLY VALUE THE RELATIONSHIP WITH YOU, AND IT IS VERY HELPFUL FROM EVERY STANDPOINT.

4. WE NOW HAVE THE TEXT OF THE FULL NOTES OF THE MARCH 8 DISCUSSION BETWEEN BAKR AND KOHL, AND THE RESEMBLANCE BETWEEN THE POINTS MADE AND WORDS USED BY KOHL AND THOSE OF ABRASIMOV IN THE FOUR POWER TALKS IS QUITE STRIKING. BOTH USE SUCH TERMS AS "IN CONFORMITY," "INTERNATIONAL NORMS," "TRANSIT TRAFFIC EXCLUSIVELY FOR PEACEFUL PURPOSES," THAT THE TRANSIT AGREEMENT FOLLOWED FROM "THE SOVEREIGN EQUALITY OF STATES," ETC. IT IS OBVIOUS THAT THE RESPECTIVE TALKS AND STRATEGIES ARE EXTREMELY CLOSELY SYNCHRONIZED.

5. WITH REGARD TO ANOTHER SUBJECT, THANK YOU VERY MUCH FOR YOUR THOUGHTFUL MESSAGE WITH REGARD TO THE VISIT OF SENATOR ALLOTT. HE IS A REALLY OUTSTANDING PERSON, AND I THOROUGHLY ENJOYED MY DISCUSSION WITH HIM. IF WE ONLY HAD MORE SENATORS LIKE HIM, OUR COUNTRY WOULD BE INFINITELY BETTER OFF.

WARM REGARDS.

Gable. Broken out: "To customary" ~~adding copy~~
~~RECEIVED GABLED. UNABLE TO DETERMINE WORD/WORD~~
~~BETWEEN "CONFORMITY" AND "INTERNATIONAL" GABLED PORTION~~
~~HAS BEEN SERVICED.~~

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TOP SECRET



Box 58

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TOP SECRET

TOP SECRET

MARCH 16, 1971

*Back
file*

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

THANKS FOR YOUR MESSAGE OF MARCH 15, WHICH EVIDENTLY
CROSSED MY MESSAGE OF YESTERDAY TO YOU.

1. THE TACTICS ON WHICH THE ALLIES AND THE FRG HAVE
AGREED, THAT UNTIL PROGRESS IS MADE ON AN ACCESS AGREEMENT
NOTHING FURTHER CAN BE DONE WITH REGARD TO FEDERAL PRESENCE,
IS BASED NOT ONLY ON JUDGMENT BUT ALSO ON WHAT APPEARS TO BE
POLITICAL NECESSITY. BRANDT, IN A RECENT TALK WITH BARZEL,
AGREED TO CLEAR IN ADVANCE WITH BARZEL ANY PROPOSED CONCESSIONS
WITH REGARD TO FEDERAL PRESENCE AND BELIEVES BARZEL WOULD
ACCEPT NONE NOW. THIS IS ALSO TRUE IN GENERAL OF THE C.D.U./C.S.U.
AND ALSO EVEN OF SOME CABINET MEMBERS SUCH AS GENSCHER.

YESTERDAY I DISCUSSED WITH BAHR WHAT POSSIBLE CON-
CESSIONS MIGHT EVENTUALLY BE MADE WITH REGARD TO FEDERAL PRESENCE,
AND WE BOTH AGREED THAT SOME MEANS OF LIMITING BUNDESTAG COMMITTEE
AND FRAKTIONEN MEETINGS MIGHT IN TIME BE FOUND AND THAT IT MIGHT
BE POSSIBLE TO ESTABLISH A SINGLE FEDERAL REPUBLIC OFFICE REPRE-
SENTING THE TWENTY-ODD FRG MINISTERIAL OFFICES OF THE REPUBLIC NOW
IN WEST BERLIN. HE CONFIRMED, HOWEVER, THAT AT PRESENT THIS
DOES NOT SEEM TO BE POLITICALLY POSSIBLE.

THE ABOVE IS IN THE ATMOSPHERE OF THE UNITED STATES NOT
EXPRESSING A DESIRED COURSE OF NEGOTIATION. IF YOU AGREE, I
WOULD LIKE TO RE-EXPLORE WITH BRANDT AND BAHR THE ENTIRE FEDERAL
PRESENCE ISSUE WITH THE OBJECTIVE OF CHARTING A RECOMMENDED
COURSE IF THE PRESENT TACTICS PRODUCE AN IMPASSE. WE COULD THEN
AT THE PROPER TIME PROCEED TO WHAT I CONSIDER THE PREFERABLE
ALTERNATIVE B OF YOUR MESSAGE, MODIFIED TO INCLUDE DISCUSSION
BETWEEN YOU AND DOBRYNIN, AS WELL AS ABRASIMOV AND ME, TO SECURE
MAXIMUM PROBING BENEFIT.

2. THE RUSSIAN TACTICS ARE AT PRESENT TO ATTEMPT TO SHOW
THAT THE FOUR POWERS CAN MAKE NO PROGRESS ON ACCESS BUT THAT
THE FRG AND THE GDR CAN DO SO. ALSO, THAT THE FOUR POWERS CAN
MAKE NO PROGRESS ON INNER-BERLIN MOVEMENTS OF GOODS AND PEOPLE
BUT THAT THE GDR AND THE SENAT CAN DO SO. THE PURPOSE OF THIS
OBVIOUSLY IS TO CONFIRM THE SOVEREIGNTY OF THE GDR AND TO UNDER-
CUT THE POSITION OF THE FOUR POWERS. UNTIL THE RUSSIANS ARE CON-
VINCED THAT THESE TACTICS CANNOT SUCCEED, I DO NOT BELIEVE ANY
REAL PROGRESS CAN BE MADE ON THE ACCESS QUESTION, IRRESPECTIVE
OF WHAT IS DONE WITH REGARD TO FEDERAL PRESENCE.

By *MSARA* Date *05/19/71*

3. AS AN ALTERNATIVE, IN ORDER TO PREVENT A TEMPORARY STALEMATE AND TO GIVE THE RUSSIANS A FURTHER SIGN OF OUR GENUINE INTEREST, I HAVE, BY CABLE, SUGGESTED TO THE STATE DEPARTMENT, AND FOLLOWED THIS WITH A SECOND PERSONAL CABLE TO SECRETARY ~~ROGERS~~ (ATZ) TODAY, WHICH WAS SENT EARLIER THIS MORNING BEFORE I RECEIVED WORD OF YOUR MESSAGE, URGING THAT APPROVAL BE GIVEN FOR THE THREE ALLIES TO MAKE SOME MINOR, TENTATIVE CONCESSIONS FOR INCLUSION IN THE FINAL AGREEMENT WITH REGARD TO THE SOVIET PRESENCE IN WEST BERLIN. THESE CONCESSIONS ARE IN ESSENCE AGREEING THAT THE SOVIETS CAN ADD TWO COMMERCIAL ENTERPRISES IN THE WESTERN SECTORS AND CAN USE THEIR PROPERTY AT LIETZENBURGERSTRASSE FOR THAT PURPOSE. COPIES OF THESE CABLES HAVE, OF COURSE, BEEN SENT TO THE WHITE HOUSE, AND I HOPE YOU CAN FIND TIME TO READ THEM, PARTICULARLY THE PERSONAL ONE TO ROGERS. I ALSO HOPE YOU AGREE WITH THIS SUGGESTION AND CAN THEREFORE SUPPORT IT.

WARM REGARDS.

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(DICTATED BEFORE AMBASSADOR RUSH LEFT ON A TRIP TO HAMBURG, BUT NOT READ BY HIM IN FINAL FORM.)

TOP SECRET

TOP SECRET

Box 58

THE WHITE HOUSE
WASHINGTON

TOP SECRET/SENSITIVE/NODIS

MEMORANDUM OF CONVERSATION

Participants: Ambassador Anatoliy Dobrynin
Dr. Henry A. Kissinger

Date and Time: March 25, 1971, 5:00 p.m.

Place: Map Room of the White House

Berlin

The meeting lasted an hour and a half. At the beginning I handed Dobrynin the formulas on access, on inter-Berlin arrangements, and on Federal presence that Rush had submitted to me. Dobrynin took them and he said that he noted that even in this channel we rather stubbornly clung to our position. I said so far we had made the major concessions in this channel, but in any event all the channel guaranteed was greater speed, not greater concessions.

Dobrynin then went through the partial comments I had given him and asked for clarification. He said he wanted to know first of all whether, except for the comments I had made, all other points would be acceptable. Specifically he wanted to know whether with respect to the Soviet presence the only thing that was objectionable was the Consulate and everything else was acceptable. I told him that anything that had a diplomatic status was probably not acceptable. Dobrynin said that this presented major problems for the Soviet Union because obviously every enterprise was a State enterprise and their representatives abroad were State officials.

Dobrynin also wondered whether I could assure him that there would be non-discriminatory treatment of Soviet concerns in West Berlin. I said I would have to check this since this was a technical point. He asked if I were implying that we wanted to write into an agreement discriminatory treatment of Soviet interests. I replied that I was not implying anything; I just had to check it in order to make sure that I knew what I was talking about. I would let him know as soon as possible.

Dobrynin said it was important for him to be able to show some movement on our side, since we had asked for some major commitment from them on access and other issues. He then asked a number of specific questions

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By: M. S. V. A. R. A. Date: 07/19/02
Authority: E.O. 10501

about every part, the gist in each case being whether, except for the comments, we were accepting all the other points. I replied that he had to understand that I was not conducting any negotiation; I was just giving him the general sense. For example, I said, I had not pointed out, because it seemed to me premature, the fact that we objected to the demilitarization clause in their draft. It was not that we were quite prepared to say that Federal military activities would not be permitted in Berlin. We could not accept a blanket demilitarization clause, considering their remilitarization of East Berlin. I also pointed out that we could not accept the term "West Berlin"; we needed the phrases I had submitted to him in my Partial Comments.

Dobrynin then raised the question of Federal presence and asked again whether, except for the formulations which we were submitting, the other Soviet formulations were acceptable. I said I doubted whether complete prohibitions of committee meetings and party meetings were acceptable, but that we might look for some formula that moved toward the Soviet position. He said, "may I report to Moscow that you will move far enough towards the Soviet position?" I said I don't know what "far enough" means. I said I thought the best thing to say was that if the Soviet position on access becomes more flexible we will move towards theirs on the Federal presence issue.

Dobrynin next asked why we asked for an additional Soviet commitment on access when the introductory paragraph is verbatim what we had handed them in the draft of the annex on access procedures. He said that he could understand that we wanted different access regulations, so he thought it was an abstruse point which depended entirely on the inter-German negotiations, not on anything that we would settle in the abstract. He added he could understand why we would hold out on the technical issues, but what about the commitment issue? I told him I would check and let him know.

Finally, Dobrynin asked how the ambassadors could proceed with their work. I suggested the following procedure.

I said that on the occasion of the next meeting of the four ambassadors, whenever that would be, Abrasimov could request a private meeting with Rush. That private meeting would be perfectly logical since it would follow on the aborted meeting of the 25th. Then Abrasimov should discuss with Rush the text of the Soviet submission of March 26. Rush would follow essentially the same points that I had already submitted as partial comments. At the end of the meeting Abrasimov and Rush should talk with only the Soviet interpreter present, to work out any procedures they might wish for additional meetings. However, it was imperative that Abrasimov make no

reference to our channel while there are other Americans in the room with Rush. Rush was the only American who to my knowledge knew everything about the procedures and about the negotiations. Dobrynin said he would see to it and that this procedure would be followed.

We then turned to other matters.



AB + SA
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 VIA SPECIAL CHANNEL

TOP SECRET/SENSITIVE/EYES ONLY

March 25, 1971

FROM: Henry A. Kissinger *Henry*

FOR: Ambassador Rush

When Dobrynin read the requirement about a Soviet commitment on access he professed puzzlement. He said the Soviet introductory paragraph contained the precise language of the formulation on access which you had sent me. What do I say prior to his departure?

Also, Dobrynin asked whether the questions raised on the Federal Presence and our re-formulations exhaust our objections. Specifically do we agree in barring committee meetings? I told him that provided access formulations were acceptable, some limitations on committee meetings could be considered.

As for the prohibition on political parties congresses in the Soviet draft I told him this was unacceptable in this form but that you might discuss this with Abrasimov provided again access formulations proved acceptable. I put this forward as a personal idea subject to correction before his departure.

Can you let me have your views soonest since Dobrynin is leaving Friday evening for Moscow and I for San Clemente.

Warm regards.

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TOP SECRET/SENSITIVE/EYES ONLY
VIA SPECIAL CHANNEL

MARCH 26, 1971

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

SORRY THAT THIS MUST BE HURRIED BUT THE THREE AMBASSADORS
ARE WITH ME AS MY GUESTS AND I CAN ONLY LEAVE THEM FOR A SHORT
WHILE.

ON ACCESS I SUGGEST YOU TELL HIM THAT OUR RESPECTIVE FORMU-
LATIONS WILL BE CAREFULLY COMPARED AND WE WILL THEN SEE TO WHAT
EXTENT THEY ARE IN ACCORD.

YOUR COMMENTS TO HIM ON THE OTHER POINTS ARE EXCELLENT AND
REPRESENT ALL WE CAN SAY JUST NOW.

I SHALL SEND A FURTHER MESSAGE TO YOU MONDAY WHEN I RETURN
TO BONN.

BEST WISHES FOR SOME REST AT SAN CLEMENTE.

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By: [Signature] Date: 07/19/02



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MEMORANDUM

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NATIONAL SECURITY COUNCIL

SECRET

INFORMATION
March 27, 1971

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MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt *HSF*

SUBJECT: Berlin: Soviets Table a Counter draft Agreement

The March 26 anniversary session of the Ambassadorial talks did not produce much movement in the oral discussions. A large portion of the meeting was devoted to Ambassador Rush's statement countering recent Soviet claims that Berlin was originally a part of the Soviet Zone. (The cables reporting the meeting are being sent to you, Berlin 570 and 571.)

The highlight of the session, as expected, was Abrasimov's tabling of a counterdraft to the Western February 5 text. (The text is also being sent to you, Berlin 573.) There was no serious discussion of the text, but the Three Ambassadors promised to study it before the next meeting on April 16.

* * *

At first glance, the Soviet draft resembles the format of the Western draft in that there is a Four Power document, with several annexes, and then a final act which notes related inter-German agreements. In fact, however, the Four Power document contains specific language and a clear quadripartite role only with respect to the separation of Bonn and Berlin, and Soviets interests in West Berlin. In the areas of access and inner-Berlin communications, the Four Power document is less than hortative: it notes that the Four envisage agreements between the competent authorities; the related annexes make clear that the Soviets are simply informing the Three of what the GDR is prepared to do. The Final Act notes that the German agreements will enter into force at the same time as the Four Power agreement, and that all the agreements are related in the sense that a breach of one would invalidate all. Enforcement responsibilities are not raised.

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Some of the terminology is interesting. The Soviets have employed the term "Berlin (West)" for the first time.* The term "Berlin" never appears in any of the documents, thus making it plain -- despite the fuzzy language of part I -- that the Four have reached an agreement which relates only to West Berlin. Also, in several instances, the description of the Three Power rights in West Berlin suggests that the Three have only a limited "competence and not supreme authority." Coupling this with the phrasing dealing with Soviet presence in West Berlin plainly evidences some form of Four Power status for West Berlin.

Substantively, there is not a great deal of forward movement. However, on Federal presence, there is a new formulation prohibiting virtually all Federal organs (including Bundestag committees and fraktionen) from activities which signify an extension of their competence. There is a flat prohibition of national party congresses and conventions. On access, the Soviets will inform us that the GDR will agree to civilian transit on the basis of international norms without interruption. The only specific commitment is a suggestion that freight could be sealed prior to entering the GDR, though the GDR expressly reserves the right to spot check.

The GDR will also agree to visits to East Berlin and the GDR, as well as some improvement for phone lines and other inner-Berlin communications. As previously hinted, the Soviets have handled the issue of Berlin's representation abroad by use of an annex containing Three Power and Soviet communications. This had been billed earlier as an effort to permit both sides to maintain their respective principles, but to permit agreement where they overlapped. The result is that the FRG may provide consular protection to West Berliners abroad (not in the GDR, however), and non-military and non-political treaties of the FRG might be extended to West Berlin.

* This time was also used in a Brandt public statement to Barzel on March 22, which caused some discomfort. The term is fine in describing the Bonn/Berlin relationship, and indeed is customary in many Federal texts and laws. However, by using it also, as Brandt did, in relation to a new Four Power agreement on Berlin (West), does carry the implication of an acknowledgement of a separate entity.

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Finally, the Four Powers agree in the main document to respect "Soviet interests" in West Berlin, and Annex V contains a communication from the Three to the Soviets with more details. The communication notes the agreement of the Three for the opening of a Consulate General and MFN treatment for Soviet economic relations with West Berlin.

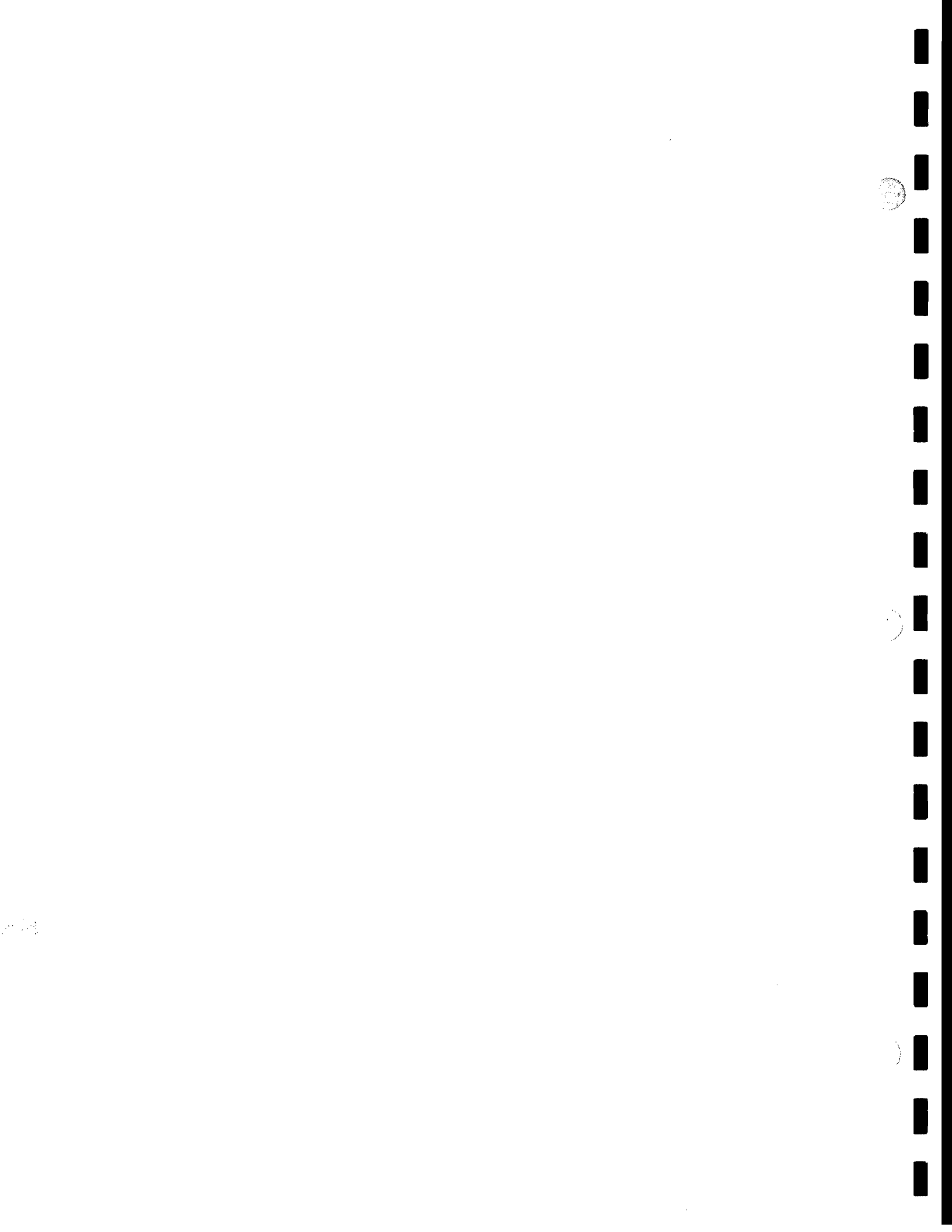
* * *

Thus, at first glance the Soviet counterdraft seems to contain some advances from the earlier Soviet positions, but clearly is very far from what could be accepted by the Western side. We shall be reviewing this further, and pulling together comments as they are received.

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3



March 29, 1971

Box 58

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VIA SPECIAL CHANNEL

TO: Ambassador Rush, Bonn

FROM: Henry A. Kissinger *HR*

I wanted you to have the latest up-date on my conversations with Dobrynin. On March 23 I handed him an oral note, that is to say an unsigned paper containing the essence of your cable to me. The text of it is attached (Tab A) simply so that you know what is before the Soviets. On March 25 I handed him the verbatim text that you had been good enough to send me, containing your formulations on Federal Presence, access, and inner-city arrangements, also on an unsigned piece of paper. The essence of our March 25 conversation was contained in the cable I sent you. Following are additional details.

