

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

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DOS REVIEWED 12-Dec-2011: DECLASSIFIED FOR RELEASE IN FULL

MEMORANDUM OF CONVERSATION

PARTICIPANTS:

Israel

Yitzhak Rabin, Prime Minister  
Yigal Allon, Deputy Prime Minister and  
Minister for Foreign Affairs  
Shimon Peres, Minister of Defense  
Simcha Dinitz, Israeli Ambassador to the U. S.  
Lt. General Mordechai Gur, Chief of Staff  
Amos Eran, Director General, Prime  
Minister's Office  
Avraham Kidron, Director General, Ministry  
of Foreign Affairs

United States

Dr. Henry A. Kissinger, Secretary of State  
and Assistant to the President  
for National Security Affairs  
Joseph J. Sisco, Under Secretary of State  
for Political Affairs  
Malcolm Toon, Ambassador to Israel  
Monroe Leigh, Legal Adviser  
Alfred L. Atherton, Jr., Assistant Secretary  
of State for Near Eastern & South Asian Affairs  
Harold H. Saunders, Deputy Assistant Secretary  
for Near Eastern and South Asian Affairs  
Robert B. Oakley, NSC Staff  
Peter W. Rodman, NSC Staff *PR*

DATE AND TIME:

Sunday, August 31, 1975  
9:13 a.m. - 12:40 p.m.

PLACE:

Prime Minister's Office  
Jerusalem

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Dr. Kissinger: Before we get into anything specific, I wanted to make a point. I tried to assess the situation dispassionately last night, after a day of being accused in Egypt and in Israel -- not being accused, but both sides obviously feeling they are at the margin of being cheated.

Where we stand as far as I am concerned, as far as the U.S. is concerned: We started out on this road because it was in everyone's interest to have the problems of the Middle East dealt with one at a time. We felt to try to deal with them comprehensively would force all Arab states to back the most radical demands since no one in a public forum could be less extreme than the most extreme of them; that it would force the U.S. sooner or later to declare its position; and that there was a high probability that this position would lead to a public conflict between the U.S. and Israel; that in the process European countries and Japan would inevitably side with the Arabs. And in this escalating political atmosphere we would not have control, you would not have control, and we would be at the mercy of chance, whatever that would mean -- a war in a year or next year or some other time. It would predictably lead to a military explosion in which then the management would be extremely difficult from our points of view. That is what got us started on this road.

Now, one by one the elements of a step-by-step approach have been knocked out -- Jordan, Syria almost, so we are left with Egypt. And the Egyptian negotiations, for a variety of reasons which it is senseless now to recount, have reached a point where both sides in order to maintain their domestic positions have to do things which are nearly intolerable to the pride and self-respect of the other. It is noticeable. I think it would be senseless, a great mistake, to think the Egyptians rehearse their tactics every day any more than I think you people rehearse your tactics every day. When you meet with people that often I think you get a sense of what their almost real feelings are.

This agreement is now at the margin of what is tolerable for the parties. But it is also now at the point of margin of what is tolerable for the U.S., either in substance or in procedure. In procedure, it is intolerable for the U.S. that its senior officials are running like rug merchants in the Middle East squeezing both sides to get another inch here and there. And since neither side knows what one is facing on the other side, they are always disappointed when one arrives, so the atmosphere gets worse and worse, and where the U.S. then winds up in the position where both parties think it needs the agreement more than the parties do, which is a total absurdity.

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On substance, the step-by-step approach was predicated on at least the impression that things were going to be happening. It could never survive on the theory that something was done and then there was the final concrete step. Our interest in this step-by-step approach -- which I believed, partially wrongly, should be parallel with yours -- that was to have your principal, maybe only, ally in control of the diplomatic process was of a decisive advantage to Israel. And that therefore for us to lose control of the process was also for you to lose control. But if we wind up in the situation where you, in order to sell it here, have to say things which are bound to inflame the Arabs, and Sadat, having put so many things in the public document, in order to survive will have to say things which will inflame you and Jewish opinion in America, and where those who made it will then be made the fall guys for things they didn't really recommend, then we are coming to the absolute margin of what is tolerable.

So I want you to know -- and I will make exactly the same speech, incidentally, when I see Sadat today -- word for word if I can remember it, but certainly in sense I will make the same speech.

You see what I got out of the discussion last night is that I am now going to go to Sadat and say: "You have got to give up Article 51 and on the navigation in the Gulf of Suez, but they will let you name this area by coordinates." I will hear what you have to say, but that was the thrust of what I got out of our closing discussion yesterday. Not a brilliant prospect, but we will see.

But I am going to tell you now, and I am going to tell him this afternoon that as far as we are concerned, that's it. We will go through this round. At the end of this day if there is no agreement, I will ask each side once more to tell me what they will then do at the end of that day. For all I know they may accept everything. And then I will go home.

We have always had two options. I have carried this option -- unbelievable as it may sound to you -- very importantly for your sake, as far as I can carry it. I am not saying this as criticism, because I think you have extended yourselves, and I think the Egyptians have extended themselves. It is not an implication that you haven't. I know. I have seen what goes on in this country. I think you have acted in your context with enormous courage and fortitude, and even flexibility -- not in method but in results. I honestly believe on their side the same has been true.

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But I think we are now getting to the point where one has to conclude that interim peace is not possible between Israel and the Arabs if it doesn't succeed today. Without its being anybody's fault. It would be easier if one could blame somebody and say he has to do one more thing. I think if this fails tonight, nobody is to blame. It will be a Greek tragedy. Last time you said to me privately that it was a Greek tragedy. Last time, in March, it wasn't quite yet a Greek tragedy. This time it will be.

So I just want you to know our attitude and our view on this matter. And it is not the Evans and Novak article, incidentally, which is a tip of the iceberg, though, of what will happen in America.

Mr. Allon: On the presence or what?

Dr. Kissinger: What will happen in America in my judgment is that it is going to be like detente where all the people who for four years -- as you know very well -- were accusing us of being too war-like and too hard-lined, and whom we paralyzed by using detente as a tactic, are now moving on the right of us. All the people who used to say "Don't deploy MIRV, as a unilateral gesture; don't build any more missiles; don't do this or that," are now screaming that we are jeopardizing the national security because we don't want to count the Soviet medium bomber in the 2,400 total of SALT, even though if there is no SALT agreement it will run free, plus the fact that they will get 300 missiles to start with since they are already at about 2,680.

What is going to happen with Israel is that those on whom you were counting to pass an aid bill -- if necessary against the administration -- will now vote an aid bill blaming the administration. That will be the first step. They will vote for it, but instead of voting for it by conviction, they will say "we will do it because the administration said so." It will be the first step of dissociation, in my judgment. You will get Jackson and others playing this ambiguous game. I am not talking about Humphrey, who is a decent man, but I am talking about the large middle class of opportunists the people who have no heart. And so I think we are all going to pay for this agreement in America.

But we are also going to pay for no agreement. I think we will pay worse for no agreement. This was in answer to a question. I am not bothered

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by individual things; I am bothered by trends. And it is clear to me that people are now going to use the Middle East the way they used detente, for a cynical re-positioning. But that will happen anyway, whether or not there is an agreement. But you need not consider anything anymore from the point of view of who will get blamed. It is far beyond that. In a way, blaming makes it easier because then there can always be an adjustment of policy.

I think there should be this clear understanding here that this is not a great thing for the U. S. anymore. It is marginally, slightly marginally better for the U. S. to do it than not to do it. And therefore we cannot pay any additional price for bringing this thing about.

You have made your decisions. But I just want you to know what is going to happen during the day. And I wanted to say it before you give it to me, so you don't think it is a reaction to what you are giving me. If you want to show me your map now.

You will be glad to know that Joe is the pet peeve of the Egyptians. They always use him as the example of the Israeli lawyer.

[General Gur get up to show a map.]

Peres: Have you read James Reston? He praises you.

Dr. Kissinger: I will get more praise than criticism.

Mr. Sisco: If I could just say a word. You all know I have been the strongest devotee of this step-by-step approach. I think what Henry is saying, in two sentences -- and I just want to associate myself fully -- I think you probably feel that you have reached the tolerable limit, so to speak. We are convinced that Sadat feels that he has reached the tolerable limit in terms of where he can go. Particularly when this agreement comes out, whatever your disappointment may be as to what it includes or doesn't include, when blockade and the rest of these things come out, the attack even in the moderate part of the Arab world is going to be very, very substantial. And what we are saying also, insofar as America is concerned -- again, you have all known I personally have the strongest reservations about this American presence -- I think we are at the tolerable limit in terms of our situation at home, which by the way is your situation at home in this regard. Just so we have the following from you --

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that you are keenly aware as to where we are in terms of these parameters on your own part, on the part of the Arabs and on the part of America. That is what I think Henry is really saying, or at least this is what I want to get across.

Dr. Kissinger: The Evans and Novak article is interesting only from the point of view of what are the forces that are pushing this on Evans and Novak. But when we read what Hussein is saying now, and what the Saudis are saying. . . . We have a cable from Saudi Arabia in which they discuss, among themselves, what they think will be in the agreement, and what is barely tolerable and at what point they have to reassess their policy towards Egypt and towards us.

Mr. Sisco: What a shock it will be when they see the agreement.

Dr. Kissinger: They say cargoes through the Suez, that is all right; that they will put up with. With blockade, non-resort to force, anything that looks as if the Egyptians will separate themselves from the rest of the Arabs -- and if that document means anything in language, it must mean that. That is, no matter how often it is explained, that is what it means to any thinking person. Then they say to each other -- not even to us -- that this will create a situation where they will have to evaluate their policy towards us as well as towards Egypt.