Dobrynin pressed me very hard at the meeting on these points:

1. Did we accept everything that was not covered by the objections raised in your paper? Specifically, were we prepared to have trade missions and give them equal treatment in West Berlin? My answer, after consultation with you, was that we would agree to an increase in commercial offices and that we would give them equal treatment.

2. He then raised the point about Soviet commitments with respect to access which I have already mentioned to you. He said that the introductory paragraph of the Soviet draft was precisely drawn from our

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By *HR* NARA Date *07/19/02* LY

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document and he therefore did not understand why we were asking now for an additional commitment. After checking with you, I gave him the answer which you dictated from Berlin, namely that we would compare the drafts.

I will send you in a couple of days the extracts from the memorandum of conversation on the subject.

The only unsettled issue is the procedure I have worked out with Dobrynin about your conversations with Abrasimov. I suggested that at the next meeting of the four ambassadors, which I understand is slated for April 16, Abrasimov would ask for a private meeting with you in the normal course of events. At that meeting the subject would be the Soviet draft proposal of March 26. You would raise the issues contained in the oral note that I had handed to him and Abrasimov would of course reply in whatever way he thought appropriate. At the end of that meeting you would ask to be alone with Abrasimov for a few minutes, in the presence of only the Soviet interpreter. You would make whatever other arrangements should be made for additional meetings, to cover any subjects growing out of the Dobrynin-Kissinger channel that had not come up at the meeting.

If this procedure is in any way difficult for you I must know it soonest so that I can notify the Russians. Also it is important that I

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By M. S. NARA Date 07/19/02

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know whether there are any members of your staff who know about my channel to Dobrynin. Dobrynin claims that at the last meeting Klein, and especially the interpreter, were taunting Abrasimov's counselor when the private meeting slated for March 25 was set up and constantly referred to a Dobrynin channel in Washington. Could you let me know about this so that I am protected in case anything happens?

Many thanks and warm regards.

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By MSARA Date 07/19/02



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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

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THE PRESIDENT HAS SEEN
ACTION

April 5, 1971

MEMORANDUM FOR THE PRESIDENT

FROM : Henry A. Kissinger *R*
SUBJECT: The Berlin Negotiations -- New Guidelines

The Senior Review Group met recently and considered the course of the Four Power Berlin negotiations. It was suggested that now would be an appropriate time for you to issue revised guidelines on the conduct of the negotiations. Your previous decisions were recorded in NSDM 91 which resulted from the discussions at the NSC meeting of October 14 (Tab B).

At the instruction of the SRG, an interagency working group has prepared a memorandum for you which has been approved by Secretary Rogers (Tab C). The memorandum correctly points out the problem our negotiators have faced during the past year of the Four Power talks: to utilize Soviet interests in achieving an agreement (i. e., to secure ratification of the German treaties, and to permit a European Security Conference) in order to achieve meaningful improvements in Berlin, without jeopardizing the Western position or without paying a price in terms of Berlin's relationship with the Federal Republic which would prejudice longer term future of the city.

The memorandum concludes that there are three possible outcomes to the current negotiations:

-- achievement of an agreement, from which would follow wide recognition of East Germany and eventual UN membership, but a better ability of West Berlin to be viable within the changed environment of a greatly enhanced East Germany;

-- no agreement and no improvements, which would signify failure, block the ratification of the Soviet/FRG treaty, and might lead the Soviets to seek to obtain by harassment the objectives they failed to obtain in the negotiations;

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-- it is possible to achieve at least minor improvements without any formal Four Power agreement, and indeed some phone communications have already been opened between East and West Berlin; we would certainly not stand in the way of any improvements, but we would have to be sure that any inter-German arrangements did not conflict with our interpretation of Four Power rights and responsibilities.

This third possibility would still require some concessions from the Western side, probably in the form of a reduction in German Federal presence in West Berlin and perhaps also in an increase of Soviet presence in West Berlin. Also, this third possibility carries with it the fact that an outcome of this nature may cause difficulties with the FRG, since it will make more difficult their decision on whether to ratify the Moscow and Warsaw treaties.

The NSDM at Tab A, based on the recommendations contained in the SRG memorandum, attempts to bring up to date the guidelines laid down in NSDM of last October. In essence, the proposed NSDM amends the previous one in two ways: provides some new flexibility on specific points; and adds some guidelines on issues not previously covered.

-- the previous guidelines required that the agreement expressly acknowledge our interpretation of Four Power rights. Since the negotiations have demonstrated the impossibility of that requirement, the new NSDM requires only that the new agreement not prejudice our interpretations;

-- a clear definition of our objectives on access (evident improvements less susceptible to arbitrary harassment) is included in the new NSDM, although the previous requirement is retained that they must be guaranteed by the USSR to the maximum extent feasible;

-- new to the guidelines is the question of the strong Soviet desire to increase their physical presence in West Berlin. Our previous totally negative position has virtually isolated us from our allies, and Ambassador Rush has requested more flexibility (Secretary Rogers has advised the Ambassador of the more flexible language of the proposed guidelines). The new NSDM would permit a very limited but non-official increase in Soviet presence if an otherwise acceptable agreement depended upon it. However, it makes clear that any arrangement permitting an increase in Soviet presence must not be contained in the Agreement, and should not actually take place until well after the conclusion and implementation of the Agreement. This safeguard is designed to avoid a linkage between the Agreement and the Soviet increase which might otherwise give the appearance of acknowledgment of a new Four Power status for West Berlin and perhaps increase the risk of our own access to East Berlin being curtailed.

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-- finally, the new guidelines treat for the first time the issue of the inner-German negotiations on access and inner-Berlin improvements; the main point here is that in order to ensure the Western position that the GDR is not sovereign over access, any FRG/GDR negotiations must take place only after a specific Four Power framework has been established and after there is agreement that any German arrangements will be encompassed within the eventual Four Power agreement.

The negotiations have reached a new phase with the introduction by the Soviets of a draft agreement, a counter to the Western draft of early February. Though both sides have moved considerably from their original positions, such a distance still exists that it is very difficult to predict the outcome. Recently, the Soviets tried to secure their objectives by using the East Germans to pressure the West Germans to enter into arrangements prejudicial to the Four Power talks. The Western side, however, has held together.

It will be useful for our negotiators to have at this stage your new guidelines for the conduct of the talks. The proposed guidelines offer some more flexibility without prejudicing our basic rights and interests. The NSDM makes clear that if it appears that no agreement is possible, or that only an agreement which fails to meet these guidelines can be achieved, you will wish to decide whether any modifications can be made.

RECOMMENDATION

That you approve the issuance of the NSDM at Tab A offering guidelines for the conduct of the Berlin negotiations.

Approve 

Disapprove _____

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VIA SPECIAL CHANNEL

APRIL 19, 1971

TO: HENRY A. KISSINGER
FM: AMBASSADOR RUSH

A. ABRASIMOV DID NOT GET IN TOUCH WITH ME BEFORE OUR FOUR POWER MEETING ON APRIL 16 AND, AT THE LUNCH AND PRIVATE AMBASSADORIAL DISCUSSION FOLLOWING THE FORMAL MEETING, GAVE NO INDICATION OF A DESIRE FOR A PRIVATE TALK WITH ME. WE, OF COURSE, CAN ONLY CONJECTURE AS TO THE REASONS FOR THIS FAILURE ON HIS PART TO FOLLOW THE PROCEDURE YOU AND DOBRYNIN HAD ESTABLISHED.

(1) IT MAY BE THAT THE LINES OF COMMUNICATION BETWEEN DOBRYNIN AND ABRASIMOV ARE NOT GOOD.

(2) POSSIBLY THERE IS LESS THAN COMPLETE HARMONY BETWEEN THE TWO OR BETWEEN THEIR RESPECTIVE SOURCES OF POWER AND DIRECTION.

(3) AS I EARLIER SUGGESTED IN A MESSAGE TO YOU WHEN ABRASIMOV MADE HIS REFERENCE TO OUR BERLIN STAFF ABOUT NEGOTIATIONS CONCERNING BERLIN BEING CONDUCTED IN WASHINGTON, HE MAY BE TRYING TO SABOTAGE THE CHANNEL YOU HAVE WITH DOBRYNIN.

(4) AS A MATTER OF SUBSTANCE, THE RUSSIAN DRAFT OF AGREEMENT IS SO NEGATIVE THAT IT MAY BE THE RUSSIANS HAVE DECIDED THE PRIVATE TALKS ARE USELESS UNTIL THE WESTERN REACTION TO THEIR DRAFT AGREEMENT HAS BEEN RECEIVED. AS YOU KNOW, THE RUSSIAN DRAFT VIOLATES COMPLETELY THE UNDERSTANDING THAT, IN THE FOUR POWER TALKS, WE ARE SEEKING ONLY PRACTICAL IMPROVEMENTS, NOT A REDEFINITION OF THE LEGAL AND POLITICAL STATUS OF BERLIN AND NOT AN EFFORT BY EITHER SIDE TO COMPEL AN ACCEPTANCE OF ITS CONCEPTS AS TO SUCH STATUS BY THE OTHER SIDE.

B. CHANGING TO ANOTHER SUBJECT, YESTERDAY (SUNDAY) I HAD A LONG TALK WITH BARZEL AND FOUND THAT THE PRESIDENT'S RECENT TALK WITH HIM HAS BEEN EXTRAORDINARILY HELPFUL. BARZEL, AS A RESULT OF THE TALK, THINKS HE CAN NOW PERSUADE THE OTHER CDU LEADERS (1) NOT TO TAKE A POSITION AGAINST THE RATIFICATION OF THE MOSCOW PACT OR THE OST POLITIK IN GENERAL DURING THE CONTINUANCE OF THE BERLIN FOUR POWER TALKS, AND (2) TO MAINTAIN A NON-PARTISAN POSITION WITH REGARD TO THE BERLIN TALKS. BEFORE THIS, BOTH BARZEL'S POSITION AND HIS ABILITY TO CARRY OTHER CDU LEADERS WITH HIM ON THESE ISSUES WERE IN SERIOUS DOUBT.

C. PLEASE KEEP ME INFORMED AS TO ANY SUGGESTIONS YOU MAY WISH TO MAKE.

VERY BEST WISHES.

TOP SECRET

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MEMORANDUM OF CONVERSATION

Lunch Meeting with Ambassador Dobrynin, April 23, 1971, 1:00 p.m.,
Map Room

I invited Dobrynin to lunch when he called me for an appointment upon his return from Moscow. The conversation was cordial but business-like. Dobrynin began the conversation by saying he had read the accounts of the Party Congress with great interest. He did not read in them a particular direction or new departure in foreign policy. On the contrary, he thought it in effect reaffirmed the direction of the previous Party Congress: that is to say, it stated a general proposition vis-a-vis the United States which would have to be given content by the Soviet Government later. However, it was in general to be stressed that the Soviet Union desired to improve relations. Dobrynin added that he thought the composition of the Politburo had not changed, contrary to what Western newspapers had said. The four new members had been candidate members previously and had attended the meetings. The fact that Kosygin followed Podgorny in the rank order was of no significance but reflected only the higher offices in the state that Podgorny occupied. It was clear that Brezhnev was the stronger figure but then the Party Secretary had always been strong. He had until recently not been as interested in foreign policy as some of his predecessors but this was beginning to change.

The conversation then turned to Berlin. Dobrynin said that the Western response had been very disappointing to the Soviet Union. The Soviet Government had tried to meet our points on a number of key issues but had failed to obtain our support. At the last meeting, Rush had been very negative and so had Hillenbrand in conversations with Vorontsov. The Soviet Government was wondering just what was going on. I told Dobrynin that I was not prepared to issue orders until we had agreed in principle on the direction we were going to take and that until then he was going to get the ordinary instructions from the bureaucracy.

Dobrynin agreed to my proposal that instead of Abrasimov and Rush meeting, there should be meetings between Falin and Rush. Dobrynin wondered whether we could not ask Hillenbrand to participate in these meetings. I said this would be very hard from the instruction point of view. Dobrynin wondered whether I could have a talk with Bahr, since Bahr, he said, knew the Soviet position very well and might have some ideas on how to handle it. I said I would talk to Bahr in Woodstock, Vermont this weekend. I would assure him that we would go as far as we could consistent with our obligation to our Allies and our relationships with the Federal Republic. But it was necessary that the Soviet Union understand our special problems.

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visit by the President. He also wanted to make clear that September was a reasonable date. On the other hand he was bound to tell me that he did not think that a visit was likely until after the Berlin question was settled. It would be impossible to convince their Allies -- Soviet Allies -- that such a meeting could be fruitful unless the Berlin question was settled first.

I reacted very sharply. I told Dobrynin that I had heard many eloquent descriptions of the difficulties of linkage. We had proposed a Summit Meeting over a year ago in order to make some progress in basic Soviet/American relationships. If this was to be the case, then it was inconceivable for the Soviet Union to make prior conditions. I did not yet know what the President's reaction would be but I suspected that if there existed a definite plan to have a conference, the President might feel that he had some obligations of good faith. If the conference were used to bring pressure on him, his reaction was likely to be the opposite.

Dobrynin then said that I must have misunderstood him, the Soviet Government wanted a Summit Meeting but it was a reality that there should be some progress on Berlin, not a condition. I told him I was familiar with that formulation since I had used it very often to justify the theory of linkage and I simply wanted to stress that it was an unacceptable formulation to use towards the President. We agreed that I would consider further the issue of the SALT exchange and that we would be in touch next week.

[End of Conversation.]

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VIA SPECIAL CHANNEL

April 23, 1971

FOR: AMBASSADOR RUSH
FROM: HENRY A. KISSINGER

I saw Dobrynin on his return. He claims that Abrasimov was mystified by your behavior, specifically that you seem to have departed prematurely from a lunch at which he had intended to ask you for a private meeting.

I proposed that you meet henceforth with Falin. Dobrynin agreed in principle, stressing that Falin was the top Soviet expert on Germany.

Bahr came through the other day. He suggested that the way to break the deadlock was to get away from the juridical arguments and stress only the obligations and undertakings of each side. Dobrynin picked up this theme independently, emphasizing that the Soviet Union had no intention of affecting our legal position. I would like to pursue this idea of dropping the legal formulae from both drafts if you think it has merit when I see Dobrynin on Monday.

May I have your answer by then.



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BACK CHANNEL

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May 3, 1971

FROM: Henry A. Kissinger

TO: Ambassador Rush

Today I received the following note from Dobrynin.

Begin text:

"The Soviet side is ready to conduct in Bonn confidential meetings of the USSR, US and FRG representatives for exchanging opinion on the West Berlin question in parallels with the continuation of the official negotiations of the Four Power Ambassadors." End text.

The background is as follows. As I communicated to you last week I had explained to Dobrynin the general approach agreed to by you, Bahr and me. In order to illustrate what we meant by a juridically neutral draft I gave him the introductory sentences from the sections on Federal Presence and Access contained in the draft handed to me by Bahr at Woodstock on April 25.

From Dobrynin's reply today confirmed by telephone later we can assume that this general approach is acceptable to the other side.

In these circumstances, I wonder if we should now give them any additional drafts until we have obtained the agreement of the British and French on this approach at the working level meeting on May 17 and 18.

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I leave to you and Bahr the judgment on whether we should provide the
with any additional material at this time. Please let me know what you pl
to do.

Warm regards.

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BACK CHANNEL
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MAY 5, 1971

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

AFTER RECEIVING YOUR MESSAGES OF MAY 3RD, I GOT IN TOUCH WITH BAHR, AND WE AGREED THAT NO PART OF THE BAHR DRAFT AGREEMENT WOULD BE GIVEN TO FALIN AT THE MEETING THEY HAD SCHEDULED FOR LAST EVENING. IN THIS MEETING, FALIN CONFIRMED TO BAHR THE INFORMATION THAT YOU HAD RECEIVED FROM DOBRYNIN THAT FALIN HAD BEEN AUTHORIZED BY MOSCOW TO CONDUCT CONFIDENTIAL MEETINGS WITH BAHR AND ME IN BONN. FALIN FURTHER EXPRESSED THE VIEW THAT HONECKER'S REPLACEMENT OF ULBRICHT WOULD BE A DELAYING FACTOR, BECAUSE HONECKER WOULD HAVE TO PROVE THAT HE IS A STRONG MANY AND WOULD NOT BE AS FREE TO MOVE AS ULBRICHT WOULD HAVE BEEN.

BAHR AND I ABREED THIS MORNING THAT THE ONLY THING WE SHOULD GIVE FALIN PRIOR TO THE WORKING LEVEL MEETING ON MAY 17 AND 18 WOULD BE THE NEUTRAL FORMULATIONS OF BAHR'S DRAFT, THAT IS, SUBSTANTIALLY THE SAME MATERIAL YOU HAVE GIVEN DOBRYNIN. BAHR WOULD ALSO ATTEMPT TO SECURE CONFIRMATION FROM FALIN THAT THESE NEUTRAL FORMULATIONS ARE ACCEPTABLE.

IF THIS IS CONFIRMED, IT WOULD BE A MAJOR BREAKTHROUGH, FOR IN ESSENCE IT WOULD MEAN THAT THE RUSSIANS HAD TAKEN A SUBSTANTIAL STEP AWAY FROM THEIR POSITION THAT THE GDR, NOT THE RUSSIANS, SHOULD BE THE PRIMARY CONTRACTING PARTY ON QUESTIONS INVOLVING ACCESS AND INNER-CITY MOVEMENT. WE COULD THEN CONCENTRATE ON ATTEMPTING TO REACH AGREEMENT ON THE PRACTICAL IMPROVEMENTS FOR IMPLEMENTATION OF WHICH THE FOUR POWERS WOULD AGREE TO UNDERTAKE RESPONSIBILITY.

AFTER THE WORKING LEVEL MEETING IN LONDON, WE CAN DECIDE THE MANNER AND EXTENT OF DISCLOSURE TO FALIN OF THE SUBSTANTIVE PORTIONS OF THE BAHR DRAFT, RELATING TO ACCESS, BERLIN/FRG SPECIAL TIES, REPRESENTATION ABROAD, ETC.

WARM REGARDS.

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By *MS* NARA Date *07/19/02*



VIA SPECIAL CHANNEL

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May 24, 1971

TO: Ambassador Rush
FROM: Henry A. Kissinger

With the date of your next meeting approaching, I wanted to send you a note about our general strategy. We would like to keep the Berlin talks and SALT in some sort of balance. This means that we want to make progress in Berlin and show good faith. At the same time, we want to keep open some resource for the contingency that the Soviets go back on the understanding with the President regarding SALT. This may not be manageable because we do want to keep the Berlin talks moving forward for other reasons. So perhaps my only useful advice is to avoid being stampeded into too rapid a pace. Let us have a good talk when you are here with Brandt.

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By *MS* MARRA Date *07/19/02*



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Pres/HAC Memo ✓EMBASSY OF THE UNITED STATES OF AMERICA
PARIS

June 14, 1971

SECRET - EYES ONLYThe Honorable
Henry A. Kissinger
The White House

Dear Henry:

With the visit of Chancellor Brandt this week, I thought it timely to give you a Paris perspective on current French tactics concerning Berlin, the proposed Conference on European Security, Mutual and Balanced Force Reductions, and relations with Moscow. It may be timely also because we have noted signs of annoyance in Washington and in some of our missions in Europe over French tactics.

On Berlin, I am persuaded the French have no desire to change their basic policy. They want to preserve the quadripartite status of the city and contribute to a Berlin agreement that will provide practical improvements, lessen East-West tensions and forward detente. I believe Pompidou will prove as tough as de Gaulle in his relations with the Russians on Berlin. However, the French want to use their "special relationship" with Moscow to probe what might be negotiable with the Soviets and use their findings to help steer the Western Three to an accord.

Ambassador Sauvagnargues' initiative in drawing up a Berlin agreement - which presumably contributed to the tabling of subsequent Western and Soviet drafts - was a French contribution along these lines. So was Schumann's early May efforts in Moscow to elicit from the Soviet leadership a commitment to take responsibility for overcoming future disputes over Berlin access.

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As we move toward the final stages of a Berlin agreement, the French - as Ambassador Sauvagnargues has indicated - want increasing flexibility. Their tactical moves will differ from ours occasionally, but I think their overall contribution will prove to be responsible and consistent with our objectives.

On CES, French policy has evolved over the past two years from a negative reaction to the March 1969 "Budapest appeal" to a more positive approach toward a Conference they probably consider inevitable and wish to use to advance French foreign policy objectives. These objectives are to promote detente, to weaken the bloc-to-bloc approach to East-West relations, and to reduce Soviet influence in Eastern Europe. There is also the desire to project the independent voice of France between the two super powers as the champion of smaller nations of Europe who view a CES as perhaps their only way to get in the act on decisions affecting their future.

This said, the French agree with us on the necessity of carefully preparing a Conference. They too ask for a successful outcome in the Berlin talks before moving to multilateral preparations for a CES. However, since Pompidou's January press conference, they have repeatedly stressed that the December 1970 NATC Communique language on linkage was "too rigid". They therefore sought to influence NATO to adopt a more forthcoming formula on CES at Lisbon. I think some of Schumann's antics at Lisbon were reprehensible, but it is my judgment Pompidou did not want the Berlin-CES linkage to be severed in the Lisbon Communique.