Now that means that Hussein, who in March as I told you, when I thought the thing would fail and I went through Amman, I told him the difficulties and I asked him whether I should quit, hoping he would say yes. But he said: "No, whatever the price, whatever the cost, you must have a settlement here, because it would ruin all of us who have counted on America." Now Hussein, to Obey, not just the Syrians -- you should see what he said to Obey, to that Congressional delegation, these three obnoxious guys who you had here. That is the thing that worries me. When I speak about trends, columns are unimportant; it is the trends I am worried about.

All right, let's look at this map.

Mr. Peres: Did you have a reaction from the Jordanians as well?

Dr. Kissinger: In March, with Faisal the same thing. He pleaded. I didn't ask whether I should stop; I just talked about the context of a

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possible agreement. [To Sisco:] You remember? He was almost human when I left. [To Rabin:] We will all miss Faisal, incidentally. He was a great man, in his weird way. And this new gang, which talks more moderately, acts more intransigently, because they are much more conscious of their power. Faisal.

Mr. Rabin: Was born with power.

Dr. Kissinger: And he remembered how weak Saudi Arabia was, and he never got Saudi Arabia in beyond its capabilities. This new group is much more reckless in that way.

Mr. Atherton: And less secure.

Dr. Kissinger: And less secure. Okay, what do you want to show me about this map?

General Gur: [Showing an aerial map of the Giddi to Dr. Kissinger:] We understood this would be too hard for the Egyptians to accept, that is the famous pimple. When you were talking about the ridge, I want you to know that the ridge goes very close to the southern part of the road. That is why we put the line here, because otherwise it would be quite difficult to dominate the road from the ridge. But what we suggest in order not to give this, is to make the line that way. [He indicates.]

Dr. Kissinger: That will help. It will still not look good.

Mr. Rabin: You see, on the big map nobody would be able to see it.

Dr. Kissinger: Good, if you can do it on the big map, fine. I think that is a big help.

We can show it to him as a concession because we never showed it to him.  
[Laughter]

Mr. Sisco: I'll say we didn't.

Dr. Kissinger: If you can show it on the big map so that it doesn't look  
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Mr. Rabin: We can show it as it is. But on the big map it looks different.

Mr. Allon: More promising.

Mr. Sisco: I hope this is not the only concession. [Laughter]

Dr. Kissinger: This is a typical example of our dilemma now. Because I know for you it is a big step. But I can't tell it to them, because the reason I didn't show them the other one is because I wanted to keep Gamasy off our back while the political things were going on.

Dinitz: The Prime Minister stayed here until 3:30.

Dr. Kissinger: If you were at fault, I would yell and scream at you to try to get you to do something specific. I am trying to help you.

Mr. Sisco: Staying until 3:30 was another concession.

Mr. Rabin: Let's go to the annex.

Mr. Peres: We put in all our points. I shall take note of where we made changes. And we shall mention all our fall-backs.

I think in the preamble we have accepted what you suggest, no problems.

Mr. Rabin: You have a "Military Working Group."

Dr. Kissinger: Let's keep in mind one thing. There is only one group of the Geneva Conference, called the Military Working Group. There is no other. In order to get another working group we have to reassemble the Geneva Conference and create it.

Dr. Kissinger: Not only that. They insisted on it so that it couldn't possibly discuss any other subject.

Mr. Peres: Article I, no changes.

Dr. Kissinger: About the early warning system, I wouldn't say "part of this annex" but "part of this agreement."

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Mr. Peres: You are ahead of us. The next part, "Definition of Lines and Areas," no changes. 2. Buffer Zones, we put in the short version.

Dr. Kissinger: I am sure they will agree.

Peres: In (B) we have made one change which I call to your attention. We have put in "to the middle line" rather than "a middle line."

Mr. Saunders: I wrote that sentence. I didn't mean anything by "a" or "the."

Dr. Kissinger: No problem. I mean the concept is a problem, but I am sure it was explained to them as a line bisecting the buffer zone.

Mr. Allon: Sometimes we use the word "zone" and sometimes "zones." Is there any reason for that?

Mr. Peres: This time we are talking about the zone, because the middle line goes only in this zone.

Dr. Kissinger: I think we should call it "zone 1."

Mr. Peres: Yes. Then if you want to put in "a part of this agreement" instead of "annex," we shall do that.

Mr. Sisco: We might put in which are the lines rather than making it 1.2 and 3. But we will come to that later.

Mr. Peres: Now, (d), no changes. Then 3. Here we put the problem before you. Whatever definition you settle on with Gamasy, we put it in brackets, it's okay. This is the issue of irregular forces. We have explained our point of view and our worry, and we leave the negotiations in your hands, whatever you decide. Let's not argue about it.

Dr. Kissinger: If I can get a definition from them that Fatah-type organizations will be considered para-military. . . .

Mr. Peres: That will be in an additional letter, I understand, or will it be put here?

Mr. Sisco: Can't we have an understanding on that?

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Dr. Kissinger: Couldn't we handle that the way we handled it with the Syrians on the terrorists?

Mr. Rabin: Orally. All right.

Mr. Peres: Now in (b) we suggested "unarmed" but we don't insist.

Mr. Rabin: These zones are the two UN areas without Egyptians.

Mr. Sisco: But I thought we would call them "checkpoints."

Mr. Peres: We don't insist. If you want to call it "checkposts," we don't mind. This is in Hamam Faroun. There are two stations. There we would like a Hermon-type situation on the top of the hills. On definition we are ready to be flexible.

Dr. Kissinger: All right. I will discuss that with them, because the Syrians did this.

Mr. Rabin: They did many things that the Egyptians don't want to do.

Mr. Peres: In (c) we have added one expression which I call to your attention -- "entry to and exit from the area, by land, by air or by sea." We have added "by air."

Mr. Rabin: We have transport planes.

Dr. Kissinger: All right. No problem.

Let me check: The phrase "with such weapons as," they already accepted.

Mr. Rabin: The UN will check especially entry. There can be no argument over this principle.

Dr. Kissinger: Yes.

Mr. Peres: (e) is a thorny issue and lets leave it to the end to discuss. We know your feelings about it.

Dr. Kissinger: My feelings are to report to you the Egyptian feelings. I think your request is not unreasonable and is in fact sustained by

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international law. Just so you understand my position. I want to discuss a possible solution with you afterwards.

Mr. Peres: We are ready to listen to fallback positions on their part on this.

Mr. Kissinger: I want to discuss solutions later.

Mr. Rabin: You see (in g) the procedures are for use of the common sections, because they want it for all roads and then it will complicate things. We are not asking about anything that has not been agreed on.

Mr. Kissinger: You are right. There is no problem.

Mr. Peres: Then 4. Aerial Surveillance. I think there is just one change. Let's go to 5. Limitation of Forces and Armaments. Under (a), no problem about (1) or (2). The problem is about (3), the artillery pieces. We have a fall back position on that.

Mr. Rabin: If they agree to include the heavy mortars, to add that to the 36.

Mr. Peres: We are ready to increase the numbers to 60.

Mr. Allon: Which would include both.

Dr. Kissinger: I didn't know there was such a thing as a 160 mm mortar.

Mr. Sisco: They will figure this as. . . . We know the heavy mortars were not excluded in the disengagement agreement, and on certain occasions it is true they have brought in a substantial number of heavy mortars. The way they will read this is while the number will be increased, the direct implication will be placing a limitation on the number of heavy mortars.

Mr. Rabin: Yes, but now they can put in more artillery.

Mr. Peres: About 120 mm is heavy mortars.

Dr. Kissinger: Just so I can learn something while I am here, 160 mm mortars, is that practically like a Howitzer?

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General Gur: Yes, that is why we consider it like artillery. The range is nine kilometers.

Dr. Kissinger: Nine kilometers. I don't want to tell you how to do your drafting, but if you say "36 pieces including heavy mortars whose range shall not exceed 12 kilometers," then the definition of a heavy mortar piece is something with a range of 12 kilometers.

Mr. Peres: This is the maximum range. We can solve that simply by putting in brackets after heavy mortars, "(over 120 mm)." And then have either weight or range.

Dr. Kissinger: Let's go through this and then I will give you my comments altogether.

Mr. Peres: Now the total number of 8,000, we have agreed among ourselves.

Dr. Kissinger: Except with the Egyptians. [Laughter] But that is a minor detail.

Mr. Peres: When I say agreed, that means only the parties we negotiate with!

Then we took the definition suggested: "Both parties agree not to station or locate in the area weapons which can reach the line of the other side." Which was an important Egyptian issue. But here we have added one word. Where we say "shall not be stationed or located," we added the word "located."

Dr. Kissinger: That was an Egyptian phrase.

Mr. Peres: Then we have in (6) and in 5 (b) your wording, so there won't be any problems about that. In (b)(1), again "neither side will station or locate. . . ." We took your language, no problem.

Dr. Kissinger: The numbering is not to be believed. It's from right to left. [Laughter]

Peres: On 2, we have returned to our suggestion, namely the 10-kilometer limit instead of the 16. I think we shall have major problems if each side

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says he has to cover his forces by anti-aircraft missiles because of the changes in ranges and a lot of problems. So we suggest they be moved instead of four, they can actually move six, eight, nine kilometers, and we shall keep far away from the surface to air missiles. We have discussed it and actually the suggestion was yours to limit it to 10. In the first draft it was 12; now it is 10.