On MFBR, as you know, the French have differed with the rest of the Alliance since 1968. They argue MBFR can only follow detente - not vice versa. Nevertheless, they recognize their own vital security would be involved in any actual MBFR. This fact could lead them eventually to join in MBFR negotiations. Their concern that these negotiations would be bloc-to-bloc and could require aligning their policy with NATO's military structure pulls them in the other direction. Nevertheless, should negotiations take place, I think the French, despite

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Pompidou's current skepticism, would find it very difficult to remain outside.

One reason why the French have become more difficult recently is France's desire to underscore its independence before the fall visit of the Soviet leaders. Schumann has thus been strongly emphasizing continuity with de Gaulle policy of friendly ties with the East and independence within NA TC. No doubt the Soviets are trying to exploit this situation with their bilateral Protocol on consultations to draw the French toward them on Berlin, CES, and related matters. I do not believe Pompidou will be taken in. I am convinced from my conversations with him that he does not trust the Russians. After the Soviet leaders' visit I would expect the French to turn again toward improving ties with their Western Allies before the December NATO Ministerial.

We will, of course, keep in closest touch with the French in Paris to help support US efforts focused mainly in NATO and the Bonn Group to maintain maximum Allied unity.

Sincerely,



Arthur K. Watson

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JUNE 30, 1971

FROM: AMBASSADOR RUSH
TO: HENRY A. KISSINGER

Special file
TOR: 01102/TOR

YESTERDAYS MEETING WENT OFF WELL, FALIN BEING IN HIS USUAL RELAXED FRIENDLY UN-RUSSIAN MOOD. THE PRINCIPAL DEVELOPMENTS WERE AS FOLLOWS:

1. WE COMPLETED THE SECTION AND ACCOMPANYING ANNEX ON VISITS BY WEST BERLINERS TO EAST BERLIN AND THE GDR. THE BIG ISSUE IS HOW TO DESCRIBE THE AREA SO AS TO BYPASS THE QUESTION AS TO WHETHER EAST BERLIN IS OR IS NOT A PART OF THE GDR. UNTIL OUR MEETING

YESTERDAY THE RUSSIANS HAD INSISTED ON WORDING SUCH AS "BERLIN (EAST) AND OTHER AREAS OF THE GDR." HOWEVER, AFTER LONG DISCUSSION HE YESTERDAY ACCEPTED, SUBJECT TO MOSCOW APPROVAL, THE WORDING, "COMMUNICATIONS WITH AREAS CONTIGUOUS TO THE WESTERN SECTORS OF BERLIN AS WELL AS WITH AREAS NOT CONTIGUOUS TO THOSE SECTORS."

ANOTHER ISSUE HAS BEEN OUR ATTEMPT TO HAVE THE WESTERN END OF THE TELTOW CANAL OPENED TO NAVIGATION. THE CANAL IS LARGELY IN EAST BERLIN AND THE ACCRIMONIOUS POST WAR HISTORY OF THE CANAL HAS CAUSED A HARDENING OF ATTITUDES AND GIVEN THE ISSUE AN UNDOE SYMBOLIC IMPORTANCE. THE RUSSIANS HAVE ADAMANTLY REFUSED TO OPEN THE WESTERN END OF THE CANAL, BUT YESTERDAY FALIN FINALLY AGREED THAT IT "CAN BE OPENED TO NAVIGATION."

THE TEXT OF THE TENTATIVELY AGREED UPON PROVISIONS IS ATTACHED.

2. WE WERE ALSO TO DISCUSS YESTERDAY THE FINAL PROTOCOL, TO WHICH THE FRENCH GIVE SUCH IMPORTANCE. IN ORDER TO HELP MEET YOUR TIMETABLE HOWEVER, I POSTPONED THAT DISCUSSION ON THE BASIS THAT WE HAD TO DO MUCH MORE WORK WITH THE FRENCH FIRST.

3. PARTICULARLY IN VIEW OF THE KVITSINSKIY-DEAN EPISODE, I THINK THAT IN ORDER TO ALLAY SUSPICION AND PREVENT DISRUPTION, WE SHOULD CONTINUE THE NORMAL PATTERN OF ADVISORS MEETINGS AND THUS DEVIATE SOME WHAT FROM THE PLAN YOU AND I OUTLINED TO DOBRYNIN. WE CAN GIVE THE ADVISORS PLACE TO DO USEFULLY, AND, BY CAREFUL COORDINATION THROUGH BAHR, FALIN AND ME, PREVENT THESE TALKS FROM ADVERSELY AFFECTING OUR PLANS FOR GETTING THE AGREEMENT AS SECRETLY FINALIZED THROUGH THE FOUR POWER AMBASSADORIAL TALKS. BAHR AND FALIN AGREED WITH THIS REASONING, AND FALIN IS TAKING THE WORD BACK TO MOSCOW.

4. OUR NEXT MEETING IS ON TUESDAY 6 JULY FOLLOWING FALINS RETURN FROM MOSCOW. I THINK IT WILL TAKE SOME TIME FOR HIM TO WORK OUT AND ACCEPTABLE POSTURE ON FEDERAL PRESENCE, BUT IF INSTEAD HE RETURNS WITH ONE, WE MAY HAVE A SMALL PROBLEM OF AVOIDING EMBARRASMENT WITH THE GERMANS AS WE CARRY OUT YOUR TIME SCHEDULE. HOWEVER I THINK IT CAN BE DONE BY DELAYING CONSIDERATION AND FINAL AGREEMENT ON THE ISSUES OF REPRESENTATION ABROAD AND SOVIET INTERESTS IN WEST BERLIN AND BY OTHER MEANS.



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TO: HENRY A. KISSINGER
FM: AMBASSADOR RUSH

JULY 14, 1971

1. I HAVE ENCOUNTERED DIFFICULTIES WITH REGARD TO THE TIME FRAME OF REACHING AN AGREEMENT WITH FALIN NO EARLIER THAN JULY 20 AND PREFERABLY NEARER JULY 30, BUT FEEL THAT THESE PROBLEMS ARE NOW IN HAND WITHOUT UNDUE DAMAGE. THE MAJOR DIFFICULTY, OF COURSE, ARISES FROM THE FACT THAT THE CHANCELLOR AND BAHR ARE VERY ANXIOUS TO REACH FINAL AGREEMENT AS SOON AS POSSIBLE, ARE FULLY AWARE THAT FALIN IS WILLING TO COOPERATE FULLY TO ACCOMPLISH THIS, AND HAVE A DEEP FEAR THAT THE RUSSIANS MAY CHANGE THEIR MINDS AND ATTITUDE FOR SOME REASON, SUCH AS SUSPICION THAT THE UNITED STATES DOES NOT WANT AN AGREEMENT. AS I MENTIONED EARLIER, BAHR TOLD ME THAT FALIN AND GROMYKO WERE DEEPLY SUSPICIOUS OF THE REASONS AS TO WHY IN JUNE I DID NOT RETURN A WEEK EARLIER FROM THE STATES FOR MEETINGS AS BAHR HAD ERRONEOUSLY INFORMED THEM I WOULD.

THE CHANCELLOR AND BAHR PUSHED ME VERY HARD TO CONCLUDE THE TALKS WITH FALIN THIS WEEK. THIS, OF COURSE, I INSISTED WAS UNREALISTIC AND YOUR TRIP WAS CITED AS AN IMPORTANT REASON FOR DELAY. AS A FURTHER REASON, I HAVE INSISTED THAT THE REGULAR ACTIVITIES OF THE BONN GROUP, THE ADVISERS' AND AMBASSADORS' MEETINGS, ETC., MUST BE CARRIED ON IN ORDER BOTH TO AVOID SUSPICION ON THE PART OF THE BRITISH, FRENCH, FRG FOREIGN MINISTRY, AND OUR STATE DEPARTMENT, AND ALSO IN ORDER TO REACH AS FULL AGREEMENT AS POSSIBLE WITH THE THREE ALLIES AND THE FRG THROUGH THESE PROCEDURES IN ORDER TO MINIMIZE POSSIBLE DIFFICULTIES IN CARRYING EVERYONE CONCERNED ALONG WITH US IN ACCEPTING THE FINAL DRAFT OF AGREEMENT AS IT COMES OUT OF OUR TALKS WITH FALIN.

ANOTHER SOURCE OF PRESSURE FOR AN EARLY AGREEMENT COMES FROM THE BRITISH, FRENCH, AND THE FRG FOREIGN OFFICE. THEY ARE AWARE FROM THE MEETINGS OF ADVISERS AND AMBASSADORS AND FROM PRIVATE TALKS AT LUNCHEES, DINNERS, AND OTHERWISE WITH ABRASIMOV AND KVITSINSKIY THAT THE RUSSIANS ARE WILLING TO MOVE RAPIDLY, AND ARE IMPLYING SO PUBLICLY. FOR EXAMPLE, THE BONN GENERAL ANZEIGER REPORTED JULY 13 THAT FALIN, IN A MEETING WITH LEADING FDP POLITICIANS ON JULY 11, HAD STATED THAT THE BERLIN TALKS COULD BE SUCCESSFULLY CONCLUDED BY THE END OF AUGUST (BONN 8542). ACCORDINGLY, OUR COLLEAGUES ARE ANXIOUS TO HAVE AS MANY MEETINGS AS NEEDED TO ACHIEVE FINAL AGREEMENT AS SOON AS POSSIBLE. HERE, TOO, HOWEVER, AFTER LONG DISCUSSIONS THEY HAVE RELUCTANTLY ACCEPTED THAT AT LEAST AS OF NOW THE COURSE TO BE FOLLOWED IS TO HAVE ONLY ONE ADVISERS' MEETING AND ONE AMBASSADORIAL MEETING A WEEK. IN SO FAR AS SEEMED EXPEDIENT, I HAVE, OF COURSE, ALSO DELAYED ACTION AT THE ADVISERS' AND AMBASSADORS' MEETINGS. AT THE SAME TIME, I MUST BE VERY CAREFUL TO APPEAR TO BE COOPERATIVE AND FORTHCOMING WHILE MEETING YOUR TIMETABLE.

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PRIOR TO RECEIVING THE MESSAGES FROM GENERAL HAIG, I HAD AGREED, IN ORDER TO MAKE THE DELAYING TACTICS LESS OBVIOUS AND MORE PALATABLE, TO HAVE TWO MEETINGS WITH BAHR ADN FALIN THIS WEEK, THE RESULTS OF WHICH ARE OUTLINED BELOW. I HAVE ALSO DISCUSSED IN FULL WITH BAHR AND FALIN THE FACT THAT ORDERLY PROCEDURES MUST BE CARRIED OUT AND THAT WE SHOULD NOT EXPECT TO REACH FINAL AGREEMENT IN OUR TALKS BEFORE THE END OF THIS MONTH. THEY VERY RELUCTANTLY SEEM TO HAVE ACCEPTED THIS, AS WELL AS THE FACT THAT I HAVE POSTPONED ANY FURTHER MEETING UNTIL JULY 22ND BECAUSE OF THE FACT THAT I HAVE ENGAGEMENTS IN BERLIN FOLLOWING OUR AMBASSADORS' TALK THERE ON THE 16TH. HOWEVER, THE PRESSURES ON ALL FRONTS WILL CONTINUE AND MAY INCREASE AND IT MAY BE THAT BAHR OR DOBRYNIN WILL GET IN TOUCH WITH YOU DIRECTLY TO SEE IF YOU CAN HAVE ME MOVE MORE SPEEDILY. I WILL, OF COURSE, DO EVERYTHING POSSIBLE TO PREVENT ITS REACHING THIS POINT AND DON'T BELIEVE IT WILL DO SO SINCE THEY KNOW HOW THOROUGHLY I COORDINATE EVERYTHING WITH YOU.

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2. THE TIME FRAME AS I WOULD ENVISION IT IS SOMEWHAT AS FOLLOWS, ASSUMING THAT THE RUSSIANS CONTINUE IN THEIR PRESENT MOOD OF WANTING AN AGREEMENT AND THAT WE ARE ABLE TO SETTLE THE ISSUES REMAINING:

BY JULY 31, BAHR, FALIN AND I WILL HAVE A FINAL DRAFT OF AGREEMENT TO BE SENT BY ME TO YOU AND TO BE TAKEN BY FALIN TO MOSCOW. HE HAS SAID THAT HE WILL NEED A FEW DAYS FOR FINAL CLEARANCE IN MOSCOW AND WITH THE GDR.

DURING THE WEEK OF AUGUST 7, THE INTENSIVE AMBASSADORIAL SESSIONS WOULD TAKE PLACE, AT WHICH THE FINAL AGREEMENT AS RECOMMENDED BY THE AMBASSADORS WOULD EMERGE IN, I HOPE, EXACTLY THE FORM AGREED TO IN OUR FALIN-BAHR TALKS.

THIS SHOULD MEAN THAT SOMETIME BETWEEN AUGUST 15 AND AUGUST 30 THE AGREEMENT WOULD BE SIGNED AND THE ISSUES AS TO IMPLEMENTATION TURNED OVER TO THE FRG AND GDR.

BAHR THINKS THAT AROUND TWO MONTHS MAY BE NEEDED TO COMPLETE HIS AGREEMENT WITH KOHL, ALTHOUGH LONGER MAY BE REQUIRED. SO THAT FOLLOWING THE SIGNATURE TO THAT AGREEMENT THE FINAL QUADRIPARTITE PROTOCOL WOULD BE SIGNED BETWEEN NOVEMBER FIRST AND THE END OF THE YEAR.

THE GERMANS INSIST THAT UNLESS THE FINAL QUADRIPARTITE PROTOCOL IS SIGNED BY THE END OF THE YEAR AT THE LATEST, IT WOULD NOT BE POSSIBLE TO RATIFY THE GERMAN-SOVIET TREATY PRIOR TO THE PARLIAMENTARY RECESS OF 1972. THIS WOULD BRING THE RATIFICATION INTO THE BEGINNING, FOR PRACTICAL PURPOSES, OF THE ELECTION CAMPAIGN OF 1972 AND WOULD MEAN THAT THE RATIFICATION COULD NOT TAKE PLACE PRIOR TO THE 1973 ELECTIONS. FRANK TOLD FALIN THIS IN STRONG TERMS RECENTLY. (SEE BONN 7835 AND 8234)

3. THE CHANCELLOR CONSIDERS THE NEW FORMULATION WITH REGARD TO FEDERAL PRESENCE ADVANCED BY FALIN AND OUTLINED IN MY MESSAGE OF JULY 7 TO BE A MAJOR STEP FORWARD AND GENERALLY ACCEPTABLE. IN OUR DISCUSSION WITH FALIN ON JULY 12, HOWEVER, WE POINTED OUT TO HIM THAT AS SOON AS THE WORDING BECOMES PUBLIC THERE WOULD BE MAJOR PRESSURE ON THE CHANCELLOR AND THE ALLIES TO STATE WITH PRECISION JUST WHAT IS AND IS NOT PERMITTED UNDER THE RATHER GENERAL LANGUAGE, ACCORDINGLY, AT THE TIME OF SIGNING THE AGREEMENT IT WILL BE ESSENTIAL TO HAVE AN OFFICIAL PROTOCOL STATEMENT BROADLY OUTLINING THIS. THE SUBSTANCE OF THIS STATEMENT COULD, IN TURN, BE TRANSMITTED BY THE ALLIES TO THE FEDERAL REPUBLIC WITH A COPY TO THE SOVIET AS GUIDELINES FOR FRG PRESENCE IN WEST BERLIN. FALIN REAFFIRMED THAT THE PURPOSE OF THE BROADENED LANGUAGE IS TO PERMIT THE HOLDING COMMITTEE AND FRAKTIONEN MEETINGS IN GENERAL BUT THAT THESE SHOULD NOT BE ON SUBJECTS HAVING NOTHING TO DO WITH BERLIN AND SHOULD NOT CONSIST OF SO-CALLED BUNDES WEEKS, WHERE MANY COMMITTEES MEET AT THE SAME TIME. WE ARE DRAFTING A PROTOCOL STATEMENT AND LETTER ALONG THE LINES OF WHAT THE FRG HAS DECIDED ARE ACCEPTABLE AND WILL DISCUSS THEM WITH YOU.

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WE ALSO RAISED OBJECTION TO THE STATEMENT THAT THE WESTERN SECTORS OF BERLIN WILL ALSO ACT IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH 1. WE POINTED OUT TO FALIN THAT THIS WAS UNNECESSARY AND DIFFICULT TO EXPLAIN TO THE PUBLIC SINCE THE SENAT AND OTHER OFFICIAL BODIES OF THE WESTERN SECTORS, UNLIKE THE FRG, ACT OVERALL UNDER THE ADMINISTRATION OF THE THREE POWERS IN ASSISTING TO GOVERN BERLIN AND ANY SUCH STATEMENT WOULD CREATE AN UNFAVORABLE COMPARISON WITH EAST BERLIN AND AROUSE POLITICAL RESISTANCE. WITHOUT MY TROUBLING YOU WITH DETAILS OF A LONG DISCUSSION, FALIN AT LAST AGREED, SUBJECT TO GROMYKO APPROVAL, THAT THE PROVISION MIGHT BE DELETED AND THAT INSTEAD WE WOULD INSERT IN THE PROTOCOL STATEMENT AND LETTER WORDING TO THE EFFECT THAT IN THE ADMINISTRATION OF THE WESTERN SECTORS OF BERLIN THE PROVISIONS OF PARAGRAPH 1 OF ANNEX II WILL, OF COURSE, BE RESPECTED.

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4. AT THE ADVISERS' MEETING YESTERDAY, INSTRUCTIONS WERE TO WORK ON THE FINAL QUADRIpartite PROTOCOL WHICH, AS YOU KNOW, IS A VERY STICKY SUBJECT WITH THE FRENCH. WE WENT OVER THE DRAFT WITH KYITSINSKIY TODAY AND REACHED TENTATIVE AGREEMENT ON IT. A COPY OF THIS FINAL TENTATIVE DRAFT IS ATTACHED. IN IT THE RUSSIANS HAVE SUBSTANTIALLY ABANDONED THEIR EARLIER POSITION AND HAVE MET OUR MAJOR DEMANDS, NAMELY,

(A) TAKING NOTE OF THE GERMAN AGREEMENTS WITH REGARD TO TRAFFIC AND LISTING THESE AGREEMENTS IN PROTOCOL;

(B) PROVIDING THAT THE GERMAN AGREEMENT AND THE FOUR POWER AGREEMENT AND PROTOCOL ENTER INTO FORCE SIMULTANEOUSLY AND REMAIN IN FORCE TOGETHER;

(C) PROVIDING FOR CONSULTATION WITH REGARD TO BOTH THE GERMAN AGREEMENTS AND THE FOUR POWER AGREEMENTS AND PROTOCOL TO INSURE THE OBSERVANCE OF THE COMMITMENTS UNDERTAKEN AND TO BRING THE SITUATION INTO CONFORMITY WITH THEM. THIS SHOULD SATISFY EVEN THE FRENCH.

5. GERMANY HAS BEEN FOLLOWING YOUR TRIP WITH INTENSE INTEREST AND NO ONE MORE THAN I. I SHOULD CERTAINLY LIKE TO HEAR ABOUT IT AND HOPE THAT IT LIVED UP TO YOUR HIGHEST EXPECTATIONS. I HAVE SOME CONCEPT OF HOW MANY IMPORTANT BALLS YOU ARE KEEPING IN THE AIR, AND IF I CAN BE OF ANY FURTHER HELP OVER HERE, PLEASE CALL UPON ME.

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SECRET

FINAL QUADRIPARTITE PROTOCOL

THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE USSR, THE UK
AND THE US,

HAVING IN MIND PART III OF THE QUADRIPARTITE AGREEMENT OF
(DATE), AND WITH SATISFACTION TAKING NOTE OF THE FACT THAT THE
AGREEMENTS AND ARRANGEMENTS MENTIONED BELOW HAVE BEEN CONCLUDED;
HAVE AGREED ON THE FOLLOWING:

1. THE FOUR GOVERNMENTS, BY VIRTUE OF THIS PROTOCOL, BRING INTO
EFFECT THE QUADRIPARTITE AGREEMENT, WHICH, LIKE THIS PROTOCOL,
DOES NOT AFFECT FOUR POWER AGREEMENTS OR DECISIONS PREVIOUSLY
CONCLUDED OR REACHED.
2. THE FOUR GOVERNMENTS PROCEED ON THE BASIS THAT THE AGREEMENTS
AND ARRANGEMENTS CONCLUDED BETWEEN THE COMPETENT GERMAN AUTHORITIES
(LIST OF ARRANGEMENTS) SHALL ENTER INTO FORCE SIMULTANEOUSLY WITH
THE QUADRIPARTITE AGREEMENT.
3. THE QUADRIPARTITE AGREEMENT, AND THE AGREEMENTS AND ARRANGE-
MENTS REFERRED TO IN THIS PROTOCOL, CONSTITUTE SETTLEMENT OF
IMPORTANT ISSUES OUTLINED IN THE COURSE OF THE NEGOTIATIONS AND
SHALL REMAIN IN FORCE TOGETHER.
4. IN THE EVENT OF A DIFFICULTY IN THE APPLICATION OF THE QUADRI-
PARTITE AGREEMENT OR ANY OF THE ABOVE MENTIONED AGREEMENTS OR
ARRANGEMENTS WHICH ANY OF THE FOUR GOVERNMENTS CONSIDERS SERIOUS,
OR IN THE EVENT OF NON-IMPLEMENTATION OF ANY PART THEREOF, THAT
GOVERNMENT WILL HAVE THE RIGHT TO DRAW THE ATTENTION OF THE OTHER
THREE GOVERNMENTS TO THE PROVISIONS OF THE QUADRIPARTITE AGREEMENT
AND THIS PROTOCOL AND TO CONDUCT THE REQUISITE QUADRIPARTITE
CONSULTATIONS IN ORDER TO INSURE THE OBSERVANCE OF THE COMMITMENTS
UNDERTAKEN AND TO BRING THE SITUATION INTO CONFORMITY WITH THEM.
5. THIS PROTOCOL ENTERS INTO FORCE ON SIGNATURE.

DONE AT THE BUILDING FORMERLY OCCUPIED BY THE ALLIED CONTROL
COUNCIL IN THE US SECTOR OF BERLIN THIS (DAY) OF (MONTH) 1971, IN
FOUR COPIES EACH IN THE ENGLISH, FRENCH AND RUSSIAN LANGUAGES.

(FOUR SIGNATURES)

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MAY 28, 1971

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

1. THE MEETING WITH BAHR AND FALIN YESTERDAY PROCEEDED IN THE SAME AMICABLE, COOPERATIVE MANNER AS OUR PREVIOUS ONE. IT IS QUITE CLEAR THAT FALIN HAS FULL AUTHORIZATION WITH REGARD TO BERLIN ISSUES, AND IN FACT HE SAID SO. IT IS ALSO CLEAR THAT HE IS THOROUGHLY

FAMILIAR WITH EVERYTHING TRANSPILING IN THIS AREA. FOR EXAMPLE, I AM HAVING DINNER WITH ABRASIMOV MONDAY EVENING, AND I ASKED FALIN TO BE SURE TO INSTRUCT ABRASIMOV NOT TO REFER TO YOUR DISCUSSIONS WITH DOBRYNIN OR MINE WITH FALIN. FALIN THEN GAVE A FULL VERSION OF THEIR SIDE OF THAT INCIDENT AND SAID ABRASIMOV WAS UNDER STRICT INSTRUCTIONS WITH REGARD TO THIS MATTER. AS DOUBLE INSURANCE, HOWEVER HE IS GETTING IN TOUCH WITH ABRASIMOV AGAIN.

2. OUR DISCUSSION CENTERED PRIMARILY ON THE ISSUE OF FEDERAL PRESENCE AND WAS HELPFUL IN BRINGING OUT REASONS WE HAD NOT ANTICIPATED FOR SOME OF THE SOVIET POSITIONS. THIS IN TURN MAY LEAD TO EASY SOLUTIONS OF WHAT HAVE BEEN MAJOR PROBLEMS. I WILL GIVE TWO EXAMPLES OF THIS.

A HIGHLY CONTROVERSIAL ITEM IN THE FEDERAL PRESENCE AREA IS THE PARAGRAPH IN THE DRAFT OF LETTER FROM THE THREE POWERS TO THE SOVIET READING:

"2. THEY CONFIRM THAT THE WESTERN SECTORS ARE NOT TO BE REGARDED AS A LAND OF THE FEDERAL REPUBLIC OF GERMANY AND ARE NOT GOVERNED BY IT. THE PROVISION OF THE BASIC LAW OF THE FEDERAL REPUBLIC OF GERMANY AND THE CONSTITUTION OF BERLIN WHICH INDICATE TO THE CONTRARY REMAIN SUSPENDED."

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AS YOU KNOW, THE SOVIETS HAVE BEEN VERY INSISTENT THAT THE STATEMENT "THAT THE WESTERN SECTORS ARE NOT TO BE REGARDED AS A LAND OF THE FEDERAL REPUBLIC...." IS NOT SATISFACTORY, AND INSTEAD HAVE BEEN QUITE ADAMANT THAT WE MUST SAY THAT THE WESTERN SECTORS ARE NOT A "PART OF THE FEDERAL REPUBLIC." FALIN GAVE THE SURPRISING EXPLANATION THAT THE REASON THE "LAND" PHRASE IS UNACCEPTABLE IS THAT WHILE THE THREE WESTERN SECTORS MIGHT NOT BE CONSIDERED TO BE A LAND OF THE FEDERAL REPUBLIC OF GERMANY, ALL OF BERLIN MIGHT BE CONSIDERED TO BE ONE AND THERE CAN BE NO ROOM FOR SUCH A CONTENTION. THE SUGGESTION THAT WE SUBSTITUTE THE WORDS "THAT THE THREE WESTERN SECTORS ARE NOT TO BE REGARDED AS INCLUDED AMONG THE LAENDER OF THE FEDERAL REPUBLIC" SEEMED AT LEAST TENTATIVELY TO BE SATISFACTORY WITH FALIN AND WAS TAKEN UNDER ADVISEMENT BY US ALL.

AS ANOTHER EXAMPLE, FALIN STATED THAT THE REASON THE SOVIET COULD NOT ACCEPT "REMAIN SUSPENDED" IS THAT THIS WOULD IMPLY RECOGNITION THAT THE PROVISION OF THE BASIC LAW OF THE REPUBLIC AND THE CONSTITUTION ARE LEGAL AND VALID ALTHOUGH TEMPORARILY SUSPENDED. THE SUGGESTION THAT HIS WORDS "CONTINUE NOT TO BE IN EFFECT" REPLACE "REMAIN SUSPENDED" WAS ALSO TAKEN UNDER ADVISEMENT BY ALL OF US AS A POSSIBLE ALTERNATIVE.

THUS IT MAY BE THAT MINOR SUBSTITUTIONS OF WORDS NOT AFFECTING OUR BASIC POSITION MAY RESOLVE MAJOR CONTROVERSIES.

3. FALIN REITERATED THE OBJECTION TO AN AFFIRMATIVE STATEMENT IN THE THREE POWER LETTER OF THE APPROVAL BY THOSE POWERS OF SPECIAL TIES BETWEEN THE WESTERN SECTORS AND THE FEDERAL REPUBLIC. HOWEVER, AFTER A LONG DISCUSSION AND EXPLANATION WHY IT IS ESSENTIAL TO HAVE THIS AFFIRMATIVE STATEMENT OF SPECIAL TIES ESTABLISHED AND APPROVED BY THE THREE POWERS IN ORDER TO BALANCE AND GIVE A BASIS FOR ANY LIMITING OF THE TIES, HE SEEMED TO BE MORE RECEPTIVE TO OUR APPROACH. THE ISSUE, HOWEVER, IS STILL TO BE RESOLVED.

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4. FALIN BROUGHT UP AND WE DISCUSSED AT SOME LENGTH THE ISSUE OF DEMILITARIZATION IN THE WESTERN SECTORS AND THE QUESTION OF BANNING NEO-NAZI ORGANIZATION. HE IS QUITE WILLING TO HAVE THESE ISSUES SETTLED OUTSIDE THE AGREEMENT IN A LETTER FROM THE THREE POWERS TO THE SOVIETS, BUT EVIDENTLY CONSIDERS THE ISSUES TO BE VERY IMPORTANT. WE EXPLAINED TO HIM THAT THE PRESENT AGREEMENT BETWEEN THE FOUR POWERS REGARDING DEMILITARIZATION APPLIES TO ALL OF BERLIN AND NOT JUST THE WESTERN SECTORS; AND TO HAVE A LETTER RELATING ONLY TO THE WESTERN SECTORS WOULD CAUSE VERY ADVERSE PUBLIC OPINION AND WOULD NOT BE ACCEPTABLE. WITH REGARD TO NEO-NAZI ORGANIZATIONS, WE ARE WILLING TO STATE THAT WE WILL TAKE STEPS TO PREVENT FUTURE MEETINGS OF THE NPD. WE ARE NOT WILLING TO USE A PHRASE SUCH AS "NAZIS" WITH REGARD TO FUTURE GROUPS, WHICH WOULD BE HIGHLY CONTROVERSIAL BETWEEN THE RUSSIANS AND THE FOUR-ALLIES. HE SEEMED TO BE SATISFIED, AND I THINK WE CAN SOLVE THESE PROBLEMS WITH A LETTER FROM THE THREE POWERS, OUTSIDE OF THE AGREEMENT, STATING SIMPLY THAT WE ARE BANNING FUTURE MEETINGS OF THE NPD.
5. IT IS VERY DIFFICULT TO SAY TO WHAT DEGREE THE BERLIN TALKS CAN BE SYNCHRONIZED WITH SALT. JUDGING BY FALIN'S APPROACH OF YESTERDAY, THERE IS A FAIR PROBABILITY THAT THE BERLIN TALKS MOVE AHEAD QUITE RAPIDLY BY VIRTUE OF THE RUSSIANS TAKKIKING AN EASY POSITION ON ALL THE REMAINING ISSUES. WE CAN DISCUSS THIS IN FULL WHEN I AM IN WASHINGTON.
6. THE NEXT MEETING BETWEEN BAKR, FALIN AND MEE WILL BE ON JUNE 4. MEANWHILE, HE IS GOING TO MOSCOW AND MAY RETURN WITH CONCRETE PROPOSALS CONCERNING MOST OF THE REMAINING ISSUES.

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5. IT IS VERY DIFFICULT TO SAY TO WHAT DEGREE THE BERLIN TALKS CAN BE SYNCHRONIZED WITH SALT. JUDGING BY FALIN'S APPROACH OF YESTERDAY, THERE IS A FAIR PROBABILITY THAT THE BERLIN TALKS MOVE AHEAD QUITE RAPIDLY BY VIRTUE OF THE RUSSIANS TAKING AN EASY POSITION ON ALL THE REMAINING ISSUES. WE CAN DISCUSS THIS IN FULL WHEN I AM IN WASHINGTON.

6. THE NEXT MEETING BETWEEN BAHR, FALIN AND ME WILL BE ON JUNE 4. MEANWHILE, HE IS GOING TO MOSCOW AND MAY RETURN WITH CONCRETE PROPOSALS CONCERNING MOST OF THE REMAINING ISSUES.

7. BAHR CALLED AND ASKED ME TO TELL YOU THAT HE WILL NOT BE SENDING YOU A MESSAGE ABOUT OUR MEETING OF YESTERDAY SINCE THE MEETING WAS OF THE NATURE I HAVE DESCRIBED ABOVE WITHOUT DEFINITIVE CONCLUSIONS.

WARM REGARDS.

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MEMORANDUM

INFORMATION 36

NATIONAL SECURITY COUNCIL

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July 21, 1971

MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt
SUBJECT: Berlin Negotiations: the Unresolved Issues

Following is a checklist of the status of various disagreed issues in the Four Power Ambassadorial negotiations on Berlin. The list is based on Ambassador Rush's reporting to the State Department.

Preamble and general provisions. Aside from the most basic and formal introductory language, the only scrap of text that has been agreed is that portion providing that "the Four Governments will mutually respect their individual and joint rights and responsibilities which remain unaffected." There is no agreement on the delicate issue of the renunciation of the use of force, reference to the UN Charter and peaceful settlement of disputes -- which also involve the knotty problem of defining the area to which the agreement applies.

Access. One basic disagreement on this issue is the Soviet insistence on referring to access as "transit", a code-word for international traffic between two sovereign states; similarly, the Soviets demand that access should be in accord with generally accepted international practice or rules (in contrast to the sui generis situation it is). Both concepts are incompatible with our view on the status of Berlin.

In addition to these more basic issues related to access, there are more narrow disagreements. For example, while all sides agree that there may be examination of seals on goods, the Soviets go further and insist on the GDR right selectively to inspect the goods themselves. With respect to access by persons, the sides are disagreed on whether to permit GDR inspection of travel documents (in addition to tickets), whether visa fees may be paid in a lump sum, whether the travellers are required to observe "public order" regulations (as distinct from health and traffic regulations), and whether general categories of persons restricted from travel may be established. In short, there is still a fair distance to go on the important access issue.

Entry into East Berlin. There is probably less disagreement on this than any other major issue, although some significant language still must be confirmed by the Soviets. There are relatively minor points unresolved, relating to the navigation of the Teltow canal (which we want opened), and

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additional crossing points at the Wall. The largest problem remains the issue of the designation of the parties to work out the implementing arrangements, with the Soviets insisting on the dealings being between the GDR and the Senat. (A similar "competence" issue is still unresolved on access generally, where the Soviet version implies a GDR competence over access.)

Bonn/Berlin relationship. A basic sticking point is the characterization of West Berlin: the West has offered the language that the "Western Sectors are not to be regarded as a Land", while the Soviets have proposed "are not included in the territorial or state structure". Both sides have dug in hard on this, and the FRG has made it clear that it will be virtually impossible to water down the current Western proposal.

Federal presence. There is still some wide disagreement here, for example whether the restriction on non-performance of constitutional acts in West Berlin is confined to the Cabinet as a whole or extends to individual Cabinet members. The Soviets, in addition, wish to have a general provision forbidding acts generally (by the Chancellor, Cabinet, etc.) which would signify the extension of their competence to Berlin. Similarly, there is disagreement over Bundestag committee meetings, with the Soviets accepting the proposition that single committees might meet, but the Western side (the FRG) desires an understanding that as many as two or three committees might meet simultaneously (the FRG will probably accept confining fraktionen meetings to only one at a time).

In addition, the Soviets have insisted on a general provision calling for good comportment in Berlin by FRG officials, as well as a statement in the Agreement's Annex making clear that FRG legislation apply as such in Berlin. We will probably concede this latter point -- since it is consistent with our theory of the essentially identical but technically separate legal structure -- but some Germans are concerned that this sort of statement will permit the Soviets later to charge that only Berlin officials may administer "Berlin laws".

FRG representation of Berlin abroad. There has been some forward movement on this in recent weeks, with both sides attempting to agree on an exchange of letters setting out the respective understandings. There is still much unresolved, largely centered on the distinct possibility that a double standard will result from the inconsistent statements proposed by the Soviets in the exchange. Essentially, however, both sides are still apart on the question of West Berlin's representation in the UN and other international bodies, extension of FRG treaties to Berlin and participation of Berliners in international exchanges and exhibits of the FRG. In all these, the Soviets have been attempting to carve out a voice for themselves in this

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area of responsibility for West Berlin, and generally have insisted that the FRG may have no dealings for Berlin in matters of security, status, or political affairs. Another basic disagreement is over the Western desire for acceptance by the Soviets of FRG passports for West Berliners. The Soviets have flatly refused to consider this, even though the West has offered to place a Commandant's stamp (or some other special designation) in the passport and suggested that the Soviets could issue visas on a separate piece of paper.

Final Quadripartite Protocol. This is the last area of disagreement with respect to the text of an Agreement itself. The essential point of difference -- and this is crucial -- is over the Western demand that the Soviets agree at a minimum to language calling for each Government to "see to it" that the inner-German arrangements are applied. This is a vital element in allowing us credibly to maintain that the package contains something approximating a Soviet guarantee of GDR commitments (and even this language is not ideal). The Soviets have refused to accept this. There is also another aspect to the connection between the inner-German arrangements and the Four Power agreement. The Western side wishes to make it clear that the execution of the German arrangements is essential to the implementation of the Quadripartite agreement. The Soviets, wishing to avoid anything which might imply a second class or dependent status for the German arrangements, are willing to accept only the concept of the simultaneous existence of the Four Power and the German arrangements.

Outside the immediate scope of the Agreement itself, there are areas of additional disagreement. The main one, of course, is the question of Soviet presence in West Berlin. Within that general issue is the important point of the Consulate General, but there are also lesser items such as the excessive Soviet demands on trade opportunities in West Berlin and the restoration of former Soviet property. There is in this context the unresolved issue of the manner in which the Western "commitment" on Soviet presence will be recorded, as well as the timing for the implementation of the Soviet expansion.

Also outside the Agreement, but of lesser weight, are the still unresolved issues of demilitarization (in which the Soviets want some indication that the West will continue to enforce these regulations in West Berlin), and the NPD (which the Soviets want the West to prohibit).

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29 JULY 1971

FM: AMBASSADOR RUSH
TO: HENRY A. KESSINGER

1. YESTERDAY BAHR AND I HAD OUR CONCLUDING SESSION WITH FALIN INSOFAR AS REACHING FINAL TENTATIVE AGREEMENT ON ALL ISSUES IS CONCERNED. FALIN IS LEAVING FRIDAY FOR MOSCOW AND A FINAL CHECK OF ALL PROVISIONS WITH GROMYKO AND WITH THE GDR. NEXT TUESDAY BAHR IS GOING TO SEE BRANDT, WHO IS ON VACATION, FOR A FINAL REVIEW SESSION.

2. IN OUR SESSION YESTERDAY, WE ONCE MORE WENT OVER THE ENTIRE AGREEMENT AND DISCUSSED THE VERY TROUBLESOME ISSUE OF THE USE OF FRG PASSPORTS IN RUSSIA (WHICH FOR THIS PURPOSE REALLY INCLUDES THE ENTIRE WARSAW PACT BLOC) AND THE QUESTION OF A CONSULATE GENERAL.

(A) WITH REGARD TO THE PASSPORT PROBLEM, FALIN SAYS GROMYKO IS VERY "STIFF" BOTH ON LEGALISTIC AND ON EMOTIONAL GROUNDS. LEGALISTICALLY GROMYKO REPEATED THE ARGUMENTS THAT ABRASIMOV HAS ADVANCED THAT IN SOCIALIST COUNTRIES PASSPORT MEANS CITIZENSHIP. I AGAIN POINTED OUT THAT THIS IS NOT RELEVANT FOR OBVIOUSLY THE SOVIETS MUST RECOGNIZE THE LAWS OF OTHER COUNTRIES CONCERNING PASSPORT ISSUANCE WHEN FOREIGNERS VISIT THE SOVIET UNION. FOR EXAMPLE, THE SOVIETS ACCEPT THE USE BY LICHTENSTEINERS OF SWISS PASSPORTS, MONACANS OF FRENCH PASSPORTS (I BELIEVE) AND ANDORRANS OF SPANISH PASSPORTS. IN ADDITION, MANY PEOPLE HAVE DUAL PASSPORTS, AND I KNOW OF SEVERAL INSTANCES WHERE PEOPLE CARRY DUTCH AND AMERICAN PASSPORTS. THE SOVIET UNION ACCEPTS THE ONE USED BY THE TRAVELLER. ACCORDINGLY THERE IS NO VIOLATION OR RUSSIAN LAW IF A WEST BERLINER TRAVELS ON AN FRG PASSPORT, REGARDLESS OF WHAT NATIONALITY OR CITIZENSHIP THE SOVIET UNION MAY THINK HE HAS. AFTER A LONG DISCUSSION, FALIN AGREED TO RECOMMEND TO GROMYKO THAT AN ADDITIONAL CLAUSE BE ADDED TO ANNEX IV B (1) SO THAT IT WOULD READ AS FOLLOWS:

(1) THE EXERCISE BY THE FRG OF CONSULAR FUNCTIONS FOR PERMANENT RESIDENTS OF THE WESTERN SECTION, INCLUDING THE USE BY SUCH RESIDENTS OF PASSPORTS OF THE FRG ISSUED BY SPECIAL PROCEDURE, IT BEING UNDERSTOOD THAT SUCH USE IS NOT IN CONTRADICTION OF THE PROVISIONS OF PART II B AND ANNEX II.