Dr. Kissinger: He says if we survey the area we will know there is nothing within 10 kilometers where he can put them. If they are not within six, they have to go further out. Is that true?

General Gur: No.

Dr. Kissinger: They will accept it. He will get overruled by Sadat because of that.

General Gur: Why? Because of the terrain?

Dr. Kissinger: I don't know why.

Mr. Peres: There is no problem on (c). On 6, the Process of Implementation, the problem we have to work out among ourselves is the 15 days and the 5 months. This we have to agree on now, how long it will take. And I believe the Prime Minister wants to express himself on this issue.

Mr. Rabin: We had our people in this morning. Allow me first to tell you we will have a real problem there to control the civilians. It happens that the workers there, I would say that about 70% of them, have files in the police.

Mr. Allon: It's a program of rehabilitation.

Mr. Rabin: And we will have a real problem to control them there. Secondly, we talked to our oil people, and they say any handing over in a proper way has to be done -- first we have to work with the Italians, but it can't be done by 15 days, by any means. We are trying to press now for two months.

Dr. Kissinger: What they will say is that you will have three weeks between the signing....

Mr. Rabin: That is why I say two months. Because we need these three weeks.

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Dr. Kissinger: Why should it take two months after the protocol is signed? Just so I can explain it to them.

Mr. Peres: There are two points where we can be better. [He gets up to the map.] You remember here we gave a sliver. This the Egyptians can move up to here.

Dr. Kissinger: But frankly they don't give much of a damn about this.

Mr. Peres: No, they move their army within two weeks. You asked for one place where they can move within two weeks.

Dr. Kissinger: But at one point -- I didn't even report it to you -- they said forget it. At one point they even said "Tell them to keep it." I knew if I reported it, you'd keep it and sell it again.

Mr. Rabin: [at the map] There is one problem we discussed. There is much more difficulty in Abu Rudeis. In this area, Ras Sudar, which is also an oil-field that is working now, we are pumping oil.

Mr. Allon: It gives in a million dollars a week.

Mr. Rabin: What is the problem here? We have got a big military installation. To transport all the ammunition, how long will it take?

General Gur: Until now, we considered three months for the whole operation.

Mr. Rabin: But from the oil point of view, we can have it one month.

Dr. Kissinger: For them? But then you'd still be there moving equipment.

Mr. Rabin: We can give this to UN control on one assumption, that we would be able to continue our work uninterrupted.

Dr. Kissinger: Which work?

Mr. Rabin: Of evacuating everything from here.

Mr. Allon: We have tremendous stores of equipment.

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Mr. Peres: The oil fields are on the coast; the ammunition is a little bit deeper.

Mr. Rabin: No, I think the ammunition is near the coast.

Mr. Peres: 600 meters from the coast.

Mr. Rabin: No, the oil fields are spread here.

Mr. Peres: Evacuation and demolition must continue.

Mr. Allon: But while we continue evacuating, they can pump oil.

Dr. Kissinger: That is very positive. It is helpful.

Mr. Rabin: We can hand over the whole oil field operation to the Egyptians, with the UN there, on the one condition, that we can move our stuff.

Mr. Allon: And the details can be worked out in Geneva.

Dr. Kissinger: That is something they will like. Because then we can tie together a number of things that they can move forward in the southern area.

Now on Abu Rudeis, I am really trying now to think of something. I would think if you could say six weeks, simply so that it would be expressed in weeks rather than months.

Mr. Allon: Say eight weeks!

Dr. Kissinger: They know the difference.

Mr. Allon: We talked today with the people who are responsible for the area.

Dr. Kissinger: We are just thinking out loud, to be helpful. One idea is six weeks. The other idea is to say the turnover will begin within two weeks and will be completed in two months. You see what I mean? So that some other technicians can come in. That is another possibility. Or even within three weeks. I don't know what is involved in Abu Rudeis. but if the process can be shown to begin....

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Mr. Sisco: We are only looking for something symbolic. Just to get the technical team in. That is all.

Mr. Peres: You are talking about the technical people coming in?

Mr. Allon: We'll be pumping.

Dr. Kissinger: No, you can continue to pump for six weeks.

Mr. Sisco: So you can say the process has begun in two weeks if merely they bring in three or four Italian technicians.

Mr. Peres: Italian technicians.

Mr. Sisco: I don't know. You don't care either way.

Mr. Rabin: We don't care about Egyptian technicians.

Mr. Peres: No, we don't mind. There is one thing we must be careful about, and that is not to make a promise that we cannot fulfill completely.

Mr. Sisco: That is correct.

Dr. Kissinger: One of the pluses and minuses of this agreement is there is an opportunity in that southern corridor where you can begin an era of cooperation with the Egyptians. Because I can't see how this can work without maximum good will on both sides. So I think it is important that there is meticulous observance.

Mr. Peres: May I suggest we say "with the intention of beginning the evacuation within six weeks," and "then details to be worked out?"

Dr. Kissinger: No, I had two possibilities. One of them is to have it completed within six weeks, which would be the best. The other is, say, to begin in two or three weeks and complete it in two months. I would prefer seven weeks rather than two months just to have it expressed in weeks.

Mr. Sisco: I think you could say within two weeks the process would begin with the introduction of technicians and will be completed by seven weeks. And the details will be worked out in the Working Group.

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Mr. Peres: Provided the details will be worked out, because we wouldn't like to make a promise that later on we can't keep.

Mr. Allon: Seven weeks from the signing of the protocol?

Mr. Rabin: We can say "will start within two weeks and will be completed in two months."

Dr. Kissinger: No later than two months.

Mr. Rabin: All right.

Dr. Kissinger: Could we say eight weeks? Really, believe me....

Mr. Peres: Look, we don't want to make difficulties.

Dr. Kissinger: I cannot stress to you, I mean he has already said to me that he wants to go to Abu Rudeis. Sadat.

Mr. Peres: He will be welcome!

Dr. Kissinger: But he wants you out before he comes in. [Laughter]

Mr. Allon: We will prepare a red carpet for him.

Dr. Kissinger: I said to him as a joke that it is a disgrace I always get a red carpet when I arrive in Israel and there is none in his military air base. So I'll be damned, they had a red carpet for me yesterday.

What did you say about the final completion of the process?

Mr. Peres: We left it open because we have to decide.

Mr. Allon: Can we first discuss the Gulf of Suez? You said you had an idea.

Mr. Rabin: If it is so essential to you, I don't make an issue of one month.

Dr. Kissinger: I think it is the one thing that he has asked that we can say. It will help us with the other things.

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Mr. Rabin: That we will see.

Mr. Peres: I want to make an item for the protocol, and that is that there are still 16 missing bodies.

Dr. Kissinger: Do they have them?

Mr. Peres: We are not sure if they have all of them. They probably have some of them, and we have over 50 Egyptian bodies. We would like to exchange details to be worked out in Geneva. We don't want to put it on your shoulders, but we want to be in a position that we can tell our people it was mentioned and we have agreed the details will be worked out in Geneva.

Dr. Kissinger: Yes, definitely.

Mr. Peres: And our request is that they will either be searched for by the Egyptians themselves or by the UN.

Dr. Kissinger: Yes. Can it be done the way it was done last time?

Mr. Peres: Yes. Last time the Egyptians returned bodies.

Dr. Kissinger: They returned 38, right?

Mr. Peres: Yes, they returned 38. You are right. And we released prisoners. There are still some prisoners, but I don't want to go into details.

Dr. Kissinger: They have never mentioned that they have any more bodies, but I will check.

Mr. Peres: I don't know that they have. We say there are still 16 missing bodies; we assume that some, probably two, pilots fell into the sea. But the rest maybe they have.

Dr. Kissinger: I will definitely mention it strongly today. If they have them, that I think will be no problem.

Mr. Rabin: [at the map] I want to make clear what the five months means.

Dr. Kissinger: Everything along the central front.

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Mr. Rabin: But within the five months we are going to stay; it is not a question of phases. This must be clear. The entire line will remain intact for five months. Second, I prefer also that you relate it to the question of extension of UNEF. So that the first extension will not be the annual one.

Mr. Allon: That was understood between us.

Dr. Kissinger: It was, but it will practically be an extremely complicated matter. I just want to recall what was understood and what would have been easy. I am just talking about the mechanics of it. When the Prime Minister was in Washington, we said to the Prime Minister that if this process would begin before the renewal of UNEF came up, we could then urge the Egyptians to get a six-month renewal and then start the annual renewals after that six months was over. That would have been easy technically.

Mr. Rabin: You said it in Bonn too.

Dr. Kissinger: Yes. Unfortunately, before we could get to the Egyptians, due to a sequence of events we don't have to go into now, the Egyptians nailed themselves to that three-months extension. Now I don't know what the legal position is. If Waldheim thinks he has enough authority to extend the UNEF into the south, then we technically don't need another vote. Does anyone know what the legal position is. If Waldheim thinks he has enough authority to extend the UNEF into the south, then we technically don't need another vote. Does anyone know what the legal situation is? If he does need that authority....

Mr. Allon: I am afraid he does, because there is always a map attached to the agreement.

Dr. Kissinger: Could someone look into the legal situation in your judgment? If they have to vote an additional authority for UNEF, one might be able to tack an additional time on it. If they don't have to vote an extended additional authority.

Mr. Dinitz: In any event, it will come for renewal in October.

Mr. Sisco: That is not so clear. This is the point we are raising.

Mr. Dinitz: Then you have a case maybe in saying, instead of six months, to renew it for five months.

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Dr. Kissinger: In October? Out of the question. It is not even in your interest.

Mr. Sisco: This is a very complicated thing.

Dr. Kissinger: You don't want to throw in another period. You have six months, then three months, and you throw in a five-month period and you'll be in a nut house.

Mr. Sisco: There are two possibilities, and in part it depends on the attitude Waldheim will take, and in part it will depend on how the Egyptians feel, and in part it depends on how the Council members feel. If the view is, after this agreement is put out, that this extends the mandate and there are some different functions, and therefore since the UN is thinking in terms of needing a little larger UN force anyway, there will be a good many who will feel the UN really can't do anything that is new in terms of this southern zone -- take for example your movement that you described a moment ago -- without an actual renewal. And it may very well be that the view that you cannot wait until October for the Security Council to be called in order to renew the mandate, and it may be that the view will be that there has to be an early meeting of the Security Council within, just hypothetically, the next couple of weeks. That is one possible approach. The other possible approach would be to take the view that the mandate is there, and basically what it has to do is within the broad framework -- and I think this is more questionable -- and wait until the October 24 renewal that Simcha was talking about.

My judgment is that the general view will be that we are going to have the Council meet earlier and that may be or may not be desirable. But I think we have to talk about this period in relation to these two options.

Dr. Kissinger: If the Council meets earlier, then it is possible to tell the Egyptians that the renewal should be for the period of implementation and then the annual renewal begins. So then they don't get cheated if for some reason there is no renewal.

Mr. Allon: Tell them it is in their interests.

Dr. Kissinger: If that is the decision. If not, I think this is a point I will have to discuss with Fahmy today. I have not discussed it with him yet. He is an expert on UN procedures.

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Mr. Sisco: He is a great expert and he really knows.

Mr. Rabin: Then we are missing half a year.

Mr. Sisco: How?

Mr. Rabin: Because when we talked in Washington, it was a year.

Mr. Allon: Because if the renewal for one year begins in October, part of it will be wasted on the implementation of the agreement, which is a pity. I don't think four months should be consumed from the three years while the agreement is being implemented.

Dr. Kissinger: As I said, if we have to go into the Council, one way of going to the Council is to ask for an extension for the period of implementation, plus a new mandate. And then begin the renewals. That is a possibility.

Mr. Allon: Our legal advisor thinks it must go to the Council.

Dr. Kissinger: Let me meet with my colleagues for five minutes, and go over the annex.

[Secretary Kissinger and the American side conferred in the Prime Minister's private office from 10:13 to 10:26 a.m. and then rejoined the meeting.]

Dr. Kissinger: Let's go through the annex, again from the point of view of problems that may arise. We recognize that you have made an effort. What I would like is to come back with a clean document tonight which has a high probability of being accepted by you, so you can go to the Cabinet tomorrow with an entire package. [The annex is at Tab A.]

Now in the first paragraph, when you say "access to the buffer zone," I think you should say "access to buffer zone 1" or whatever we call it. Because otherwise we will get total confusion.

Mr. Sisco: Wouldn't it be better to just put a parenthesis and put the lines in?

Mr. Peres: You have a point.

Mr. Sisco: That is better.

Mr. Rabin: What is the problem? There are buffer zones in the south that are not accessible to civilians.

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Mr. Peres: I want to tell you, it is not a real problem. Because we don't call the southern tip a buffer zone except for the two places accompanying the road.

Dr. Kissinger: Yes, but that is the problem. This is a pure drafting problem, not a substantive one. If you say "access to the buffer zone will be controlled by UNEF..."

Mr. Peres: We can say "access to a buffer zone" and then we distinguish between a buffer zone and the Egyptian controlled area.

Dr. Kissinger: Then there is no problem to say "access to the buffer zones will be controlled by UNEF" because then later on we distinguish between the various zones. Let's say here "buffer zones."

Mr. Peres: That is okay.

Dr. Kissinger: Then we have to say in (c) "in the buffer zone," and use Joe's phraseology, "between line E and J."

Mr. Peres: No, you can put zone No. 1, and then on the map we can put it....

Dr. Kissinger: No, I think we are better off saying "buffer zone between line E and J." And then again in the next one, to the "buffer zone between line E and J." Why not give them the choice of saying that or buffer zone 1?

Mr. Peres: All right.

Dr. Kissinger: In the next one, 3(a), when you put "irregular forces" in parentheses, I just want to define what you are telling me. If they give me a definition of paramilitary that covers your concern of irregular, you are prepared to drop the "irregular."

Mr. Peres: Yes.

Dr. Kissinger: And you are prepared to drop "unarmed"?

Mr. Peres: Yes. I think we have no problem in 2 (b).

Dr. Kissinger: What you are concerned with -- just so that we define our thinking correctly -- is that on these two locations, which we indicated on the map for them....

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Mr. Rabin: Those two areas, not two locations.

Dr. Kissinger: There are two different problems. One is that in the two buffer zones there should be no civilians. That is no problem. Then in the two peaks of the Hamam Faroun area, you don't want any civilians.

Mr. Rabin: Yes.

Dr. Kissinger: Those are the two concepts you want expressed here. If we can find equivalent language that achieves that purpose, you will at least consider it when we bring it here. [Rabin nods affirmatively.] I am just trying to get an idea. Because I don't think there will be any trouble, but the language may or may not be a difficulty.

Now in (e), we will talk about that separately in a minute. "Aerial Surveillance," that is accepted.

Mr. Eran: The only thing is 5 (a) (III).

Mr. Sisco: Limitation of Forces, the 36 to 60.

Dr. Kissinger: Let me repeat exactly how you want it phrased: "60 artillery pieces including heavy mortars above 120 mm, whose range shall not exceed 12 kilometers."

May I ask you, or the Chief of Staff, do they have a mortar of 120 millimeters?

General Gur: A lot. They had several hundreds now in the line.

Dr. Kissinger: I just want to make sure.. They don't have 122 mm by any chance?

General Gur: That is a gun. 120 mm is a heavy mortar.

Dr. Kissinger: I just don't want to be caught in a situation where they say "Look how tricky this proposal is, our mortars are 122 mm or 125 mm." I just want to know what their mortars are. 120 is the next one below 160?

General Gur: That's right.

Dr. Kissinger: A 160 mm mortar must really be something.

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General Gur: That's right; that's why it is considered artillery.

Dr. Kissinger: But what is the advantage of a mortar that size, compared to an artillery piece?

Mr. Rabin: The weight of the shell.

General Gur: It's a big bomb.

Mr. Peres: If you want by the way, in para 5, to add "line E to line J," we don't mind. And the same goes for (b)(1).

Dr. Kissinger: I am assuming we have the right to re-number the subparagraphs so they don't read from right to left. The numbering here is a bit crazy, with all due respect. We will not change a word; we may change the numbering.

Mr. Dinitz: We'll consider it!

Mr. Peres: As a fallback position!

Dr. Kissinger: You know, on the fortifications they will raise unshirted hell.

General Gur: May I say about their remark yesterday that it will be quite difficult for anyone to check and decide how much a battalion should prepare fortifications -- it is very simple. If they just open before you their book on how a battalion builds its fortifications, you'll have a very good idea how much they need for a battalion.

Dr. Kissinger: With Gamasy we will have a major problem. By a method that will seem strange to you, Gamasy doesn't mind giving away Fahmy's points and Fahmy doesn't mind giving up Gamasy's points. This will be hard for you to understand here. [Laughter] But Fahmy is much more flexible on this paper than he is on Article 51.

In the last point, we will have the following concepts to introduce, as I understand them: they can introduce technicians in the first oil field, Ras Sudar, within four weeks. They can take over the oil production there within eight weeks, provided you have how many more weeks to get your installations out?

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Mr. Rabin: Three months.

Dr. Kissinger: All right, we will have to work it out in the Working Group. But I want to get the concepts straight. In the south you will agree to something like: "the first phase will be the transfer of the oil fields and installations to Egypt. This process will begin within two weeks with the introduction of technicians and will be completed no later than eight weeks after it begins. Details of the phasing will be worked out in the Military Working Group." Something like that. And then we accept the five months after signature of the protocol. That will buy us something, the five months. I think that last paragraph is now all right.

Mr. Peres: We would like to have the wording.

Dr. Kissinger [handing over the handwritten copy]: Take it, you can play with it.

Now let's talk about shipping in the Gulf of Suez. I do not believe it is possible for Egypt to agree to this in writing, in my view. What ideas have you got?

Mr. Peres: These are our ideas.

Dr. Kissinger: The only idea that has come to me is that we tell them that under international law as we conceive it, you have the right under present rules to be in the international shipping channels. We recognize that their international law concept has "innocent passage" rather than "free passage" in the 12-mile limit. But according to our concept, you have the right to be there. And therefore, de facto, on a limited basis, you will be there on X patrols a week -- two or three, I don't know; two will be better than three. And flights. But of course my people, who are of a suspicious nature, said, when I told them about your saying three, that each patrol would take two days, so there would be someone there all the time.

Mr. Peres: And flights would not be a problem, because it is not seen.

Dr. Kissinger: Another possibility is to have no patrols, only flights.

Mr. Peres: We would prefer your first suggestion, a de facto arrangement on sailing and flights.

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Dr. Kissinger: But supposing they don't accept it? Because in my talks with them now, they fought bitterly on the buffer zone flights, which they finally agreed to. But if you could give me a fallback position, upon my word that I will not use it until I have exhausted this. But Sadat feels very strongly on that Red Sea issue.