(B) WITH REGARD TO THE CONSULATE GENERAL, FALIN WAS VERY EMPHATIC THAT THE RUSSIANS CONSIDER THIS TO BE A TOP PRIORITY ITEM AND THAT IT MUST BE INCLUDED IN THE TEXT OF THE QUIDRIPARTITE AGREEMENT. HE ADVANCED THE POINT THAT THE RUSSIANS FEEL THEY HAVE BEEN TREATED VERY SHABBILY IN WEST BERLIN (1) AND THAT THEY ARE UNWILLING TO TAKE AN INFERIOR STATUS BY HAVING THE CONSULATE GENERAL QUESTION HANDLED OUTSIDE THE AGREEMENT IN THE SAME WAY AS THE BANNING OF THE NPD. HE SAID THAT NOT ONLY WAS GROMYKO ABSOLUTELY ADAMANT IN THIS BUT THAT GROMYKO HAD NO LEeway IN THE MATTER SINCE HIS STRICT INSTRUCTIONS HAD COME FROM THE TOP. WE OF COURSE ATTEMPTED TO EXPLAIN JUST WHY THE RUSSIANS HAD BEEN TREATED AS THEY HAVE IN WEST BERLIN, THE HORRIBLE EXAMPLE BEING THE WAY WE HAVE BEEN TREATED IN EAST BERLIN, BUT FALIN STATED FLATLY THAT HE HAD NO POWER TO MOVE. WE FINALLY AGREED THAT WE WOULD ADD TO THE AGREEMENT THE FOLLOWING AS PART II B (1) (C) (D) (E) (F) (G) (H) (I) (J) (K) (L) (M) (N) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z) (AA) (AB) (AC) (AD) (AE) (AF) (AG) (AH) (AI) (AJ) (AK) (AL) (AM) (AN) (AO) (AP) (AQ) (AR) (AS) (AT) (AU) (AV) (AW) (AX) (AY) (AZ) (BA) (BB) (BC) (BD) (BE) (BF) (BG) (BH) (BI) (BJ) (BK) (BL) (BM) (BN) (BO) (BP) (BQ) (BR) (BS) (BT) (BU) (BV) (BW) (BX) (BY) (BZ) (CA) (CB) (CC) (CD) (CE) (CF) (CG) (CH) (CI) (CJ) (CK) (CL) (CM) (CN) (CO) (CP) (CQ) (CR) (CS) (CT) (CU) (CV) (CW) (CX) (CY) (CZ) (DA) (DB) (DC) (DD) (DE) (DF) (DG) (DH) (DI) (DJ) (DK) (DL) (DM) (DN) (DO) (DP) (DQ) (DR) (DS) (DT) (DU) (DV) (DW) (DX) (DY) (DZ) (EA) (EB) (EC) (ED) (EE) (EF) (EG) (EH) (EI) (EJ) (EK) (EL) (EM) (EN) (EO) (EP) (EQ) (ER) (ES) (ET) (EU) (EV) (EW) (EX) (EY) (EZ) (FA) (FB) (FC) (FD) (FE) (FF) (FG) (FH) (FI) (FJ) (FK) (FL) (FM) (FN) (FO) (FP) (FQ) (FR) (FS) (FT) (FU) (FV) (FW) (FX) (FY) (FZ) (GA) (GB) (GC) (GD) (GE) (GF) (GG) (GH) (GI) (GJ) (GK) (GL) (GM) (GN) (GO) (GP) (GQ) (GR) (GS) (GT) (GU) (GV) (GW) (GX) (GY) (GZ) (HA) (HB) (HC) (HD) (HE) (HF) (HG) (HH) (HI) (HJ) (HK) (HL) (HM) (HN) (HO) (HP) (HQ) (HR) (HS) (HT) (HU) (HV) (HW) (HX) (HY) (HZ) (IA) (IB) (IC) (ID) (IE) (IF) (IG) (IH) (II) (IJ) (IK) (IL) (IM) (IN) (IO) (IP) (IQ) (IR) (IS) (IT) (IU) (IV) (IW) (IX) (IY) (IZ) (JA) (JB) (JC) (JD) (JE) (JF) (JG) (JH) (JI) (JJ) (JK) (JL) (JM) (JN) (JO) (JP) (JQ) (JR) (JS) (JT) (JU) (JV) (JW) (JX) (JY) (JZ) (KA) (KB) (KC) (KD) (KE) (KF) (KG) (KH) (KI) (KJ) (KL) (KM) (KN) (KO) (KP) (KQ) (KR) (KS) (KT) (KU) (KV) (KW) (KX) (KY) (KZ) (LA) (LB) (LC) (LD) (LE) (LF) (LG) (LH) (LI) (LJ) (LK) (LL) (LM) (LN) (LO) (LP) (LQ) (LR) (LS) (LT) (LU) (LV) (LW) (LX) (LY) (LZ) (MA) (MB) (MC) (MD) (ME) (MF) (MG) (MH) (MI) (MJ) (MK) (ML) (MN) (MO) (MP) (MQ) (MR) (MS) (MT) (MU) (MV) (MW) (MX) (MY) (MZ) (NA) (NB) (NC) (ND) (NE) (NF) (NG) (NH) (NI) (NJ) (NK) (NL) (NM) (NN) (NO) (NP) (NQ) (NR) (NS) (NT) (NU) (NV) (NW) (NX) (NY) (NZ) (OA) (OB) (OC) (OD) (OE) (OF) (OG) (OH) (OI) (OJ) (OK) (OL) (OM) (ON) (OO) (OP) (OQ) (OR) (OS) (OT) (OU) (OV) (OW) (OX) (OY) (OZ) (PA) (PB) (PC) (PD) (PE) (PF) (PG) (PH) (PI) (PJ) (PK) (PL) (PM) (PN) (PO) (PP) (PQ) (PR) (PS) (PT) (PU) (PV) (PW) (PX) (PY) (PZ) (QA) (QB) (QC) (QD) (QE) (QF) (QG) (QH) (QI) (QJ) (QK) (QL) (QM) (QN) (QO) (QP) (QQ) (QR) (QS) (QT) (QU) (QV) (QW) (QX) (QY) (QZ) (RA) (RB) (RC) (RD) (RE) (RF) (RG) (RH) (RI) (RJ) (RK) (RL) (RM) (RN) (RO) (RP) (RQ) (RR) (RS) (RT) (RU) (RV) (RW) (RX) (RY) (RZ) (SA) (SB) (SC) (SD) (SE) (SF) (SG) (SH) (SI) (SJ) (SK) (SL) (SM) (SN) (SO) (SP) (SQ) (SR) (SS) (ST) (SU) (SV) (SW) (SX) (SY) (SZ) (TA) (TB) (TC) (TD) (TE) (TF) (TG) (TH) (TI) (TJ) (TK) (TL) (TM) (TN) (TO) (TP) (TQ) (TR) (TS) (TT) (TU) (TV) (TW) (TX) (TY) (TZ) (UA) (UB) (UC) (UD) (UE) (UF) (UG) (UH) (UI) (UJ) (UK) (UL) (UM) (UN) (UO) (UP) (UQ) (UR) (US) (UT) (UU) (UV) (UW) (UX) (UY) (UZ) (VA) (VB) (VC) (VD) (VE) (VF) (VG) (VH) (VI) (VJ) (VK) (VL) (VM) (VN) (VO) (VP) (VQ) (VR) (VS) (VT) (VU) (VV) (VW) (VX) (VY) (VZ) (WA) (WB) (WC) (WD) (WE) (WF) (WG) (WH) (WI) (WJ) (WK) (WL) (WM) (WN) (WO) (WP) (WQ) (WR) (WS) (WT) (WU) (WV) (WW) (WX) (WY) (WZ) (XA) (XB) (XC) (XD) (XE) (XF) (XG) (XH) (XI) (XJ) (XK) (XL) (XM) (XN) (XO) (XP) (XQ) (XR) (XS) (XT) (XU) (XV) (XW) (XX) (XY) (XZ) (YA) (YB) (YC) (YD) (YE) (YF) (YG) (YH) (YI) (YJ) (YK) (YL) (YM) (YN) (YO) (YP) (YQ) (YR) (YS) (YT) (YU) (YV) (YW) (YX) (YZ) (ZA) (ZB) (ZC) (ZD) (ZE) (ZF) (ZG) (ZH) (ZI) (ZJ) (ZK) (ZL) (ZM) (ZN) (ZO) (ZP) (ZQ) (ZR) (ZS) (ZT) (ZU) (ZV) (ZW) (ZX) (ZY) (ZZ)

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E. THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UK AND THE USA AGREE THAT CONSULAR FUNCTIONS FOR THE USSR IN THE WESTERN SECTORS WILL BE EXERCISED THROUGH ITS CONSULATE GENERAL. DETAILED PROVISIONS CONCERNING THE ESTABLISHMENT AND FUNCTIONS OF SUCH CONSULATE GENERAL WILL BE MADE BY THE PARTIES.

WE ALSO AGREED THAT WE WOULD HAVE A SHORT MINUTE WHICH WOULD COVER THE LIMITATIONS WHICH I RECENTLY FORWARDED TO YOU CONCERNING THE CONSULATE GENERAL AND WOULD ALSO INCLUDE IN THAT MINUTE A STATEMENT THAT DURING THE PERIOD BETWEEN THE SIGNING OF THE QUADRIPARTITE AGREEMENT AND THE FINAL QUADRIPARTITE PROTOCOL THE FOUR POWERS WOULD AGREE ON THE DETAILS WITH REGARD TO SUCH ITEMS AS PROPERTY CLAIMS OF THE RUSSIANS AND THEIR DESIRE TO EXPAND THE ACTIVITIES OF INTOURIST, ESTABLISH AN OFFICE FOR AEORFLOT, AND A NON-OFFICIAL TRADING OFFICE.

3. YESTERDAY WE ALSO MADE SOME CHANGES IN ANNEX IV CONCERNING REPRESENTATION, AND I AM ENCLOSED THE TEXT AS CHANGED. I AM SORRY THAT YESTERDAY WE LEFT OUT PART III OF THE QUADRIPARTITE AGREEMENT, WHICH IS THE CONCLUDING SIGNATURE SECTION. THE TEXT OF THAT IS ALSO ENCLOSED.

WE REDRAFTED THE NOTE TO BE SENT BY THE THREE POWERS TO THE FRG, CLARIFYING THE MEANING OF THE TIES PROVISION (PART II B AND ANNEX II) AND ALSO THE NOTE TO BE SENT TO THE SENAT. THE TEXTU OF THESE ARE ATTACHED.

4. I AM LEAVING FOR BERLIN TODAY FOR THE AMBASADORIAL MEETING TOMORROW. NOTHING OF IMPORTANCE WILL TAKE PLACE AT THAT TIME. FALIN PLANS TO LEAVE MOSCOW NEXT THURSDAY AND WILL GO TO BERLIN, WHERE HE EXPECTS TO JOIN ABRASIMOV AND ME WHEN I GO TO POTSDAM ON FRIDAY OR SATURDAY TO MAP OUT THE FINAL STRATEGY FOR THE SESSIONS COMMENCING AUGUST 10. HE MAY RETURN EARLIER IN WHICH CASE HE WILL COME TO BONN, AND BAHR AND I WILL HAVE A FINAL REVIEW SESSION WITH HIM. UNLESS SOMETHING UNEXPECTED HAPPENS, I WOULD NOT EXPECT TO SEND YOU ANOTHER MESSAGE UNTIL I SEE FALIN AGAIN, I WOULD WELCOME ANY LAST MINUTE INSTRUCTIONS OR GUIDANCE YOU MAY WISH TO GIVE.

WARM REGARDS.

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AUGUST 5, 1971

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

1. FALIN RETURNED FROM MOSCOW YESTERDAY, AND BAHR AND I HAD A LONG MEETING WITH HIM LAST EVENING. HE STATED THAT HE HAD REVIEWED EVERYTHING WITH GROMYKO AND THAT THERE WERE NO SERIOUS PROBLEMS EXCEPT THAT GROMYKO HAD TURNED DOWN THE USE OF FRG PASSPORTS BY WEST BERLINERS IN RUSSIA. FALIN SAID THAT HE HAD TRANSMITTED OUR ARGUMENTS WITH REGARD TO THE LEGAL AND POLITICAL POSITIONS TO GROMYKO BUT WITHOUT FAVORABLE RESULTS.

IN MY LAST CABLE I OUTLINED OUR REPLY TO THE LEGAL POSITION OF THE RUSSIANS ABOUT THIS. WE ALSO PRESSED THE POINT THAT IT WOULD BE DISTINCTLY CONTRARY TO THE SPIRIT OF THE AGREEMENT IF THE RUSSIANS AND THE THREE POWERS COULD NOT AGREE ON THIS VERY VITAL ISSUE AND IF RUSSIA WENT HER OWN WAY. BAHR TOOK A HARD LINE ON THIS, SUPPORTED BY ME, AND FINALLY FLATLY STATED THAT THE ISSUE WAS A POLITICAL ONE OF GREAT IMPORTANCE AND THAT THE CHANCELLOR WOULD NOT ACCEPT ANY AGREEMENT UNLESS THE QUESTION WERE FAVORABLY RESOLVED. IT WAS LEFT WITH FALIN THIS WAY, AND HE IS GOING BACK TO DISCUSS THE MATTER WITH ABRASIMOV AND GROMYKO. IN ACTUAL FACT, THIS ISSUE IS NOT IMPORTANT TO US BUT DOES HAVE REAL POLITICAL VALUE TO THE BRANDT GOVERNMENT, PARTICULARLY IN THE LIGHT OF THE FACT THAT AN AGREEMENT CANNOT BE SECURED WITHOUT THE CONSULATE GENERAL AND TIS WOULD BE A BALANCING POLITICAL ITEM. THEREFORE, I THINK BAHR TOOK THE RIGHT APPROACH TACTICALLY, ALTHOUGH THE APPROACH MAY HAVE TO BE CHANGED.

2. FRENCH AMBASSADOR SAUVAGNARGUES HAS TAKEN A VERY STRONG POSITION AGAINST THE PHRASE IN PART II A AND PART II C "AFTER CONSULTATION AND AGREEMENT WITH THE GOVERNMENT OF THE GDR". HE CONTENDS THAT THIS DILUTES THE SOVIET RESPONSIBILITY AND HAS MADE HIS POSITION FULLY KNOWN TO ABRASIMOV AND FALIN AND TO THE ALLIES. THE FRENCH APPROACH IS A HIGHLY FORMALISTIC ONE, WHERE FORM TAKES PRECEDENCE OVER SUBSTANCE, AND SAUVAGNARGUES HAD BECOME EMOTIONALLY DEEPLY INVOLVED OVER THIS ISSUE. HE HAS NO OBJECTION TO THE SAME PHRASE BEING IN ANNEX I AND ANNEX III, WHICH, OF COURSE, ARE INTEGRAL PARTS OF THE AGREEMENT. I HAVE POINTED OUT TO HIM THAT IN FACT THE PHRASE DOES NOT DILUTE RUSSIAN RESPONSIBILITY BUT ENHANCES IT BY MAKING ALL THESE SECTIONS OF THE AGREEMENT CONSISTENT AND IMPOSING ON THE USSR A STRONGER RESPONSIBILITY WITH REGARD TO INSISTING THAT THE GDR LIVE UP TO THE AGREEMENT. THIS WOULD BECOME EVEN MORE VALUABLE AS THE GDR IS INCREASINGLY ACCEPTED INTO THE COMMUNITY OF NATIONS. HOWEVER, THUS FAR HE IS ADAMANT AND EVIDENTLY HAS THE FULL SUPPORT OF HIS GOVERNMENT. I DISCUSSED THIS LAST NIGHT WITH FALIN, AND HE IS GOING TO CONSIDER WHETHER THEY WILL TAKE OUT THE PHRASE IN ORDER TO PLACATE THE FRENCH.

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3. FALIN, SPEAKING FOR GROMYKO, RAISED VARIOUS OTHER SUGGESTED CHANGES, SOME OF WHICH WERE ADOPTED AND OTHERS NOT, AND BAHR BROUGHT BACK SOME CHANGES FROM THE CHANCELLOR. AN OUTLINE OF THE NATURE OF THESE AND THE WAY THEY WERE HANDLED IS ATTACHED. ALSO ATTACHED IS A DRAFT MINUTE TO BE INITIALLED BY THE FOUR PARTIES WITH REGARD TO THE CONSULATE GENERAL AND OTHER ASPECTS OF SOVIET PRESENCE IN THE WESTERN SECTORS.

4. IN THE MEETINGS STARTING AUGUST 10 WE CAN PROBABLY EXPECT THE SOVIETS TO FOLLOW THEIR USUAL TACTICS OF ESCALATING DEMANDS THE NEARER WE GET TO WHAT WOULD SEEM TO BE AN AGREEMENT. (THE PASSPORT ISSUE DOES NOT FALL IN THIS CATEGORY, SINCE, AS I OUTLINED IN NY LAST MESSAGE, FALIN, AFTER TURNING IT DOWN, ONLY VERY RELUCTANTLY AGREED TO TAKE IT UP AGAIN WITH GROMYKO.) THE SOVIET ABILITY TO RESORT TO SUCH TACTICS WILL, OF COURSE, BE ENHANCED BY THE FACT THAT THE FRENCH IN PARTICULAR WILL BE DIFFICULT TO HANDLE IN THE MEETING BECAUSE OF THEIR DEEP COMMITMENT TO VARIOUS WORDS AND PHRASES AND OTHER FORMALISTIC THINGS, ALTHOUGH WITH REGARD TO SUBSTANCE I WOULD NOT EXPECT TOO MUCH SERIOUS TROUBLE FROM THEM. THERE IS A POSSIBILITY, HOWEVER, THAT INSTEAD OF COMING OUT WITH A COMPLETE AGREEMENT NEXT WEEK, IT WOULD AT SOME POINT BECOME TACTICALLY ADVISABLE TO HAVE AN ADJOURNMENT. IF SUCH SHOULD APPEAR TO BE THE CASE, I SHALL BE IN TOUCH WITH YOU.

5. I SHALL BE IN POTSDAM ON FRIDAY TO MAP OUT STRATEGY WITH FALIN, ABRASIMOV, AND KVITZINSKIY. BAHR AND I TENTATIVELY HAVE ANOTHER MEETING WITH FALIN SUNDAY EVENING.

6. MANY THANKS FOR YOUR CABLE AND FOR YOUR ACTION WITH REGARD TO THE CONSULATE GENERAL. IT IS QUITE CLEAR THAT THIS IS A TOP PRIORITY ITEM AND AN ESSENTIAL ELEMENT OF A SATISFACTORY AGREEMENT. I HOPE THAT IT WILL BE POSSIBLE FOR ME TO HAVE FORMAL APPROVAL BEFORE IT IS NEEDED DURING NEXT WEEK'S SESSIONS. IN ANY EVENT, UNLESS YOU ADVISE ME OTHERWISE AND PROVIDED WE SECURE THE AGREEMENT SUBSTANTIALLY AS IT NOW STANDS, I WILL CONSENT TO THE CONSULATE GENERAL, SUBJECT, OF COURSE, TO THE FACT THAT THE ENTIRE AGREEMENT IS AD REFERENDUM.

ITEMS REFERRED TO IN PARAGRAPH 3 ABOVE

1. ANNEX 1, PARAGRAPH 2: IN THE SENTENCE "INSPECTION PROCEDURES MAY BE RESTRICTED TO THE INSPECTION OF SEALS AND RELATED DOCUMENTS" BAHR STATED THAT THE WORD "INSPECTION" POSED DIFFICULTY IN TRANSLATION INTO GERMAN AND WANTED TO SUBSTITUTE THE WORD "EXAMINATION", WHICH WE AGREED TO DO.

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AUGUST 13, 1971

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TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

1. I HAVE BEEN RELYING ON OUR CABLES TO KEEP YOU INFORMED CONCERNING THE COURSE OF THE TALKS THIS WEEK. I HAVE HAD NO TIME TO SEND A MESSAGE THROUGH OUR CHANNEL BECAUSE OF CONTINUOUS SESSIONS WITH BAHR AND SCHUETZ, THE BRITISH AND FRENCH AMBASSADORS, AND MY STAFF TO KEEP UP WITH THE PACE OF THE NEGOTIATIONS, WHICH, AS YOU KNOW, RAN NINE HOURS DURING EACH OF THE FIRST TWO DAYS.

2. AS YOU KNOW FROM THE CABLES, THE NEGOTIATIONS HAVE GONE VERY WELL, ALMOST ENTIRELY ACCORDING TO SCRIPT. ON IMPORTANT MATTERS ABRASIMOV HAS PLAYED HIS PART PRETTY MUCH AS PLANNED AND DONE VERY WELL. IT HAS BEEN DIFFICULT FOR US TO MAINTAIN COMMUNICATION AND NOT AROUSE SUSPICION, BUT OUR CONTACT HAS BEEN ADEQUATE. THE BIG PROBLEM HAS COME FROM THE BRITISH AND FRENCH AMBASSADORS, BOTH OF WHOM ARE VERY FIRST-CLASS AS MEN BUT NEITHER OF WHOM I BELIEVE HAS EVER TAKEN A LEADING ROLE IN IMPORTANT NEGOTIATIONS BEFORE. THEY ARE BOTH PROFESSIONAL FOREIGN SERVICE OFFICERS, THEREFORE BUREAUCRATIC. BOTH ALSO HAVE LOW BOILING POINTS, ARE NERVOUS AND BECOME EMOTIONALLY INVOLVED OVER PET IDEAS AND PHRASES. ABRASIMOV IS KEEN ENOUGH TO KNOW THIS AND PLAYS ON IT TO THE FULL. ON WEDNESDAY, THE SITUATION GOT OUT OF HAND AND ALMOST THE ENTIRE AFTERNOON WAS LOST IN VERY ACRIMONIOUS DISCUSSION BETWEEN JACKLING AND ABRASIMOV, WITH ABRASIMOV RESORTING TO UNACCEPTABLE PERSONAL REMARKS. YESTERDAY HE GOT BACK ON THE TRACK. WE MAY BE ABLE TO COMPLETE VIRTUALLY EVERYTHING ON MONDAY.

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3. OUR STRATEGY OF AN INTENSE MARATHON SESSION HAS WORKED VERY WELL, AND THE FRENCH BRITISH, GERMAN FOREIGN OFFICE, AND, I BELIEVE, THE STATE DEPARTMENT, ARE IN SOMETHING OF A STATE OF STUPOR AT THE RAPIDITY OF THE MOVEMENT. YESTERDAY SAUVAGNARGUES AND JACKLING REGISTERED CONSIDERABLE DISQUIET OVER HOW FAST THINGS WERE MOVING, AND IT WAS NOT DIFFICULT TO SLOW THEM FOR A WHILE. THIS WAS DONE BY ATTEMPTING TO DRAFT A SIMPLE SENTENCE IN THE FINAL QUADRIPARTITE PROTOCOL, WHICH IS CLOSE TO SAUVAGNARGUES' HEART. OVER TWO HOURS WERE TAKEN IN CHANGING A FEW WORDS WITHOUT SUBSTANTIALLY CHANGING THE MEANING. IF THE SAME PROCEDURE HAD BEEN FOLLOWED THROUGHOUT ALL PARTS OF THE NEGOTIATION WE PROBABLY WOULDN'T BE ABLE TO FINISH WITHIN THE NEXT DECADE.