[Rabin, Peres, and Gur retire to the back room for a conference.]

Mr. Rabin [leaving, he hands Dr. Kissinger a copy of the letter on "non-military cargoes"]: Read this and Yigal will talk to you about it in the meantime.

Mr. Allon: We redrafted it in a way so that we shall not appoint ourselves as the drafters of President Sadat, but rather this is a suggested draft that we expect from President Ford to Prime Minister Rabin. But we didn't change the content.

Dr. Kissinger: We still have to talk about the basic agreement about which I have to know exactly from you. No article 51, taken out, then no agreement.

Mr. Allon: That is the last problem on the basic agreement. And then we have the bilateral. We went through all the items this morning. In most cases we accepted the new suggestions, although they are different than the ones agreed upon in Washington between Joe and Simcha.

Dr. Kissinger: Well, then that is no problem.

Mr. Allon: But here and there, there is still a problem.

Mr. Dinitz: We worked on the draft that Atherton presented to us, but here and there there are some things to discuss.

Dr. Kissinger: Some of it now is in other documents.

Mr. Dinitz: We are aware of that.

[There was discussion of the Secretary's time of departure for Egypt and return to Israel.]

Mr. Allon: When will you come back?

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Dr. Kissinger [to Sisco]: Tell him we know he takes naps but it would be important for me to meet with Sadat.

Mr. Dinitz: For national security, we give up naps too.

Dr. Kissinger: One of two things are going to happen. He will either tell us to go to hell, because of article 51 largely. Or he is going to say: "Look, let's get this thing settled. The changes aren't worth it. Let's phrase it as it is." It could go either way. I think that Sadat's inclination is to go ahead. Gamasy now has made enough of a record in the meeting that it is Sadat's fault. Fahmy is now against the agreement, in my judgement.

[Rabin, Peres and Gur return to the meeting.]

Mr. Allon: Any comment on the document we gave you?

Dr. Kissinger: No, I think it is more or less . . . there is no major problem.

Mr. Allon: That's the letter from President Ford to Prime Minister Rabin.

Mr. Rabin: On the question of the definition of military goods.

Dr. Kissinger: Let me make it clear. With respect to Bab el-Mandeb, we can get exactly what we got in January. We cannot make your formulation which makes the Straits of Tiran also international waters.

Mr. Allon: There is no reference to the Straits of Tiran here.

Dr. Kissinger: Yes, but it says "the Red Sea and the approaches to it." It is senseless because I know what I can get. I will get you what I can get you.

Mr. Sisco: In the Law of the Sea we can't sell it here.

Mr. Allon: Take the former position, but try and see if maybe you can get it this time.

Dr. Kissinger: No. He has already said he will give exactly what he did. The way we will handle the question of cargoes is, one, we will get him to

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reaffirm his letter of "all cargoes" which is an assurance to us. Then we will write him a letter saying we want him to know that the U.S. Government defines "non-military" in the following way, and that Israel has assured us it will observe that definition. And that ought to take care of it.

Mr. Allon: But may I insert here a problem I want you to be aware of. It is not a matter of formulation. We would like to leave no problem open vis-a-vis the ownership of the cargoes. Because last time they raised a few problems. Whether it is Israeli-owned or someone else's is none of their business, as long as it is non-military. Secondly, if you can find a way to clarify with him that it includes raw materials and oil or whatever.

Dr. Kissinger: That will be in our letter.

Mr. Allon: That is fine.

Dr. Kissinger: What Sadat said to me is that he hopes you won't rub his nose into it by sending things through there whose only significance is having sent them through.

Mr. Rabin: No, we will play it fair. We will start with a real ship with, say, pipes for the Persian Gulf.

Mr. Allon: From Haifa to Iran, a real export, to a Moslem country. I think the first ship of this nature can cross there around the 11th or 12th of September.

Dr. Kissinger: That is all right. They will let it through.

Mr. Allon: It is a real Greek ship, with Greek flag, but with Israeli cargo, export from Haifa to Iran.

Dr. Kissinger: But don't declare a national holiday until it's through.

Mr. Allon: But it will be publicized when it is through.

Mr. Sisco: Could you let us know ahead of time?

Mr. Rabin: We will give you all the details.

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Mr. Sisco: No, I mean on publicity. Because if you and we are on the point where 24 hours delay in publicity might help each other . . .

Dr. Kissinger: You remember when they were letting Israeli ships through Bab el-Mandeb, and one day they got mad and said no more. We said "We don't accept that", but in the meantime you had slowed the ship down without telling us. So after a day, they let us know and said "Where's the ship?" [Laughter]

Mr. Allon: No, I remember that. We will keep you in the picture as soon as we know the exact hour and you will be able to tell them.

Dr. Kissinger: Therefore we can handle paragraph (d) the way I described it. Okay.

Now what were your ideas, your fallback, on the flights?

Mr. Peres: First, we can agree on a fallback that it won't be in this agreement as you have suggested but in an exchange of letters.

Dr. Kissinger: That they won't agree to.

Mr. Peres: No, they will inform you and you will inform us. Until now, boats were sailing close to the coast. There is a route west of the middle of the sea, where the international traffic goes from the Suez. Apparently, they wouldn't like to see our boats intervene with the major route. We are ready to do it east of the major route, which is more or less in the middle of the Gulf, and by doing so we won't harass the shipping that comes and goes. In other words, we agree to an agreed route where our boats will sail, and as I have said, twice or three times a week. That won't interfere either with their guarding the coast nor on the other hand with the international traffic that goes and comes from the Suez.

Dr. Kissinger: What do you think of UN ships in there? But what would be a UN ship?

Mr. Peres: It is a highly complicated matter. First of all, it is very costly. You know, we are going into tremendous expenses. They would have to have ports, places to unload, personnel and ships. I am afraid that we are going here on a major operation that may cost millions of dollars, completely unnecessary. We have our small boats which patrol every two days on an agreed route which won't interfere.

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Dr. Kissinger: But what are their rights? What would these boats do? Could they stop ships?

Mr. Peres: No. We don't have any intentions like that.

Mr. Rabin: It will not interfere whatsoever with the shipping.

Gen. Gur: I will tell you exactly what is the intelligence need. They have their own radars and they can see if there is any concentration or any movement. They won't interfere with any of the navigation.

Mr. Peres: Since we are keeping now a very long coast, 60 kilometers long, we wouldn't like to be surprised. That is the major intention we have in mind, and we have explained it. So no major surprise will be done from the West Coast to the East Coast across the sea.

Gen. Gur: By the way, many of these patrols will be made at night.

Mr. Peres: Our problem since the October war is not to be surprised. We were surprised once and wouldn't like to be again. Planes cannot fulfill this mission because during the night and during cloudy days we cannot see the movement on the sea.

Dr. Kissinger: Cloudy days are not your major problem in that area.

Mr. Peres: There are mornings when it is hazy, and visibility is poor. The flights I don't believe represent any problem for them.

Gen. Gur: It is a real problem for us.

Dr. Kissinger: How often would you fly?

Mr. Peres [to Gur]: Motta?

Gen. Gur: I believe the same as with the ships -- once in two or three days. Unless it is an emergency situation. That is what we said before.

Dr. Kissinger: May I ask another thing, for my information? If you can see across the Canal from the middle of the buffer zone, why can't you see across the Red Sea from the edge of the Egyptian coast?

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Gen. Gur: We have a big problem in the Canal. [He gets up to the map.] If we fly here, we see the Canal and a little bit to the West. If we fly on line M, we can see the Gulf, the boats and we see the coast line. We do not see where they have their concentration places several kilometers inside. If we had a better plane, better cameras, that wouldn't raise a problem.

Dr. Kissinger: What is a better plane? The U-2?

Gen. Gur: Only your reconnaissance planes. The U-2 or the SR-71. And for the F-4 there isn't, to my knowledge, a better camera than the one we have. So that is what we have. Maybe if there will be a better camera, then if we fly on that line we will be able to take pictures here, but right now we don't have that possibility.

Mr. Allon: Can't you make a U-2 available for an ally like Israel after so many years? It's an old one.

Dr. Kissinger: If we gave it to you, it will be over Cairo within two weeks.

Gen. Gur: The Egyptians do not understand our worry about flights and navigation, I imagine because they do it very seldom. The main reason is that they know our main body of the army is reserves, so they have enough time and will be able to get information ahead of time, which is not the case with us. That is why we take photos much more often than they do.

Dr. Kissinger: Can we go to the Agreement?

Mr. Allon: The basic agreement?

Dr. Kissinger: Yes.

Mr. Rabin: 51 is out of the question.

Dr. Kissinger: In other words, even if it means breaking the agreement, you will not accept?

Mr. Rabin: The way that I see it.

Dr. Kissinger: I just want to understand. Nor any other formulation of self-defense.

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Mr. Rabin: No.

Dr. Kissinger: Inherent right of self-defense? Sovereign right of self-defense? They'll claim Article 51 anyway.

Mr. Rabin: Because whatever will be written there practically nullifies the agreement.

Dr. Kissinger: Yigal and I were talking yesterday, non-committally, about . . .

Mr. Allon: . . . a general reference.

Dr. Kissinger: A general reference to the Charter.

Mr. Allon: Without referring to any article.

Dr. Kissinger: Although I think myself that that doesn't help, because they'd immediately say that that certainly refers to Article 51. "Nothing in this agreement shall prejudice the rights under the UN Charter," "the rights of the parties under the UN Charter."

Mr. Allon: Is there any other word for rights?

Dr. Kissinger: Obligations.

Mr. Rabin: You see, we went to five months, which is not easy.

Dr. Kissinger: No, that's a big help.

Mr. Rabin: And we can't live with this article.

Dr. Kissinger: I am really looking for some way that we can get Fahmy to go along with this, because I think Sadat would like to go along. [He studies the Agreement.] As an absolutely last resort . . .

Yesterday Fahmy said he is willing to drop Article 51 if you drop "military blockage" and "only" before "peaceful means", and the word "cargoes" and put it all into side letters. If he drops Article 51, can you live with dropping "only"? In other words, if it gets to that point, you'd still rather not have an Agreement?

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Mr. Rabin: We'd have to bring it to the Cabinet for decision.

Dr. Kissinger: The Cabinet will be in the same position as in March. If you tell me that you won't accept it, the Cabinet won't overrule you. In other words, "the conflict between them and you will not be resolved by military force but by peaceful means." We stuck in "only" on Friday night.

Mr. Rabin: Because you changed from "shall" to "will."

Dr. Kissinger: I think that the meaning between "shall" and "will" from a legal point of view is indistinguishable.

Mr. Rabin: The difference is -- I wouldn't go to the Ten Commandments.

Dr. Kissinger: "Agree that the conflict will not be . . ." "Shall not be" . . .

Mr. Rabin: If it was not so important, why did they stress it?

Dr. Kissinger: Because, you know, they have to . . .

Mr. Dinitz: Mr. Secretary, may I say something? At the time you told us that you have problems with Article 51 and you said there are a number of things that can make it easier for you to maintain the dropping of the Article, one was the five months. The second one was that we can show some progress within two weeks. The third one was that we will come towards them on the military annex. I think seriously that we have done all these three things.

Dr. Kissinger: I am talking now about what happens 15 minutes before my helicopter leaves. I understand your position very well. I am not going to go in there . . . We just have to trust each other enough now to know. Should we reserve it until tonight and see if we have everything else? Then we will send them a flash tonight. You don't have to tell me now. If it gets down to that last issue.

But I want you to know that if Fahmy's behavior yesterday is any criterion on Article 51, it was very, very rough. It was so rough that after I had already said goodbye to Sadat, I asked to see Sadat again and Fahmy said, "Impossible." So I never saw him again, after he had settled the buffer zone thing.

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Mr. Allon: I don't want to be nasty, but are you sure they are not playing games, dividing labor between them? One is intransigent. The other liberal?

Dr. Kissinger: I have worked with them long enough now. I think they feel stretched to the limit. What I told you about the Saudi cable and Hussein's cable.

Mr. Rabin: We feel stretched too; over-stretched.

Dr. Kissinger: That's right. That's what I told you this morning. If this thing should fail tonight, there is nobody that can be blamed. Everybody went to their limit, and what the lesson will be is that the limits do not permit an interim agreement. Really. That will be the lesson of this failure. Whether you could have bent a little bit here or there, whether I would have handled every tactic the same way -- that is unimportant. You stretched yourselves within your domestic situation, which is all that anyone can ask of you.

Mr. Allon: Also security, defense considerations.

Dr. Kissinger: That's not the issue I raised this morning. It's not the idea of anybody being at fault. But let's see what I come back with. You then want to meet tonight, I assume?

Mr. Rabin: Yes, of course.

Mr. Allon: So we can meet with the Cabinet tomorrow.

Dr. Kissinger: I could be back here at 8 o'clock.

Mr. Peres: Let's make it 9:30. I have a speech to give.

Dr. Kissinger: Let us then discuss briefly what I can tell him about schedule. Assuming we settle it today, assuming you have a Cabinet meeting tomorrow morning . . .

Mr. Rabin: For the Cabinet we have to finish the bilateral.

Mr. Allon: This we can do tonight. Or now, if you wish. It won't take long, I hope.

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Dr. Kissinger: I am not so worried about that. I am worried about the schedule. You mean the bilateral understandings?

Mr. Rabin: Yes. We have to work out also the question of the Egyptian assurances. In what way. And then the letter that I gave you yesterday.

Dr. Kissinger: I wanted to send it back, because it is of some importance. And I will get an answer today.

Mr. Peres: If you will find the right opportunity to ask about the missing bodies. I think it will be better if it will come from you.

Dr. Kissinger: I'll raise it.

Mr. Peres: If you will say it at the airport or in a press meeting.

Mr. Allon: Only when it is really safe.

Dr. Kissinger: You have my assurance that I will raise it. Why don't we discuss it tonight? I will get an answer of some sort today, and we will discuss it tonight at the meeting. And if I say something, I will say it after the meeting.

Let's look at the schedule. You need the bilateral. That means you may want to sign in the afternoon, or hold the Cabinet meeting in the afternoon rather than in the morning. We don't want to get pressed against a deadline.

Mr. Rabin: Then we will not be able to initial tomorrow.

Dr. Kissinger: Then Tuesday morning.

Mr. Peres: If we have clear sailing, we can do it tomorrow. I wouldn't want to have it fail because of needing a day. If it's cleared away, let's do it.

Dr. Kissinger: I'm thinking of time. I'm prepared for a discussion of the bilateral now. If there is a need for discussion tonight, that means there's no agreement. Because there shouldn't be much to discuss.

Could you avoid setting a time for your Cabinet?

Mr. Rabin: We can postpone it.

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Dr. Kissinger: It's set for when?

Mr. Rabin: 8:30.

Dr. Kissinger: You would finish at, say, 2:30 with your Cabinet. We'd have to push their initialling later into the day. No sense going to Amman.

We'll tell them they can initial tomorrow night or Tuesday morning, whichever they prefer.

If I can start the discussion there by saying: "If you agree, we have a document which they'll bring to their Cabinet and will initial two hours after their Cabinet meeting. Then it's up to you, Mr. President." Then Yigal can give his reception. Or you can both initial it the next morning.

Mr. Peres: The best thing is if our Cabinet agrees tomorrow, and the Egyptian Cabinet can agree tomorrow, then initial it Tuesday morning.

Dr. Kissinger: Then the President . . . Well, it's Labor Day tomorrow anyway.

I'll go to Taif and Amman, and Damascus.

Mr. Peres: Over the last few nights, there were attempts by infiltrators to take hostages. We killed this night two persons, and Friday night we killed another two of the Fatah people. All of them came in with the purpose of taking hostages.

Mr. Sisco: They're apt to try something.

Mr. Rabin: Can we go to the bilateral?

Dr. Kissinger: Let's leave it up to Sadat. I will tell Sadat that you will be prepared to initial this within three or four hours of your Cabinet meeting. I will give him the choice of whether he wants me to go to Alexandria that night, for him to initial, or whether he would prefer me to go the next morning.

Am I correct, Mr. Prime Minister, that you are prepared to initial on the same day as your Cabinet approves, even if I decide to stay overnight here and then go from here the next morning to Alexandria to get it initialled there?

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Mr. Rabin: Yes.

Dr. Kissinger: He might prefer . . .

Mr. Allon: Once we're authorized by the Cabinet, we could do it any time. Who is going to initial?

Dr. Kissinger: I told you: Their Ambassador to Geneva and the Chief of Staff. And I haven't established who is going to sign the American proposal.

Mr. Allon: Do mediators initial?

Dr. Kissinger: I think the proposal, there is no sense initialling. That can be signed. We have to sign that too. Can we get all the documents ready?

Mr. Saunders: We can start tonight when we get back.

Dr. Kissinger: Let's wait. There may not be any documents to sign.

Let's go to the bilaterals.

[Prof. Barak and Mr. Rosenne come in.]

Mr. Dinitz: Paragraph 1 [drafts at Tab B], we have accepted your version as it was presented to us by Roy Atherton, and I don't think there is any change, except we have to have. . .

[The meeting is interrupted with a message for the Secretary that Mrs. Kissinger is calling on the telephone.]

Dr. Kissinger: May I ask one question, which you can consider while I am talking on the phone, where paragraphs in this thing parallel things in other documents, what is the sense of putting them in twice? So you can think about it.

[Dr. Kissinger leaves the room briefly to speak to Mrs. Kissinger on the telephone, and then returns.]

Dr. Kissinger: My only concern now is, since I am trying to keep the public debates to the minimum . . .

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Mr. Dinitz: Mr. Secretary, let me tell you why your suggestion doesn't answer the question, because in this paragraph we have elements that do not exist anywhere.

Mr. Rabin: Which one?

Mr. Dinitz: Such as the energy, such as the reference to the sum, such as references to periodic consultation.

Dr. Kissinger: This gets me into another thing. I think for us to put a sum into a document with a foreign government under these present conditions, when we have already been accused . . . is a very dangerous procedure. That gives you absolutely no additional assurance. I give you my word, we are going to put in the agreed sum by the end of September to the Congress. And if we can't trust each other that much, that we have to get it into a written document, given the criticism that we are already receiving . . .

Mr. Allon: Henry, this version was put by you. We will cut it out.

Mr. Sisco: We didn't suggest a Memorandum of Understanding. You have.

Mr. Allon: That is true, but this is already a second version. We can generalize in the document without being specific.

Mr. Dinitz: "The Administration will seek authorization from Congress . . ."

Dr. Kissinger: Take out "It will thereafter submit." We can drop this sentence "In this spirit . . ." What you are worried about is isn't this year.

Mr. Dinitz: It is not this year.