4. BAHR AND FALIN WERE BOTH IN BERLIN DURING MOST OF THE WEEK, WHICH WAS A GREAT HELP SINCE I COULD COMMUNICATE FREELY WITH BAHR AND HE IN TURN WITH FALIN.

5. THE TEXT OF THE FINAL AGREEMENT, AS YOU HAVE DOUBTLESS NOTICED, IS ALMOST PRECISELY THAT PREVIOUSLY SETTLED IN MY TALKS WITH BAHR AND FALIN, ALTHOUGH ON ACCESS WE HAVE SOME IMPORTANT IMPROVEMENTS AND I THINK WILL GET THE REMAINDER ON MONDAY. THE DISTURBING CLAUSE IN ANNEX I C WITH REGARD TO INSPECTION OF SEALED TRAINS AND SEARCH OF INDIVIDUALS AND THEIR LUGGAGE HAS NOW BEEN CHANGED TO KNOCK OUT "AS A RULE" IN "WILL, AS A RULE". THIS IS NOW DEFINITE WITH REGARD TO PARAGRAPH II A OF ANNEX I RELATING TO SEALED TRAINS. IN PARAGRAPH II C OF ANNEX I, ABRASIMOV HAS PROPOSED LANGUAGE OUTLINING JUST WHEN SEARCH CAN BE MADE, BUT HIS LANGUAGE IS MUCH TOO BROAD. I HOPE WE WILL BE ABLE TO GET THIS IN THE FORM THAT WE WANT IT.

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6. BAHR ENCOUNTERED DELAYS WITH THE FOREIGN OFFICE AND WITH SCHEEL WITH REGARD TO THE CHANGES WE HAVE MADE IN ANNEX II (ALSO PART II B) TO THE EFFECT THAT "CONSTITUENT PART" WOULD BE SUBSTITUTED FOR "REGARDED AS A LAND" AND THAT THE PROVISIONS OF THE BASIC LAW AND THE CONSTITUTION WHICH CONTRADICT THE ABOVE PROVISIONS WOULD READ "CONTINUE NOT TO BE IN EFFECT" INSTEAD OF "BE SUSPENDED." BAHR GOT AGREEMENT ON THE BASIC CHANGE OF "LAND" TO "CONSTITUENT PART" BUT SCHEEL WANTS TO SAY CONTINUE "NOT TO BE REGARDED" AS A CONSTITUENT PART AND "HAVING BEEN SUSPENDED," CONTINUE NOT TO BE IN EFFECT. THIS, OF COURSE, WILL BE TURNED DOWN BY THE RUSSIANS, AND BAHR SAYS THAT HE WILL THEN HAVE NOT TOO MUCH DIFFICULTY IN CORRECTING THE PROBLEM.

7. THE OTHER MAJOR ITEMS REMAINING TO BE SETTLED ARE THE PREAMBLE AND PART I, WHICH MAY CAUSE CONSIDERABLE TROUBLE, THE USE OF FRG PASSPORTS BY WEST BERLINERS IN RUSSIA, AND SOVIET PRESENCE IN WEST BERLIN, INCLUDING THE CONSULATE GENERAL. WITH REGARD TO THE CONSULATE GENERAL, ABRASIMOV SAID AT LUNCH THAT THE SOVIETS WOULD TAKE A CONSULATE IF WE WOULD DROP THE DEMAND FOR USE OF FRG PASSPORTS IN RUSSIA. WE WILL DISCUSS THIS WITH BAHR AND BRANDT THIS MORNING, BUT THE ANSWER IS OBVIOUSLY "NO!"

8. I SHALL PROBABLY GET OFF TO THE STATE DEPARTMENT TODAY A REQUEST TO BE RELEASED FROM THE INSTRUCTIONS NOT TO INCLUDE "AFTER CONSULTATION AND AGREEMENT WITH THE GDR" IN PART I A AND PART III A. THE FRENCH ARE MORE EMOTIONALLY COMMITTED TO ELIMINATION OF THIS THAN EVER, AND JACKLING IS STAYING WITH THEM, SO SOME REAL EFFORTS MAY BE NEEDED TO PRY THE MATTER LOOSE. IN TALKING LAST NIGHT ON THE PLANE WITH THE BRITISH LAWYER ON WHOM JACKLING HEAVILY RELIES, I DISCOVERED THAT HE AGREES WITH ME THAT INCLUSION OF THE PHRASE NOT ONLY PREVENTS REAL INCONSISTENCY BUT ALSO ADDS REAL STRENGTH TO THE PROVISION, AND THAT MAY HELP CHANGE JACKLING'S VIEWPOINT. IT WOULD BE HELPFUL IF WHEN THE REQUEST COMES IN YOUR VIEWS COULD BE MADE KNOWN TO THE STATE DEPARTMENT, BUT I REALIZE THAT YOU MAY CONSIDER THIS TO BE UNTIMELY.

9. THANKS VERY MUCH FOR THE EXCELLENT INSTRUCTION WITH REGARD TO THE CONSULATE GENERAL. IT IS VERY SKILLFULLY DRAFTED.

10. BAHR AND I ARE SEEING FALIN THIS EVENING, AND I HOPE THAT WE CAN RESOLVE THE AS YET UNRESOLVED ISSUES THEN. I WILL SEND YOU A MESSAGE TOMORROW ABOUT THIS.

WARM REGARDS.

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AUGUST 15, 197

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

1. AT OUR MEETING WITH FALIN LAST NIGHT, WE EXPLORED ALMOST EXCLUSIVELY THE ACCESS PROBLEM, AND IT IS NOW CLEAR THAT THE SITUATION WE HOPED TO AVOID IS UPON US AND THAT WE PROBABLY FACE A CRISIS OR TEMPORARY STALEMATE. I WILL OUTLINE THE NATURE OF THIS IN THE NEXT PARAGRAPH, BUT IN ORDER TO PROVIDE TIME FOR COOLING OFF AND REFLECTION IT MAY BE ADVISABLE, AFTER A ONE- OR TWO- OR THREE-DAY SESSION STARTING TOMORROW, TO ADJOURN THE MEETINGS FOR TWO WEEKS OR SO. WE CAN ONLY DETERMINE THIS AS THIS WEEK'S SESSIONS APPROACH A CONCLUSION.

2. THE SITUATION THAT HAS ARISEN IS BRIEFLY AS FOLLOWS: AS I MENTIONED IN MY CABLE OF AUGUST 13, ABRASIMOV, DURING THE AFTERNOON SESSION ON AUGUST 11, GOT INTO A VERY ACRIMONIOUS DISCUSSION WITH JACKLING AND, TO A LESSER DEGREE, WITH SAUVAGNARGUES, IN WHICH ABRASIMOV MADE SOME STRONG PERSONAL ATTACKS ON JACKLING. OUR CABLES COVERING THE SUBJECT GO INTO THIS IN MORE DETAIL. AS A RESULT, THERE WAS A GENERAL HARDENING OF POSITION ON THE PART OF THE BRITISH AND FRENCH AND A BAD PSYCHOLOGICAL CLIMATE WAS CREATED. AT THE SAME TIME, BECAUSE OF THE RAPIDITY OF MOVEMENT WE HAD HAD, THE TRUE REASON FOR WHICH WAS, OF COURSE, NOT KNOWN TO THEM, JACKLING AND SAUVAGNARGUES, ALONG WITH THEIR STAFFS, MY STAFF, THE STATE DEPARTMENT, AND THE VARIOUS FOREIGN OFFICES, CONCLUDED THAT THE RUSSIANS WERE SO ANXIOUS TO MAKE AN AGREEMENT THAT WE COULD REVERT TO MAXIMUM POSITIONS ON ACCESS.

3. WHEN THE DEVELOPING SITUATION BECAME CLEARER TO ME FOLLOWING THE WEDNESDAY SESSION, I DECIDED TO SEND A MESSAGE TO ABRASIMOV THE NEXT MORNING (THURSDAY), SUGGESTING THAT, SINCE LITTLE PROGRESS COULD BE EXPECTED THAT DAY, WE FIRST TAKE UP THE FINAL QUADRIPARTITE PROTOCOL AND THEN RETURN TO ACCESS, BUT THAT HE SHOULD BRING IN NOTHING NEW. HE WAS CHAIRMAN THURSDAY AND IN A STRATEGIC POSITION. MY PLAN WAS TO SLOW DOWN THE PROCEEDINGS ON THURSDAY AND NOT TO BRING UP ANY NEW CONCEPTS WHILE THE PSYCHOLOGICAL ATMOSPHERE WAS BAD. AFTER A DAY OR SO OF STALEMATE AND FOR COOLING OFF, EVERYONE WOULD PROBABLY BECOME RECEPTIVE TO NEW APPROACHES. HOWEVER, SINCE THE DISCUSSIONS OF THE FINAL QUADRIPARTITE PROTOCOL WENT OFF WITHOUT TOO MUCH ACRIMONY AND THE SITUATION SEEMED TO BE BACK ON THE TRACK, ABRASIMOV DECIDED TO TRY TO COMPLETE THE ACCESS PROVISIONS AND BROUGHT OUT HIS NEW "EXCEPTIONS" FORMULA, WHICH I MENTIONED IN MY MESSAGE OF AUGUST 13.

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4. AS BECAME IDENT IN THE AMBASSADORS, THEIR AD GERMAN ADVISERS, ABRASIMOV'S DOING THIS SO PRECIPITOUSLY NOT ONLY FAILED TO CARRY CREDIT FOR BREAKING THE IMPASSE BUT, IN FACT, REINFORCED THE IDEA OF OUR ALLIES AND OF OUR STATE DEPARTMENT THAT THE RUSSIANS WERE OVER-ANXIOUS TO REACH AN AGREEMENT AT ANY PRICE, AND ACCORDINGLY THE BONN GROUP CAME UP WITH A TOUGH THREE-PAGE LIST OF EXCEPTIONS FOR CONSIDERATION AT THE MEETING. THIS WOULD HAVE ENRAGED THE RUSSIANS IF IT HAD BEEN PRESENTED TO THEM. I WAS ABLE TO GET IT CUT BACK TO THE ONE FORWARDED TO YOU WITH MY MESSAGE YESTERDAY AND WE PRESENTED THE TEXT OF THIS TO FALIN LAST NIGHT. HE TOOK A VERY HARD LINE WITH REGARD TO IT AND INSISTED THAT THIS WOULD NEVER BE ACCEPTABLE TO THE GDR OR TO THE RUSSIANS. WE BROKE UP THE MEETING WITH NO PROGRESS.

5. PRIOR TO PRESENTING THAT TEXT TO HIM, WE HAD DISCUSSED VARIOUS IMPROVEMENTS OF THE QUADRIPARTITE AGREEMENT AND HE WAS VERY ACCOMMODATING WITH REGARD TO THESE. HOWEVER, OUR "EXCEPTIONS" DRAFT OBVIOUSLY STRUCK A RAW NERVE, AND WE ARE IN FOR TROUBLE.

6. WE COULD NOT MEET AGAIN TODAY, SO WE WILL NOT HAVE A MEETING AGAIN UNTIL AFTER THE FOUR POWER TALKS STARTING TOMORROW. WE WILL DEVOTE THE FOUR POWER SESSION PRIMARILY TO ATTEMPTING TO BRING TOGETHER THE RUSSIAN VERSION AND OUR VERSION ON "EXCEPTIONS," OR TO FINDING ALTERNATIVES ALTHOUGH THE CHANCE OF DOING SO IS PROBABLY REMOTE IN VIEW OF THE HARDNESS OF THE POSITION ON BOTH SIDES. BAHR, FALIN AND I THEREFORE WILL PROBABLY HAVE TO GET TOGETHER IN BONN THIS WEEK AFTER THE BERLIN TALKS AND TRY TO WORK OUT SOMETHING THAT WILL BE ACCEPTABLE TO ALL PARTIES, ONCE THEY RETURN TO A MORE FLEXIBLE POSITION.

7. ALTHOUGH YOU HAVE RECEIVED THROUGH THE CABLES OR IN MY MESSAGES THE RUSSIAN AND THE WESTERN VERSIONS OF THE "EXCEPTIONS", FOR YOUR CONVENIENCE I AM ATTACHING THE TEXT OF BOTH.

8. SINCE THE CABLES WILL KEEP YOU FULLY INFORMED WITH REGARD TO OUR NEXT WEEK'S TALKS, I WILL NOT BE IN TOUCH WITH YOU AGAIN, UNLESS SOMETHING UNUSUAL HAPPENS, UNTIL AFTER THE NEXT MEETING WITH FALIN, WHICH IS NOT AS YET SCHEDULED.

9. THE DEVELOPMENT THAT HAS OCCURRED IS THE SORT OF THING THAT HAPPENS IN COMPLEX NEGOTIATIONS, AND NO ONE IS PARTICULARLY AT FAULT. I FEEL THAT WE ARE FORTUNATE TO HAVE GOTTEN MUCH OF THE AGREEMENT THROUGH BEFORE IT OCCURRED. IT COULD HAVE COME EARLIER WITH MORE SERIOUS DISRUPTION OF OUR PLANNED PROGRESS.

ALL GOOD WISHES.

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ANNEX I

SOVIET VERSION: "SEARCH, INSPECTION AND DETENTION OF PERSONS, LUGGAGE AND SHIPMENTS MAY TAKE PLACE IN CASES OF THE ABUSE OF COMMUNICATION ROUTES, THE VIOLATION OF THE LEGISLATION OF THE GDR, OR NONCOMPLIANCE WITH THE GENERALLY ACCEPTED INTERNATIONAL PRACTICE OF TRANSIT, SUCH AS, FOR INSTANCE, IN THE TRANSPORT OF WEAPONS, MILITARY MATERIALS, NARCOTICS, CONTRABAND, MATERIALS POSING DANGER TO HUMAN OR ANIMAL LIFE AND SAFETY OF TRAFFIC, AS WELL AS IN CASES OF UNREGISTERED PASSENGERS AND PERSONS WHO HAVE COMMITTED CRIMES."

WESTERN VERSION: THE SOLE EXCEPTIONS TO THE PROVISIONS OF SUB/PARAGRAPHS A AND C ABOVE ARE THAT: SEARCH OR INSPECTION OF PERSONS, LUGGAGE, VEHICLES, AND FREIGHT CONVEYANCES MAY TAKE PLACE IN THOSE CASES WHERE THERE IS SUBSTANTIAL EVIDENCE OF THE ILLICIT TRANSPORT OF NON-SPORTING WEAPONS OR MUNITIONS, NARCOTICS, AND SIMILAR ITEMS TO BE SPECIFIED; OR MATERIALS POSING IMMEDIATE DANGER TO LIFE OR TRAFFIC SAFETY; OR OF UNDECLARED PASSENGERS. THROUGH TRAVELERS MAY BE DETAINED ON THE DESIGNATED ROUTES ONLY FOR SERIOUS CRIMES COMMITTED WHILE ACTUALLY ON THOSE ROUTES. UNLESS CIRCUMSTANCES MAKE THIS IMPOSSIBLE, AN OFFICIAL OF THE FRG OR OF THE WESTERN SECTORS WILL BE INVITED TO BE PRESENT ON SUCH OCCASIONS. PERSONS MAY BE EXCLUDED FROM TRAVEL ON THE DESIGNATED ROUTES ONLY IN THE EXCEPTIONAL CASE WHERE A WARRANT OF ARREST HAS BEEN ISSUED AGAINST THEM BY THE AUTHORITIES OF THE PLACE OF THE OFFENSE FOR CRIMES COMMONLY REGARDED AS SERIOUS COMMITTED ON THEIR TERRITORIES.

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SENT TO SAN CLEMENTE

MODIS

STRICTLY EYES ONLY FOR AMBASSADOR RUSH FROM THE SECRETARY
WHITE HOUSE PASS SAN CLEMENTE FOR KISSINGER

1. I UNDERSTAND THAT THE FOUR AMBASSADORS MIGHT AGREE TO COMPREHENSIVE FORMULATIONS FOR EVENTUAL BERLIN AGREEMENT TONIGHT.
 2. I HAVE CONCLUDED THAT AN AD REFERENDUM AGREEMENT SHOULD NOT BE REACHED AT THE PRESENT TIME, AND THAT BEFORE SUCH STAGE IS REACHED WE WILL NEED TO MAKE THOROUGH REVIEW OF RESULTS OF LAST 48 HOURS' MEETINGS AND POSSIBLY HAVE CONSULTATIONS WITH YOU IN WASHINGTON.
 3. YOU SHOULD THEREFORE INFORM THE OTHER THREE AMBASSADORS FORMALLY BY THE CLOSE OF TONIGHT'S SESSION THAT YOU FEEL THE NEGOTIATIONS HAVE REACHED A POINT WHERE THE AMBASSADORS SHOULD PAUSE FOR CONSIDERATION IN CAPITALS, FOLLOWING WHICH FURTHER NEGOTIATIONS CAN BE EPXPECTED. ROGERS
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TO WHITE HOUSE COMMUNICATIONS CENTER FROM GENERAL HAIG
DELIVER ONE COPY WITH TAPE IMMEDIATELY TO COLONEL KENNEDY

DESTROY ALL COPIES

TOP SECRET/SENSITIVE/EXCLUSIVELY EYES ONLY

VIA SPECIAL CHANNEL

AUGUST 13, 1971

TO: AMBASSADOR RUSH

FROM: DR. KISSINGER

GIVEN THE BUREAUCRATIC SITUATION HERE YOU SHOULD GO ALONG WITH ROGERS AND ASK FOR NO MORE THAN A TWO WEEK RECESS IN NEGOTIATIONS TO PERMIT REVIEW OF DRAFT AGREEMENT PRIOR TO FINAL COMMITMENT. YOU SHOULD ASSURE FALLIN THAT THERE WILL BE NO DIFFICULTIES THIS END, THAT IF STATE MAKES TROUBLE WE WILL FORCE ISSUE TO WHITE HOUSE FOR DECISION, WE SHALL STAND BEHIND YOU. I SHALL REASSURE DOBRYNIN AT THIS END. YOU SHOULD CONTEMPLATE INITIALING FOR FIRST FEW DAYS OF SEPTEMBER.

BEST REGARDS

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AUGUST 19, 1971

TO: HENRY A. KISSINGER
FROM: AMBASSADOR RUSH

FOR: 1700Z 19 AUG 71
MR

1. THE BUREAUCRATS HAVE BEEN FOILED, AND AS YOU DOUBTLESS KNOW BY NOW FROM THE CABLES, WE HAVE COMPLETED AN AGREEMENT. IT CONTAINS VIRTUALLY EVERYTHING WE HOPED TO GET UNDER OUR MAXIMUM DEMANDS, AND THE MOMENTUM INSPIRED BY ABRASIMOV'S WANTING TO CONCLUDE THE AGREEMENT YESTERDAY RESULTED IN HIS MAKING CONCESSIONS WHICH ARE STILL HARD TO UNDERSTAND. I SHALL NOT GO INTO DETAILS, SINCE YOU WILL HAVE THE CABLES BY THE TIME THIS ARRIVES, BUT THE PROVISIONS ON UNIMPEDED ACCESS, VISITS BY WEST BERLINERS TO EAST BERLIN AND THE GDR, FEDERAL TIES, AND REPRESENTATION ABROAD, INCLUDING THE USE OF PASSPORTS IN RUSSIA, ARE ALL SOMETHING THAT WE HARDLY DARED HOPE FOR.
2. BHR IS IN ECSTASY, AND AFTER BEING IN TOUCH WITH THE CHANCELLOR TOLD ME THAT THE CHANCELLOR WANTED TO GIVE ME ANY PRESENT I WOULD NAME. HE SHOULD BE GIVING THE PRESENTS TO YOU AND THE PRESIDENT.
3. SAUVAGARGUES AND JACKLING WERE IN SOMETHING OF A DAZE THROUGHOUT THE PROCEEDINGS, BUT ALL IN ALL ARE TO BE HIGHLY COMMENDED FOR THE COURAGE THEY SHOWED. THEY BOTH MADE VERY FINE CONTRIBUTIONS TO THE FINAL RESULT.
4. THE STATE DEPARTMENT AT LONG LAST SEEMED TO HAVE CAUGHT UP WITH THE GAME PLAN AND LAST EVENING WHILE WE WERE STILL NEGOTIATING I RECEIVED THE CABLE FROM THEM OF WHICH YOU RECEIVED A COPY, ASKING ME NOT TO CONCLUDE THE AGREEMENT. BUT IT WAS TOO LATE.
5. NEEDLESS TO SAY, I HAVE NOT CARRIED OUT THE FLOOD OF INSTRUCTIONS CONTAINING THE PET IDEAS IN THEIR MAXIMUM FORM OF THE VARIOUS BUREAUCRATS. THEY WILL DOUBTLESS TRY TO CHANGE VARIOUS ASPECTS OF THE AGREEMENT, AND THIS WOULD BE, AS YOU KNOW, VERY BAD IN OUR RELATIONS WITH RUSSIANS AND OTHERWISE. IT MAY BE NECESSARY FOR YOU TO INTERVENE TO PREVENT THIS FROM HAPPENING. I AM SENDING TO THE DEPARTMENT CABLES JUSTIFYING THE FAILURE TO FOLLOW VARIOUS INSTRUCTIONS. THESE POINT OUT THAT THE ACTUAL DRAFTS OF AGREEMENT DRAWN UP BY THEM AT THE SENIOR LEVEL AND WHICH HAVE ALWAYS BEEN CONSIDERED TOO OPTIMISTIC, IN FACT HAVE BEEN EXCEEDED IN TERMS OF WHAT WE HAVE IN OUR PRESENT AGREEMENT. YOU WILL, OF COURSE, GET COPIES OF THESE CABLES, AND I HOPE THEY WILL BE VERY USEFUL TO YOU IN HANDLING THE SITUATION.
6. NOTHING HAS BEEN MORE CLEAR TO ME THAN THE FACT THAT IF THE PRESIDENT, WITH YOUR INVALUABLE HELP, HAD NOT INTERVENED, WE WOULD NEVER HAVE HAD A BERLIN AGREEMENT. ONCE THE RUSSIANS REALIZED THAT WE REALLY WERE SERIOUS, THEY CARRIED THROUGH ON EVERY UNDERSTANDING WE HAD, WHILE I HAD TO ADAPT TO THE CHANGES WHICH HAD TO COME ABOUT IN WORKING WITH THE BRITISH, FRENCH, AND GERMAN FOREIGN OFFICE. ABRASIMOV ALL IN ALL DID A REALLY FIRST-CLASS JOB, EXCEPT THAT HE ALMOST GAVE THE GAME PLAN AWAY BY LOOKING TO ME FOR GUIDANCE TOO OFTEN.
7. I AM LOOKING FORWARD TO GIVING YOU, AND I HOPE THE PRESIDENT, THE FULL STORY AT THE FIRST OPPORTUNITY. PLEASE TELL THE PRESIDENT AGAIN HOW SOUND HIS APPROACH IS AND HOW GRATEFUL I AM FOR HIS ENTRUSTING ME WITH THIS MISSION. I CAN ONLY REPEAT THAT THE BEST THING THAT HAS HAPPENED TO OUR COUNTRY IS THE FACT THAT YOU AND HE ARE WORKING TOGETHER TO HELP OUR COUNTRY SO MAGNIFICENTLY.