Dr. Kissinger: Therefore, you don't need the sentence "In this spirit . . ." ". . . in the total amount of . . ." It is an absolutely dynamite sentence. It means that we have obliged ourselves to a foreign government, before Congressional consultation, with a specific sum.

Mr. Dinitz: Let's make it in a general amount, but leave the general principle which you don't object to.

Mr. Allon: No reference to sums.

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Mr. Dinitz: What our suggestion would read like: "In this spirit the Administration will seek authorization and appropriation of funds from Congress in fiscal year 1976 . . ." Period. "It will thereafter submit annually for approval by the U.S. Congress a request for military and economic assistance in order to provide for Israel's economic and military needs. The needs specified . . ."

Dr. Kissinger: Just a minute. What I would recommend is that we take the first sentence and add on the words "on an annual basis", and then take out the last sentence.

Mr. Rabin: What does it mean?

Dr. Kissinger: It means, "The US Government will make every effort to be fully responsive within the limits of its resources and Congressional authority and appropriation on an on-going, long-term" -- I would say, "on an annual and long-term basis", something like this -- to Israeli military requirements, other defense requirements, to its energy requirements and to the economic needs. The needs specified in 2, 3, 4 below shall be deemed eligible for inclusion within the annual totals to be requested in fiscal year 1976 and later fiscal years." That takes care of every conceivable contingency and looks less . . .

Mr. Dinitz: Mr. Secretary, the reason we have stuck to this "on-going and long-term basis" is because . . .

Dr. Kissinger: I don't mind having it in there. That I favor.

Mr. Dinitz: When you put "annual", we distinguish between long-range programs for procurement of items which cannot be based on a year, and . . .

Dr. Kissinger: You can leave "on-going and long-term." And in the last sentence it says, "The needs specified shall be deemed eligible for inclusion within the annual totals to be requested in fiscal year 1976 and later fiscal years . . ." So you have the annual concept in and you have got the long-term in, and the only thing you don't have is a pledge as to how

before I leave, on which if he doesn't take my word for it, nothing will help us anyway. And the other sentence doesn't mean anything. It says, "It will submit annually", which we are saying again in the next sentence. I am just trying to avoid stimulating a domestic debate in America. This is not to limit our commitment.

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I suggest using the first and the last sentence. I suggest the deletion of two sentences.

Mr. Rosenne: Instead of "on going."

Dr. Kissinger: And the next sentence. Leave "on-going and long-term" in the first sentence, having heard his explanation, and then "annual" is in the last sentence and that takes care of it.

Mr. Dinitz: Paragraph 2. Again, I am reading the draft that was submitted to us by Roy, and we don't challenge. "Israel's long-term military supply needs from the US shall be the subject of periodic consultations between representatives of the US and Israeli defense establishments, with agreement reached on specific items to be included in a separate US-Israeli memorandum. To this end, a joint study by military experts will be undertaken within so many days."

Dr. Kissinger: Let's put them in now.

Mr. Dinitz: September 17 they mentioned.

Dr. Kissinger: You give the time. Within three weeks?

Mr. Peres: Within two weeks.

Dr. Kissinger: You're thinking of coming on the 17th. Three weeks.

Mr. Peres: All right, three weeks.

Dr. Kissinger: We won't tell you you can't come until the 21st.

Mr. Dinitz [reads the paragraph to the end]: "In conducting this study, which will include Israel's 1976 needs, the US will view Israel's requests sympathetically, including its request for advanced and sophisticated weapons."

Mr. Atherton: We have a new paragraph 3.

Mr. Dinitz: We do too. It was worked out with our people.

[The US side goes into the back room at 11:40 for a brief consultation, and then returns.]

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Dr. Kissinger: I suggest you read your draft. We want it reciprocal, so if we run out, we can use your stocks. Roy will explain it.

Mr. Atherton: "Israel will make its own independent arrangements", instead of "seek to make." The next sentence says what will happen if it can't make those arrangements. Then the problem we discussed in the technical group was the problem that this is at the moment open-ended, totally open-ended, and it is a commitment in effect in perpetuity, and we have been discussing how that can be handled without putting an unreasonable time limit on it. What we suggest, right at the end of that first paragraph, where it says ". . . will act as follows", adding the following: ". . . will act as follows for five years, at the end of which period either side can terminate this arrangement on a one-year's notice", which in effect makes it a six-year undertaking.

Dr. Kissinger: Which is one year longer than our estimate of the Abu Rudeis oil fields.

Mr. Allon: It will last longer.

Dr. Kissinger: Well, it doesn't mean it will be terminated at the end of six years. It means that at the end of five years either side can terminate with one year's notice. We have this arrangement with NATO, for example. We have the right to terminate NATO now on a one year's notice, and we have had it for -- I forget at what period it began.

Mr. Rabin: All right.

Mr. Atherton: I will continue: Paragraph (a), insert, after "requirements", the phrase "for domestic consumption", so that it reads, "If the oil Israel needs to meet all its requirements for domestic consumption is unavailable . . ."

Dr. Kissinger: To prevent you from reprocessing and selling. This will help us domestically.

Mr. Atherton: At the end of the paragraph where it says, "The USG will ensure promptly the supply and delivery of oil to Israel . . .", we would suggest changing it to read: "The USG will promptly make oil available to Israel to meet all of the aforementioned requirements of Israel."

That's all in that paragraph.

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Dr. Kissinger: We will explain the reasons for this language change. It is because of the article by Bill Beecher in the Boston Globe saying we have a commitment to deliver oil to Israel by force, breaking a military blockade if necessary. I have had any number of questions on this.

Mr. Dinitz: Beecher is going crazy since he left the Pentagon.

Mr. Sisco: He was crazy before.

Mr. Rabin: And (b)?

Mr. Atherton: In (b) would be the same: "If the oil Israel needs to meet all of its requirements for domestic consumption is unavailable", and down below, "the USG will promptly make oil available to Israel in accordance with the IEA conservation and allocation formula . . ." and so forth.

Mr. Dinitz: What is the last one?

Mr. Atherton: "The USG will promptly make oil available to Israel" and then the rest of the sentence stays the same.

Dr. Kissinger: We just avoid the phrase "will ensure promptly the physical supply."

Mr. Atherton: "Will promptly make oil available to Israel . . ."

Mr. Allon: Can you use the word "supply" without "physical"? Just to leave out the word "physical"?

Dr. Kissinger: I think "make oil available" is all we can get away with in the Congress.

Mr. Sisco: We must be careful.

Mr. Rabin: What is in the last?

Mr. Atherton: The last paragraph is unchanged.

Mr. Dinitz: We will go further on the bilateral.

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Mr. Allon: Our oil people will check this new language while we proceed.

Mr. Dinitz [reads paragraph 4 of the US draft]: "In order to help Israel meet its energy needs, and as part of the overall annual figures in paragraph one above, the United States agrees:

"(a) To ask Congress annually for funds for oil supplies so as to assist Israel in meeting its additional expenditures for import of oil to replace that which would ordinarily have come from Abu Rudeis (4.5 million tons in 1975).

"(b) To ask Congress to make available funds, the amount to be determined, to the GOI necessary for a project for the construction and stocking of the oil reserves to be stored in Israel, bringing storage reserve capacity and reserve stocks now standing at approximately six months, up to one-year's needs at the time of the completion of the project. The construction, operation and financing and other relevant questions of the project will be the subject of early and detailed talks between the two Governments."

Dr. Kissinger: We haven't come up with the precise formulation, and I suggest that Roy and Simcha, or whomever you designate, will work on it this afternoon.

We have two problems. One is, we would like to make the figure the average figure of the oil fields over the last five years, rather than this year's figure, where you probably have chain gangs working there in six-hour shifts. [Laughter] I don't know what the average figure is. For all I know, it may be the same thing.

Mr. Rabin: We will check it.

Dr. Kissinger: The second is to relate it more clearly to the concept of paragraph 2, that this is part of the global figure and not a separate item; that in determining the global figure this will be given great weight by these criteria.

Mr. Dinitz: You are referring to paragraph 4(a) to relate to paragraph 2?

Mr. Rabin: It is understood.

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Dr. Kissinger: Relate it to the same concept as we have in paragraph 2. Then I would just like to know what the average figure is over the last five years. I honestly don't know. Does anyone here know?

Mr. Dinitz: We will check it.

Mr. Rabin: What is the second point?

Dr. Kissinger: Simply that "To ask Congress to make available funds, the amount to be determined by mutual agreement", or something like that. But otherwise, we agree with it.

Mr. Dinitz: ". . . to be determined by mutual agreement . . ."

Mr. Sisco: Roy and Simcha ought to redraft this.

Dr. Kissinger: There is no trouble with the concept. I just want to put in here enough so that it doesn't look like somebody else is determining what the amount is.

Mr. Rabin: All right. Article 5.

Mr. Dinitz: Article 5.

Mr. Rabin: We have no changes here.

Mr. Dinitz [reads it through]: "The USG will not expect Israel to begin to implement the Agreement before Egypt fulfills its undertakings under the January 1974 Disengagement Agreement including, inter alia, its commitment to permit a passage of all Israeli cargoes to and from Israeli ports through the Suez Canal." This is a repetition of the language that you have given.

Dr. Kissinger: But this will have taken place.

Mr. Sisco: Cargo will have gone through.

Mr. Dinitz: That's a general principle. It is only fortified.

Mr. Rabin: I will tell you what will happen: if the first ship will happen before it will be brought, then there is no problem.

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Mr. Sisco: What is "including, inter alia . . ."?