WARM REGARDS.



MEMORANDUM

REPRODUCED AT THE NATIONAL ARCHIVES


THE WHITE HOUSE

WASHINGTON

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December 29, 1971

MEMORANDUM FOR THE PRESIDENT'S FILE

FROM: BRIGADIER GENERAL A. M. HAIG 

SUBJECT: Meeting with Chancellor Brandt on Wednesday, December 29, 1971 at 9:30 a.m., The President's Residence, Key Biscayne, Florida

PARTICIPANTS: The President
Chancellor Brandt
Mr. Sahn
General Haig

President Nixon introduced the meeting by informing the Chancellor that General Haig was proceeding to China the following day to make arrangements for the President's February 21 visit there. The President noted that the China initiative was not a sudden whim, but rather the culmination of a long period of careful preparation, which commenced as early as 1967 when he had written an article for Foreign Affairs pointing out the desirability of opening a channel of communication with 750 million of the world's most talented people. Despite the difficulties posed by our obligation to Taiwan, continued isolation could no longer be tolerated. In ten years China will be a great nuclear power and an incalculable danger to peace should it continue to be isolated from the world community. From the outset of his Administration the President was conscious of the obligation to make an effort at least towards establishing a dialogue. Consequently, discreet approaches were made through third parties. Among others, the Government of Pakistan made known to the leader of Communist China our desire to open a dialogue. Two years of indirect contacts were maintained. Then an invitation was received for the President's visit and Dr. Kissinger travelled to Peking in July to work out the details.

There is a substantive difference between the Summit in Peking and that in Moscow. The President had always made it clear that a visit to Moscow would have to be based on concrete substantive achievements

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which would precede the event. This occurred through the vehicle of SALT, ongoing discussions on the Middle East, trade and other specific negotiations. Furthermore, the U. S. has had years of diplomatic relations with the Soviet Union. President Nixon has never looked upon the Soviet Summit as an exercise in atmospherics; detailed preliminary work has been underway for an extended period. Above all, the Moscow visit could not be another Yalta where hopes were raised only to be dashed by a lack of specific accomplishments. The Peking visit, on the other hand, is distinctively different in character. The fact of the visit itself constitutes the opening of a channel of communication with the Government which has been isolated from the U. S. for a quarter of a century. There are still insurmountable differences between the two governments. It is not likely that recognition will result from the visit and, above all, no agreements will be sought at the expense of old friends. On the other hand, problems of the Pacific and future confrontations there might be avoided by talking about the problems. An overriding truth, however, is the fact that both Peking and Washington are separated by a wide gulf both in ideologic sense and on specific substantive issues. These differences will exist for years to come just as many of the differences which existed with the Soviets in 1945 still exist today. It will take years to overcome these differences. Certainly Dr. Kissinger made no agreements during his two trips to Peking. It is clear, however, that the Chinese view the U. S. as no longer its major enemy. The Soviets are their greatest fear; Japan is second and very probably India in the light of recent events. The Chinese have a phobia of being hemmed in and this may explain their willingness to host a U. S. President. Asia is in a period of transition as the U. S. presence is reduced. The likelihood of Japanese rearmament is high and China fears this.

Chancellor Brandt asked about the situation in South Vietnam.

The President pointed out that the U. S. involvement, casualties and sacrifices have steadily declined. He noted that the North Vietnamese now appear to lack the punch for a decisive military victory. U. S. withdrawals will continue. The recent air raids against North Vietnam represents insurance for forthcoming U. S. withdrawals. Total withdrawal is the ultimate U. S. aim. The U. S. will soon reach a point where residual forces are required only for our prisoners of war. But the residual forces will remain there as long as Hanoi holds U. S. prisoners. The war will not be settled in Peking however since Hanoi poses a dilemma for both Peking and Moscow although it is most probable

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that China would like to be done with the war. The Soviets, however, provide major assistance. At the present time it looks like South Vietnam can survive although Laos and Cambodia remain in doubt. Soviet mischief-making continues in Southeast Asia and it appears that North Vietnam remains the main obstacle to peace.

Chancellor Brandt noted that Germany has an interest in relations with China and already has a substantial amount of trade. All this is without an official presence there. The West German News Agency man conducts Bonn's diplomacy in Peking. At the right time Brandt will seek to normalize, also. But the Soviets are the problem. Bonn cannot appear to be playing China off against Moscow. On the other hand, Bonn does not have the Taiwan problem. The problem of two Germanies is much like two Chinas in the United Nations and this also complicates normalization. Sometime within the next six months the FRG will try to meet with the PRC in a third country to:

- formalize trade relations, and
- broaden other contacts.

Before this occurs Bonn will inform the Soviets, however.

President Nixon commented that in many respects Germany's problem is even more difficult than is the U. S. problem. The Soviets are able to apply greater retaliatory leverage.

Chancellor Brandt said in any event nothing will happen soon. Contacts might be in Paris or in Vienna ultimately.

President Nixon noted that the PRC Ambassador in Paris is competent.

Chancellor Brandt asked about the status of SALT negotiations.

President Nixon said that the bargaining and negotiating have been difficult and hard and that this issue goes to the heart of the security of both sides. Nevertheless, progress is being made. On the Soviet side the key question is defensive systems and on the U. S. side it is control of Soviet ICBMs. For this reason the U. S. has insisted on simultaneity. It is probable that the point of agreement could be arrived at before or by May with perhaps the final touches taking place

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in Moscow. In any event SALT will be on the Summit agenda. After the initial agreement, however, explorations must go beyond ABM and ICBMs, and the initial agreement will not deal with European oriented systems.

President Nixon stated that he plans to be in Peking for a full seven days and that the meetings will include extensive talks. At that time President Nixon plans to plumb Chinese attitudes with respect to the Federal Republic.

Chancellor Brandt welcomed this offer and indicated that the FRG would then hold off until President Nixon returns from Peking.

President Nixon added that in addition to an assessment of Peking's attitude it is his view that the FRG must play a strong role with Japan as well as with China. The President then asked Chancellor Brandt if he had any views on the SALT negotiations.

The Chancellor stated that he had none, adding that Germany was pleased with the progress thus far.

President Nixon stated that the overall objective is to seek viable controls. Neither side can permit the other to acquire a decisive advantage. Thus much tough bargaining lies ahead. However, Berlin is a good example of what can be accomplished when the bargaining is hard and detailed.

Chancellor Brandt stated that the treaties with the Soviet Union and Poland will become an issue of great domestic debate in the FRG. While this is essentially an internal problem, his Government must hold firm to the NATO Communique of the preceding year which portrays both treaties "within the framework of a policy of the NATO Alliances." Thus it will be depicted that these treaties are consistent with the policy of the Alliances. This should be understood clearly in the light of the discussion with the President the day before. While the FRG would not wish the allies or the U. S. to interfere, it is also essential that the German public is aware that what has been done is not in conflict with the interests of the Alliances.

President Nixon suggested that perhaps the best way to present it is in the context that the Alliances did not object but the decision is for the Federal Republic to make and the allies in turn could accept it.

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The President asked General Haig to confirm the U. S. attitude. General Haig stated that we favor normalization but the objectives undertaken by the Federal Republic must remain the Federal Republic's business.

President Nixon stated it was now apparent that the Soviets have linked Berlin to the other treaties thus employing reverse linkage.

Chancellor Brandt stated that however is an erroneous position. Of course the Soviets have always lacked human concern. The Federal Republic on the other hand has an interest in people. While the Soviets agreed on Berlin their agreement was politically motivated.

President Nixon stated this is the same kind of attitude the U. S. faces on the POW issue in Southeast Asia. In the same way the Soviets, missed an opportunity for psychological gain in Germany if they had been more forthcoming on the humanitarian side. Perhaps this is the greatest achievement of the Berlin settlement. Neither the U. S. nor the Federal Republic could afford to be as calculating as the Soviets and yet the agreement is essentially a good one.

President Nixon asked for the Chancellor's view on Brazil.

Chancellor Brandt stated that Germany has some trade and investment there, especially in the Sao Paolo area. He noted that political relations are good.

President Nixon stated that Argentina has great internal problems but also has a fairly sizeable German population.

Chancellor Brandt stated that it appears that the greatest problem is Chile and he continued by asking about Cuba.

President Nixon stated that Cuba poses a mixed bag of tricks. Castro's influence has been reduced and he has failed economically in Cuba. Most Latin leaders recognize this. It costs the Soviets a million and a half a day and it is anything but a showcase. On the other hand Latin America is in a state of turmoil with Brazil being the greatest exception. The youth is disturbed and alienated. The Catholic Church is divided especially among the younger leadership and anyone who establishes himself as a force for change becomes a popular hero. On the other hand, Castro had mixed reception in Chile. The people there are

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beginning to recognize that Allende hasn't solved their problems. Peru is a somewhat different case. Velasco wants to set his own course while Castro seeks to be the inspiration for revolution. He remains alive and mischievous but his appeal has dropped. Another point of concern is the fact that Peru is pushing for re-evaluation of the OAS view on Castro. The U. S. and Brazil are opposed and in fact the U. S. must continue to oppose Castro until he stops the trouble-making against his neighbors. What Castro does in Cuba is his business. When he resorts to exporting revolution, then the U. S. must be opposed. The same policy would apply to Allende. When he goes abroad, then the U. S. must be affected and must object. Expropriation is a case in point. Brazil is also a good counter balance. Its leadership does not meet our democratic standards. On the other hand, the Brazilian leader has been good for Brazil and we continue to maintain that if he takes no foreign policy actions against us, then what he does is acceptable. There are some that take the contrary view. Those who are opposed to Right Wing or military regimes seldom take exception to Leftist regimes. If it is a Greece or a Brazil, they become targets. All this constitutes is different standards of morality. In final analysis, however, great nations must recognize the limits on their ability to change the internal affairs of a country. This is true in Greece, Brazil, and Indonesia in the Pacific. President Nixon recalled the situation in October in South Vietnam when people were clamoring for a cutoff in aid to President Thieu because of his election practices. At that time the President stated that if he applied these standards to other non-democratically installed nations, then 70% of all U. S. aid would have to be terminated.

Chancellor Brandt stated that he used the same kind of argument with the German foreign policy.

President Nixon agreed pointing out that a parallel exists in the case of his China trip. Many claim that the U. S. is meeting with its enemies. The answer is simple. China has been an enemy but it is there and the question is whether we talk or fight. Conversely should the U. S. overthrow a Greek regime just because it is reactionary. It is essential that the world be looked at as it is and not within ideological biases. Policies of this kind do not indicate a lack of understanding. They do indicate a facing up to problems as they are. Just as Chancellor Brandt wishes to change the game in Central Europe, President Nixon seeks

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to change the game in Asia. It doesn't make sense to just dig in and stay intransigent. President Nixon recalled Dean Acheson's writing in the book "Present at Creation" where he revealed two types of diplomacy. One the idealistic and the other brought about the realization that we were not present at creation and therefore must live with the world we have. The need is to ease tensions and to seek ways to lessen the dangers. If a leader fails to make the effort during his tenure, what has he accomplished.

Chancellor Brandt agreed noting that recognition of facts is not necessarily support of them or acceptance of them. Further, neither leader could afford to underestimate his potential influence on more advanced segments of the Communist world.

President Nixon stated that John Foster Dulles reiterated that minds that can understand the atom must also be able to perceive the fallacies of Communism. Over time the human mind will see the light. This is why trade can be helpful. When those within the Communist system observe the free world, they cannot but question their own system. Anyone who has been to Eastern Europe sees what the system means. Dulles referred to it as the "East of change."

Chancellor Brandt stated that this was absolutely correct.

President Nixon stated that the Communist Bloc and especially the Soviet Union are dominated by tough leaders. On the other hand they are fifty years behind in meeting the demands of their consumers.

The conversation then turned to driving conditions in West Germany which President Nixon stated were bad since German drivers move at too fast a speed. This also is a problem in the U. S.

Chancellor Brandt stated that they have been trying to solve the problem by imposing speed limits but without substantial luck.

President Nixon stated that it was perhaps the quality of the German automobile.

Chancellor Brandt noted that the Chinese had just purchased six new Mercedes 600s, perhaps in time for the President's visit.

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Chancellor Brandt asked President Nixon if he intended to visit other locations in Russia besides Moscow.

President Nixon stated that he did intend to visit other locations so that he could see the different peoples of the Soviet Union.

Chancellor Brandt noted that in Moscow he observed great differences between the older women and younger women. The older women were in the traditional mode but the younger women had picked up some of the modern styles.

At this point, President Nixon, Chancellor Brandt, General Haig, and Mr. Sahn were joined by Secretary of State Rogers and Foreign Minister Scheel. Secretary Rogers stated that concerning the European Security Conference, there should be no firm schedule on such a meeting, and it should not be considered until after the Protocol in May or June, and also until after the Ministerial Meeting on May 30-31. He stated that the initial meetings could occur as early as perhaps September or October, with further discussions in the Spring of 1973. Foreign Minister Scheel agreed that it would be difficult to fix a schedule for the actual convening of a European Security Conference at this point.

President Nixon stated that the best he could assess at this point was that the Conference would focus on political and economic issues.

Chancellor Brandt stated that there would have to be some improvement in political coordination and organization before a Conference could be convened. Foreign Minister Scheel stated that it was essential that a summit be held with the new European Economic Community and that the role of the United States be defined with respect to the European Community on economic matters. Secretary Rogers stated that maybe this could occur in August or September. Chancellor Brandt stated that that was too soon, since the Olympic Games would be hosted in Munich in August.

President Nixon stated that he would like to see the Games, but that in any event, it is essential that the European Security Conference be kept in clear focus. It is obvious that the Soviets want such a Conference, but within the United States -- especially within the Congress -- there is a great tendency to assume that the Conference itself would be

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tantamount for justification for mutual balanced force reductions, noting that many seek to give this impression. It also tends to build expectations for unilateral U. S. reductions. For this reason, it is essential that the planning prior to the Security Conference be complete and detailed, and that no hopes be raised that it can be a substitute for continued essential defense sacrifices. In essence, the European Security Conference is a misnomer. The United States does not believe that hardware can be given for software. Therefore, all of the allies must move in the most deliberate fashion, express a willingness to discuss the issue with the Soviets, but, above all, achieve complete alignment of views among the Western allies before entering into any kind of a Conference.

Secretary Rogers stated that the Soviets now do not seem particularly interested in mutual balanced force reductions. German Foreign Minister Scheel agreed, but stated that with perhaps Soviet intentions to link force reductions with the European Security Conference and to have such a Conference serve as a substitute vehicle for achieving their end.

Chancellor Brandt said that all the governments must have a forum to express their concerns and their hopes. The European countries wish to raise the Brezhnev Doctrine, the issues of sovereignty, etc.

The Romanian said he would feel safer if such a Conference were held. Thus, many of the eastern European states hopes to achieve additional security from it by obtaining a principal for the renunciation of force or some other type of reassurance not in terms of pure military security but rather in terms of political assurances which would lead to additional security for the eastern states.

President Nixon stated that it is obvious that the Romanians would wish to see a European Security Conference.

Secretary Rogers added that the Scandinavians, Belgium, and Netherlands are also interested.

Foreign Minister Scheel stated that even France was somewhat interested since they wished to ease the independence movement in eastern Europe.

Secretary Rogers stated that this is what the United States would seek out of such a Conference.

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Chancellor Brandt stated that the mutual balanced force reduction issue in his view is a matter which the Soviets are interested in but haven't had sufficient time to study. The Soviets are also aware that the French are strongly opposed to balanced force reductions but he wondered about the status of the Brosio visit to Moscow.

Foreign Minister Scheel stated that the Soviets have not replied to the Brosio initiative. He knows that when he asked about it in Moscow the Soviets had stated that this was not a problem, especially with respect to Brosio's known views, but rather the Soviets were delaying because they were not sure themselves what their own views would be on MBFR. Secretary Rogers stated that the U. S. had been unable to get a commitment from the Soviets on the issue. Foreign Minister Scheel stated that Soviet Foreign Minister Gromyko had raised the issue of MBFR with him over a year ago and even referred to asymmetrical reductions. At that time, Gromyko was interested in getting MBFR discussions started if only in a symbolic sense. Secretary Rogers replied that since that time, however, the Soviets had said nothing. Secretary Rogers stated, in any event, it is not a problem that has to be faced for a while. Foreign Minister Scheel stated that MBFR is a long-time political problem which will continue after his retirement.

President Nixon stated that the talks in Key Biscayne thus far have been very helpful, and he noted that he and Chancellor Brandt have covered China, European problems, FRG and U. S. relations, and that on the whole, these relations were excellent.

Secretary Rogers confirmed that the counterpart sessions with the Foreign Minister and himself were equally productive. Foreign Minister Scheel then noted that the President and certainly Secretary Rogers should come to Munich for the Olympics. President Nixon noted that he had been there in 1956 at the time he was working on the Hungarian refugee problem. Chancellor Brandt stated the British Queen and the Shah of Iran would be among their honored guests and that President Nixon should seriously consider joining the group.

President Nixon then referred again to reverse linkage on the Berlin Agreement and the Soviet/Polish Treaty, noting that the Soviet position lacked humanitarian concern. Secretary Rogers asked whether the Soviets might change their position. Chancellor Brandt stated that he

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was not sure; he thought so but that, in any event, he looked for ratification of the treaty sometime in May and hoped that there would be improved transit to East Berlin by Eastertime, so that the reverse linkage problem may ultimately be finessed. Foreign Minister Scheel stated that the Soviets had not been particularly intelligent about this issue. He had raised it with Gromyko in Moscow and Gromyko had informed him that Brezhnev had his reputation intertwined with the Moscow treaty and, therefore, they had to be secure with respect to its ratification. Secretary Rogers stated that the problem was that they had moved from a position of no linkage to reverse linkage and that, in effect, this helped us.

The group bade farewell and President Nixon issued instructions for the departure ceremony and the movement of the Chancellor and his party by helicopter back to Sarasota.

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By JB NARA Date 5-9-01

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

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MEMORANDUM OF CONVERSATION

PARTICIPANTS: Prime Minister Chou En-lai
Ch'iao Kuan-hua, Vice Foreign Minister
Chang Wen-chin, Assistant Foreign Minister
(4:40 p.m. to conclusion)
Wang Hai-jung, Assistant Foreign Minister
Chi Chao-chu, Interpreter
Tang Wen-sheng, Interpreter
Two Notetakers

Dr. Henry A. Kissinger, Assistant to the
President for National Security Affairs
Winston Lord, NSC Staff
Jonathan T. Howe, NSC Staff

DATE & TIME: June 22, 1972; 3:58 - 6:35 p.m.

PLACE: Guest House (near Villa #5)

Prime Minister Chou: I read your President's article which was published recently in the US News and World Report. Have you read it?

Dr. Kissinger: Yes.

Prime Minister Chou: So you have come for your discussion in accordance with this article of your President. Isn't that so?

Dr. Kissinger: More or less. Do you read these articles in English, Mr. Prime Minister, or do you get them translated?

Prime Minister Chou: Chinese. We got it in English originally, and then it was translated into Chinese. Also I read the draft of the announcement which you drew up.

Dr. Kissinger: It is just a tentative proposal.

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Dr. Kissinger: Yes.

Prime Minister Chou: And Sri Lanka too.

Dr. Kissinger: If the Indians make use of the Tamirs to make trouble, just like the Bengals. And the Prime Minister made several overtures towards us, and we are very sympathetic toward her to maintain her independence, and we will support her as much as we can.

Prime Minister Chou: Good.

Dr. Kissinger: She has wanted units of our fleet to visit in Ceylon, and we will do that from time to time.

Prime Minister Chou: Has your fleet already visited Sri Lanka?

Dr. Kissinger: Once. We will increase our fleet in that area in any event, especially after the war in Indochina is over.

But Germany -- I wanted to make a comment about the observation of the Prime Minister yesterday. I believe that the recollection of the Prime Minister and of his two colleagues of Germany is of a Germany which no longer exists. I believe that Japan remained, emerged psychologically unimpaired from the Second World War and only physically destroyed. And therefore I have tended to agree with the Prime Minister that certain tendencies in Japan are quite possible, even though they are not now visible.

I told the Chancellor the other day about the observations which Chancellor Adenauer made to me about one of his colleagues when he deplored the fact there were no strong men left in Germany, and I said, what about Mr. so-and-so, and he said, "my dear Professor, you are confusing energy with strength." I think this is true of many of the current German leaders and of Germany, and when I say that Finlandization is one of three possibilities, it is particularly so if the Socialist Party remains in office for an extended period of time. The policy of the Social Democratic Party is so dependent on the good will of Moscow that after some time Moscow may achieve a considerable veto over its actions. Even today

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the Soviet Union could bring about the destruction of Brandt by adopting a policy of coolness towards him. Therefore for domestic German reasons, if this party continues for a long time, which I don't happen to believe, then I believe Finlandization is a possibility, even though the German people are economically in good shape.

Prime Minister Chou: But even Finland herself is not so pro-Soviet -- I mean the people.

Dr. Kissinger: The people are anti-Soviet. But my definition of Finlandization is if the Soviet Union has a veto over major elements of domestic and foreign policy and that is, I believe, the case in Finland, even though it is a very brave people.

I must say the possibility is reduced to the degree that German leaders feel they have others for freedom of maneuver in the world, and therefore I believe the visit which the Prime Minister mentioned to me [Scheel] is a very positive step. That party in any event is in a more independent position.

Prime Minister Chou: But the so-called vetos which the Soviet Union may exercise with regard to actions taken by the Social Democratic Party are not taken to bring pressure on the Social Democratic Party but to make concessions to the SDP. For instance, the fact that the West Berlin question was resolved so quickly was because of China and the US coming closer. Immediately after the announcement of July 16 last year -- immediately after the announcement was made public -- Gromyko went to East Berlin to talk about the negotiations and made such quick concessions, which even you did not expect.

Dr. Kissinger: There were two treaties -- the treaty between the Federal Republic and the Soviet Union, and also the treaty on relations between Germany and Poland, and then the treaty about Berlin. In the treaty between the Federal Republic and the Soviet Union all the concessions came from the German side, and it is very difficult to find quid pro quos from the Russian side. On the other treaty they, the Soviet Union, made many concessions because we made it a condition for the summit, and therefore it was a symptom of our strength and perhaps our discussions, although the negotiations had started before. But the German government had nothing to do with it.

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Prime Minister Chou: The treaty with the FRG was before the treaty with West Berlin?

Dr. Kissinger: That is right.

Prime Minister Chou: But it couldn't have been put in that way. Because one effect of the Berlin Agreement is that henceforth it will be easier for West and East Germans to make contact with each other, and that is a tremendous change because the Soviet Union had made it hard. And which Germany will have the greater influence -- West Germany or East Germany? That is one aspect.

The second thing is about the ratification of the treaty this year. If the opposition party in West Germany wanted to veto that treaty they could have done it, but as you said yourself, it would not have been approved by the mass of the people because the people of West Europe want to see a relaxation. East Europeans, too, would like to see a ratification of this treaty because they feel quite terrorized about the possibility of another big war. So it would not be to the benefit of the opposition party to veto that treaty. But in the very end it was still proclaimed a common declaration, and that common declaration was the result of the proposition of the opposition party. When Brandt signed the treaty with the Soviet Union in Moscow it was before that memorandum, but they had to agree to a memorandum too. So that gives the Germans the consideration that there will really come the time in the future when Germany will be unified even if the two Germanys would both join the UN. Do you approve or not of the two Germanys joining the UN?

Dr. Kissinger: I will tell you directly. As a government, we have no objections to the two Germanys joining the UN. As a tactical question, we will not express an opinion until the Federal Republic has indicated that it is willing to do so. As soon as they say they are prepared to have both Germanys join, we will support it, and we believe this will happen in the next six months. But that is a tactical question.

Prime Minister Chou? You mean the Socialist Democratic Government in Germany?

Dr. Kissinger: Yes, I think so.

Prime Minister Chou: When Schroeder comes do you think he will express to me true views?

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Dr. Kissinger: Yes, I think so. He is very vain, and he thinks he is excessively intelligent, but eventually he will express to you his true views, yes.

Prime Minister Chou: As you see it at the present state, what is the thinking in Germany? They must think about their future.

Dr. Kissinger: Mr. Prime Minister, you will find that clarity of thinking is not the outstanding attribute of present German political leaders, and that what they say is not necessarily what they will do.

The great strength of Adenauer was that he had a great concept and he did not deviate or maneuver, and he kept steadily on his course. Almost all of the present German political leaders have the tendency to believe there is some magic trick by which they can solve all their problems. The one with the clearest views -- not necessarily that I agree with him -- but the one with the clearest views is Strauss. But he has an inadequate political base, and he would not have been the best man for you to talk to. So after him, Schroeder in terms of political views, but Schroeder is better because he has a better base.

Prime Minister Chou: Is Strauss representative of Prussian thought?

Dr. Kissinger: No, Strauss is a Bavarian and he has more of the South German. He is less nationalistic in the sense he can live with a divided Germany, and he is more pro-European. But he is more nationalistic in the sense that whatever country he represents, even if it is only half a Germany, he wants to be very powerful and influential. Schroeder wants to unify Germany.

Prime Minister Chou: And Schroeder is from what part of Germany?

Dr. Kissinger: Schroeder is from the Rhineland, the old Prussian part of the Rhineland. You asked me what does Germany want. Their national disease is that even when they were unified they did not know exactly what they wanted except that it was big.

Mr. Ch'iao: Deutschland Uber Alles.

Dr. Kissinger: Yes, Schroeder would like Germany unified.

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Prime Minister Chou: In history Germany has not remained a unified nation for a long period except the Bismarck state.

Dr. Kissinger: That is right.

Prime Minister Chou: So there is probably a historical reason. During the Thirty Years War Germany was divided up into many states.

Dr. Kissinger: And it has lost a great deal of what really should be part of Germany: Switzerland, Luxembourg, Austria should be theirs. So there is really no separate Italian-speaking state or French-speaking state, but Germany is at a cross-roads because it has to make up its mind between its national ambitions and its European interests.

Prime Minister Chou: When the Rhineland area was being developed, East Prussia was still economically undeveloped. In the 18 and 19th centuries. So the development of different parts of Germany was uneven.

Dr. Kissinger: Yes, but it also proves that the economically successful part does not necessarily take over the poorer part. It is a matter of discipline and direction.

Prime Minister Chou: That is a question of policy, the question of direction and line. But during their period of Bismarck, and Germany was divided under Adenauer. Of course, it is unfortunate that after the First World War there appeared Hitler. But if there appeared a Bismarck, if there appeared an Adenauer, why is it not possible for some talented Germans to appear in the arena? How can you estimate them so low? And I don't believe that when a nation has developed an economy to such an extent that a person who can represent his people will not emerge -- it is a matter of possibility.

Dr. Kissinger: I don't exclude the possibility, Mr. Prime Minister. I know all the German leaders very well, not because I was born there but because I had many activities there. I don't see anybody of such stature now, not among the present leaders or in the next generation. And speaking as a philosopher, if I may, it may be true as the Prime Minister pointed out to me, unless you have had some experience of suffering and of hardship you cannot produce great men.

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Prime Minister Chou: That is true.

Dr. Kissinger: Precisely because the German economy is so advanced they can no longer produce great men. All the great men in Europe since the war, DeGaulle and Adenauer, had their formative experiences before the war.

Prime Minister Chou: You have a point there. I am not against that way of thinking. Germany, being close to you, is quite far from us, while Japan is a country with whom both of us have concern. And the Japanese nation wants to maintain their unity and that is decided by their geographical position. And it is true that in Japan's history they were never fully occupied by an outsider. Japan was a defensive power too. After the war her economy developed very rapidly. It was you who flattened them. But what great men are emerging in Japan?

Dr. Kissinger: Japan is a different phenomena. Japan does not produce great men. You look at their leaders. It is like asking whether an ant is impressive by looking at one ant.

Prime Minister Chou: But if you look at the ants as a collective, that is quite formidable.

Dr. Kissinger: The strength of Japan is in its social cohesion.

PM Chou: The ants in southern China are formidable. They create even mountains. They make their homes in the root of a tree. I don't know whether you have such ants in your country. They are called white ants. They eat their way into trees and they also dig their hills. That is where they store their food.

Dr. Kissinger: I am saying the Japanese are very impressive, but not because their leaders are impressive. Any one Japanese I talk to I find quite unimpressive. I don't know what your experience is. But it is an impressive people as a group.

PM Chou: You know ants have queens (Chou laughs). But any nation must have its leaders.

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Dr. Kissinger: Yes, but they change their queens quite frequently (laughter).

PM Chou: I wonder whether your feeling towards the Germans is maybe because you yourself had a period of persecution there.

Dr. Kissinger: I did, but I look at things cold-bloodedly.

PM Chou: Maybe that is why you look upon the Germans as you do now.

Dr. Kissinger: No.

PM Chou: Karl Marx discovered scientific socialism but his teachings are not in Germany.

Dr. Kissinger: I can't afford sentimentality in one direction or another. But I think the Germans are well worth your attention, Mr. Prime Minister, because they will be one of the key factors, and I believe they are the most dynamic people in Europe despite what I have said.

PM Chou: (Nods) But are there still some differences -- or do you look upon the whole of Germany as a Finland? East Germany is not a Finland. It is more than that, a dependency. But look on the whole of Germany. East Germany is actually a Czechoslovakia -- a vassal. But for the whole of Germany to be a Finland -- I doubt it.

Dr. Kissinger: I said there are three possibilities.

I don't say a Finland is their most likely outcome. It depends. If the U.S. were to withdraw from Europe; if the McGovern policies were carried out, if European unity would not work; if we withdraw from Germany -- then the two Germanies feeling abandoned, could move in the direction of Finland. If we remain in Europe, if European unity continues -- then I think Finlandization is unlikely, and it will be either nationalism or European community.

PM Chou: That is what I was about to say -- is the U.S. planning to abandon Europe?

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Dr. Kissinger: In this Administration, as long as President Nixon is President, it is inconceivable.

PM Chou: Nor do I conceive it possible if the Democratic Party would take power that they could really abandon Europe. Even Mansfield says they will withdraw from Europe.

Dr. Kissinger: They may withdraw from Europe and think this is not abandoning it.

PM Chou: How is that possible? And once they really --, if they are really to take office -- I don't think they can do that. We won't go too much into that.

Dr. Kissinger: I know all the leading Democrats, and my own political position has been that of an Independent rather than as a Republican. I did not know President Nixon when he appointed me. I had never met him. My assessment is that any Democratic candidate would say the same thing, but that only McGovern would try to do it because he has a professorial nature. He is somewhat doctrinaire. (Chou laughs).

Ch'iao: Woodrow Wilson was also professorial, wasn't he?

Dr. Kissinger: Yes.

PM Chou: But in the Senate his 14 points fell through.

Dr. Kissinger: It required Congressional action. But withdrawing forces from Europe requires no Congressional action. That can be done by a Presidential decision.

PM Chou: The President has such great power?

Dr. Kissinger: Yes, he can determine the deployment of troops. He may not be able to send them to Europe. . . he can even send them if he can get the money. But he can certainly withdraw them.

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But as I said to the Prime Minister, it is a very improbable event that this will come to pass. So for the next five years there is no possibility of withdrawal of forces from Europe.

PM Chou: That is also my view. I also look at it this way.

Let's come back to the East. Because our knowledge of Western Europe cannot be compared to your knowledge.

Dr. Kissinger: I am very impressed by the Prime Minister's knowledge and insight into the European situation.

PM Chou: Please do not commend me. What are your own views toward the trend in Korea?

Dr. Kissinger: I believe the talks which have started between the two sides of Korea are very positive. We are encouraging the South Koreans to continue them.

As I told the Assistant Minister in the car this morning informally, some of the tactics of the North Koreans are sometimes self-defeating. They made a rather bad impression on the American journalists over there. I tell you this in confidence because I think to some extent we have similar objectives there. I spoke to some Japanese leaders who had visited both Peking and Pyongyang who had been very impressed by being in Peking and who before they went to North Korea were in favor of withdrawal of American forces from South Korea. After they went to North Korea, they changed their minds and were in favor of keeping our forces in South Korea.

I say this for your information. This is not an Administration view. The Administration view is that we will encourage political contacts between North and South Korea and that we will go along with any agreement that the two Koreas make with each other.

PM Chou: In the end North and South Korea should have a peaceful reunification, but this is not the time. The time is not yet ripe.

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MEMORANDUM OF CONVERSATION

PARTICIPANTS:

Chou En-lai, Premier of the State Council
Chi Peng-fei, Minister of Foreign Affairs
Ch'iao Kuan-hua, Vice Minister of Foreign Affairs
Chang Wen-chin, Assistant Foreign Minister
Wang Hai-jung, Assistant Foreign Minister
Ting Yuan-hung, Staff
T'ang Wen-sheng, Staff (interpreter)
Shen Jo-yun, Staff (interpreter)
Ma Chieh-hsien, Staff
Lien Cheng-pao, Staff

Henry A. Kissinger, Assistant to the President
for National Security Affairs
Mr. Alfred LeS. Jenkins, Department of State
Mr. John H. Holdridge, NSC Staff
Colonel Richard T. Kennedy, NSC Staff
Mr. Winston Lord, NSC Staff
Mrs. Bonnie Andrews, Notetaker

PLACE:

Great Hall of the People, Peking, China

DATE AND TIME:

February 15, 1973, 5:57 p.m. - 9:30 p.m.

(The Premier greeted Dr. Kissinger and his party and led them to the table where the meeting was held. The meeting was preceded by conversation regarding members of Dr. Kissinger's staff who were visiting the People's Republic of China for the first time.)

Prime Minister Chou: (Referring to Mr. Kennedy.) Is he part of the Kennedy family?

Dr. Kissinger: He is a partial replacement for General Haig. He is a financial expert.

P.M. Chou: You mean you want to talk finances.

Dr. Kissinger: He isn't really.

P.M. Chou: And this is the first time for Mrs. Andrews. Welcome.

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P. M. Chou: And we think that is one of the good things about your President's serving a second term.

Dr. Kissinger: Exactly. You can be sure that his policies will be such as not to be affected by any changes. So that is why we think that this exchange at the very beginning of the new Administration can be very significant. This is our general approach, and it is in this spirit that I am planning to conduct our discussions. And now I would be happy to speak about any subject more thoroughly--I know I need not tell the Prime Minister this.

P. M. Chou: I would like to thank you first of all for your initial assessment and explanation. And since you have mentioned the international situation I would like to ask you what are the views of the Nixon Government in its second term regarding the over-all situation? Do you think we are moving toward a kind of relaxation, or toward a more intense competition, including a military competition?

Dr. Kissinger: Well, Mr. Prime Minister, we speak a great deal about an era of peace, and there are certain factors which point in that direction. I think, for example, that if certain leading countries show restraint in Southeast Asia, that that area can be tranquil over the next four years. But when we speak in longer term trends I must give the Prime Minister our honest opinion that there are countervailing factors as well. First, there is the factor of the intensive Soviet military preparation which occurred really in all directions simultaneously. Now, I may have a too skeptical assessment of human nature, but I cannot believe that these preparations are being made so that the Soviet leaders can be more pleasant toward us. And, indeed, for the Prime Minister's information I have just ordered a study by our intelligence department of what rationale such leaders might have in their minds when they push for an increase of both strategic and tactical weapons in this particular time frame. We know the facts, but we need the motivation.

The second factor in the situation is the intellectual confusion in Western Europe. The Prime Minister and the Foreign Minister have had occasion to meet with many of the leaders of Western Europe. I don't know if you agree with my judgment, that this is not a period in which leadership in Europe is accomplished via precision of thought. So one problem is that you have here, in effect, local party chieftains who are conducting foreign policy from domestic considerations and who seek to avoid difficulties and complications over what might happen. The result is that one of the richest areas in the world is not playing the role to which its history and resources entitle it and, therefore, it is not acting as a counterweight to the extent it

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should. We will, if you are interested, discuss this more in relation to the European Security Conference and the MBFR Conference. A third problem area is Japan.

P. M. Chou: Before you go into that I would like to interrupt. Do you know a bit about Chairman Mao's conversation with Mr. Schumann?

Dr. Kissinger: I know Mr. Schumann's version, which improves with each month.

P. M. Chou: But I believe he transmitted the Chairman's words to Pompidou.

Dr. Kissinger: I only know what he told us.

P. M. Chou: One of the things that the Chairman told Mr. Schumann was that if a great war broke out in Europe, including a large-scale nuclear war, France would still have to rely on the U. S. This maybe shook them a bit.

Dr. Kissinger: Yes, it did. Since this is not necessarily the policy of the French Government he didn't tell us quite that much, only about one half of it. But I have enough experience now with the Chinese way of presenting issues to know that if you present anything at all, you do it completely. So I assumed somewhat more was said than what we were told.

P. M. Chou: Sir Alex Douglas-Home seemed to have more understanding.

Dr. Kissinger: Yes, yes.

P. M. Chou: And the results of the West German elections is that the two original parties are still in power. But it was the foreign spokesman of the minority party who came to China.

Dr. Kissinger: Yes.

P. M. Chou: But, they also have to admit that after their Ostpolitik has been put into effect, changes have now begun to appear.

Dr. Kissinger: The Germans believe that if there is a choice between two policies, the best thing is to carry them out simultaneously. (laughter)

P. M. Chou: Maybe that is why their original Ambassador to the U. S. has now been sent to our country--because he supported Adenauer. And,

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therefore, it might be more suitable to accredit him to China than to your country.

Dr. Kissinger: We would be prepared to support Adenauer's party but it can't seem to win an election.

P.M. Chou: But Mr. Schroeder came first to China, and his work was done not too badly.

Dr. Kissinger: Yes, his work was done well.

P.M. Chou: The question in Europe is not entirely one of ideological confusion, but because there are peaceful illusions which were created by those now in power, and the people might have been taken in. The Soviet Union has made great use of that. I believe you said that we represented Western Europe in meetings with Western European Foreign Ministers, and indeed, I said to each foreign minister from Western Europe that I didn't believe peaceful illusions should be maintained. It seemed that Mr. Schroeder has a clear idea of that.

Dr. Kissinger: Yes, he had. The election was lost by stupidity. But, I agree with the Prime Minister on two counts. First, with respect to Germany, within two years they will face a serious dilemma between Ostpolitik and the requirements of maintaining their western orientation. They will find this course did not advance their national aspirations and will lead to great domestic confusion.

P.M. Chou: But they seem to have treated you rather well in the recent battle to support the U.S. dollar.

Dr. Kissinger: Yes, they are not anti-American. And they do not intend to move toward the Soviet Union, at least not at the present time.

P.M. Chou: That can generate quite large-scale illusions.

Dr. Kissinger: Exactly. The danger is not what they intend but the process they can start. They have reached about the limit of their present course, and then they will have to decide whether to make endless concessions or go back closer to the Adenauer line. Many European leaders as individuals know what is necessary, but don't dare carry it out for domestic reasons.

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P.M. Chou: This is one of the results created since the end of the Second World War.

Dr. Kissinger: This is true.

P.M. Chou: Perhaps they want to push the ill waters of the Soviet Union in another direction--eastward.

Dr. Kissinger: They don't think in such long-range terms, but perhaps they may bring that about too.

P.M. Chou: Not necessarily, but we can discuss it at a later time. Is that what you are thinking about?

Dr. Kissinger: Whether the Soviet Union attacks eastward or westward is equally dangerous for the U.S. The U.S. gains no advantage if the Soviet Union attacks eastward. In fact, if the Soviet Union attacks it is more convenient if it attacks westward because we have more public support for resistance.

P.M. Chou: Yes, therefore, we believe that the Western European aspiration to push the Soviet Union eastward is also an illusion.

Dr. Kissinger: I don't think that they want to push the Soviet Union eastwards. They believe that the Soviets don't have any aggressive intentions anyway.

P.M. Chou: Do you believe that?

Dr. Kissinger: No. It is inconsistent with their military preparations. Everytime we analyze the Soviet military preparations--and I am not talking about Siberia, but the strategic forces pointed toward the U.S., there is an intense effort of major military proportions going forward which cannot be accounted for unless one assumes that the option of use is being prepared. So, to get back to the original point, we have to prevent the Soviet Union from breaking out in one direction or another in the next four years. Resisting in the East is politically and psychologically more difficult for us. The West is easier, and we have no interest in pushing them to the East. But the consequences to us of not preventing their pushing to the East is equally dangerous for us. This is our assessment.

P.M. Chou: Therefore, we have to prepare for their coming.

Dr. Kissinger: That is correct.

P.M. Chou: But it seems that Western Europe is not in this respect so fully prepared.

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