Dr. Kissinger: I have no trouble saying "under the January 1974 Disengagement Agreement to permit Israel cargoes to and from . . . through the Suez Canal." This we can absolutely give. We have been fighting for that. What other commitments are we talking about? Where you say, ". . . before Egypt fulfills its undertakings including, inter alia, to permit the passage . . ." Supposing you suddenly come to us and say, "They have got 16 bodies. We warned you. Now we are not going to execute the Agreement and you are obliged to support us." That would be an unreasonable request. Cargoes is a reasonable request.

Mr. Dinitz: We won't do it.

Mr. Rabin: We will go along with this. We will rephrase it and relate it only to the cargoes.

Dr. Kissinger: That's fine.

Mr. Rabin: 6. We'll drop it.

Dr. Kissinger: For the reason we know.

Mr. Dinitz [reads paragraph 7]: "The US agrees with Israel that it is not feasible to enter into a further interim agreement with Egypt and that the next agreement should be a final peace agreement."

Dr. Kissinger: Look, we have no intentions of doing this. I think it is a mistake to put this in an agreement that will go to the Congress and that may get public. You deprive the Egyptians . . . I agree that it isn't possible. But supposing they wanted to do what we discussed yesterday? Supposing they were willing to go to non-belligerency at 20 kilometers or 30 kilometers or at some line? Supposing they are sort of playing with that? Gamasy mentioned it; Fahmy mentioned it. Sadat hinted at it to our press. We haven't encouraged them. We haven't had one word with them about a further agreement. But assuming my interpretation of the Basic Agreement is correct, and assuming they get separated from the rest of the Arab world, and assuming they do want to make another agreement with you, why should we nail ourselves into something and make it public on a joint position that it isn't even possible? Really, in your own interest. You are then frozen with all of your neighbors.

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Mr. Sisco: You got our view in the record very clearly.

Dr. Kissinger: I'll be happy to tell you we won't press you to do it.

Mr. Rabin: Let's find a way.

Dr. Kissinger: It is absolutely the least of your problems with us. If we could get them in 1977 to want to pursue a separate course rather than a Geneva course, you'd be very well off.

Mr. Peres: I would suggest here, Mr. Prime Minister, if I may, to leave the positive part, which means that the parties will work for a final peace agreement, without the rest.

Mr. Rabin: Not "the parties." Let's find a way. We will study it.

Dr. Kissinger: Really, in this case it is not a case of limiting our commitment but of trying to figure out formulations that you could use as a lure to Egypt if the thing . . . The Egyptians are under no illusions whatever, I assure you, that another interim step is being contemplated. But if, in, say, the second half of 1977, Geneva is deadlocked and there is some way of coming with a non-belligerency by the Egyptians, why foreclose it?

Mr. Dinitz: I am just thinking aloud. Maybe we can add a sentence: "Unless the US Government and Israel agree on another course of action."

Dr. Kissinger: It will drive the Egyptians up the wall.

Mr. Rabin: We will see. I have got a problem in the Cabinet because of that. This is my problem.

Dr. Kissinger: It is not a big issue between us. Maybe we will agree with Israel that the next agreement will be a final agreement rather than say "no interim agreement." "The next step should be a final peace agreement."

Mr. Sisco: That leaves you freedom of action in terms of something else and we would talk about it.

Dr. Kissinger: Then if it turns out that that isn't possible, we can agree we do something else.

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Mr. Dinitz: "The US Government agrees that the next agreement should be a final peace agreement."

Dr. Kissinger: The next agreement with Egypt.

Mr. Dinitz: 8. "In case of an Egyptian violation of any of the provisions of the Agreement, the USG is prepared to consult with Israel as to the significance of the violation and possible remedial action." Our language was different, the language we worked out in Washington. Notice, Joe, I didn't say we agreed." "In case of an Egyptian violation of any of the provisions of the Egyptian-Israel agreement in all its parts, the US will consult with the Government of Israel in order to determine what measures the USG should take in relation to Egypt in order to ensure corrective action."

Dr. Kissinger: The reason I am smiling is that if one analyzes the totality of your proposals it is that Israel has freedom of action but the US must consult before it does anything. I want to explain why we changed it. It implies that it is up to us to ensure corrective action and that the only thing that's left for consultation is what we will do, not that we will do it.

Mr. Peres: The net result will be that you promise that if we shall like to have a consultation, we shall be welcome!

Mr. Dinitz: Last night we thought of a possible fallback position.

Dr. Kissinger: I?

Mr. Dinitz: No, us. Using your language, to read it like this, the same as your language: "In case of an Egyptian violation of any of the provisions of the Agreement, the USG is prepared to consult with the GOI on the significance of the violation and possible remedial action to be taken by the US Government." Just to add "US Government", so we know what we talked about.

Dr. Kissinger: What does that mean?

Mr. Rabin: And we don't mind that you will have the same with the Egyptians, in case of Israel's violating the agreement.

[Dr. Kissinger, Mr. Sisco, and Mr. Atherton stand and confer about it briefly.]

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Dr. Kissinger: I think we can probably take this. Can I reserve on it until tonight? We can almost certainly accept this, and especially in the light of what you just said.

Mr. Dinitz: Now, we have a problem because you have deleted, after we worked it out in Washington together, paragraph 8. Originally our paragraph was deleted.

Dr. Kissinger: I am beginning to agree with Fahmy. Fahmy said that Sisco is a pushover for the Israelis. [Laughter]

Mr. Peres: It's an honor!

Dr. Kissinger: When I criticize Sisco, Fahmy says I'm doing it as a way of getting at you.

Mr. Dinitz: It was your agreement, Mr. Secretary. Joe and I agreed on a language and when you came from Colorado you insisted on this language. This is not Sisco. This is your agreement.

Dr. Kissinger: Look, you also have to remember that the altitude in Colorado is 2800 feet, and secondly, I have never doubted . . . [Laughter]

Look, I will tell you exactly. My concern is the one that the Defense Minister and I discussed at this table yesterday. When you analyze this phrase carefully, what it says is that Israel is free to take corrective action and then the US has the option of supporting it or not. This is the import of this phrase. "If it is reasonable" qualified it. And for us to have a document in which we . . . We just have to face the fact that one of the penalties we are now paying is not just for leakages but for what is happening in America with the Congress -- not just the mood in the Congress, which is also going to be bad, but the next to total impossibility of keeping anything secret.

Mr. Dinitz: Mr. Secretary, we suggest to drop the word "military" and to read, "Should Israel take action as a result of an Egyptian violation of the Agreement or any of its attachments, the USG, if it agrees that such action is reasonable, will lend Israel material and diplomatic support." Here you don't have a question of military involvement.

Dr. Kissinger: But you know how you'd interpret it.

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Mr. Dinitz: That depends on the gravity of the violation, obviously. But that we don't commit you to support a military action in this way.

Mr. Sisco: Two problems: whether we support the military action, and second, whether by the word "should" we are acquiescing in it, if not approving ahead of time, what you consider, rightly under the UN Charter, as your right to do whatever you need to do, but it doesn't mean that we agree necessarily that it is appropriate for you to take this action. We can't deny your legal right.

Dr. Kissinger: Paragraph 8 will now read, ". . . and possible remedial action by the US Government . . ." [He studies it.] Can we play with that on the plane and come back to you tonight?

Mr. Dinitz: Paragraph 9, "The USG will vote against any Security Council resolution which in its judgment affects adversely or alters the Agreement." This is your language.

Mr. Sisco: It ought to say, "affects or alters adversely. . ." "Adversely" is in the wrong place, because we and you may agree to a change.

Mr. Dinitz: Yes. 10. "The USG will not join in . . ."

Dr. Kissinger: You are accepting our 9?

Mr. Dinitz: I guess so. We have decided to be reasonable. [Laughter] "The USG will not join in and will seek to prevent efforts by others to bring about consideration of proposals which it and Israel agree are detrimental to the interests of Israel." Also your language.

Dr. Kissinger: We have to say, "Israel and the United States."

Mr. Peres: Israel won't take action against herself. "Detrimental to the interests of Israel."

Dr. Kissinger: I think we should say either "to their common interests", or "the US and Israel."

Mr. Dinitz: We have it, ". . . which it and Israel agree . . ."

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Mr. Sisco: But we can't appear publicly that the only criteria which are to be applied here are the interests of Israel. The interests of the US are involved. Again, it is how it is read in the Congress.

Mr. Dinitz: Shall we say "are detrimental to our interests"?

Dr. Kissinger: "To their common interests."

Mr. Peres: Won't it be considered as a guarantee to Israel from the US?

Mr. Rabin: I must admit, I don't know why the "proposals which it and Israel agree" is not enough.

Dr. Kissinger: I will tell you what Joe is concerned about. I hadn't picked it up. Let me make one thing clear. As I understand this document, it will not be published.

Mr. Rabin: No.

Dr. Kissinger: We will submit it to the two Committees, as we have the others, and say these are understandings which we have with Israel. But there is now a much higher probability that they will leak, because of the American presence, and because I tell you frankly I think the whole issue is going to be part of our election campaign next year, and you will be amazed how many people are going to move into the position, yes, they love Israel but the US went too far in making commitments. You wait.

I am just trying to phrase it in a way . . . Let's keep it until tonight. It is not a big issue. It is for us a presentational one.

Mr. Rabin: 11.

Mr. Dinitz: 11. "In view of the long-standing US commitment to the survival and security of Israel, the USG will view with particular gravity threats to Israel's security or sovereignty by a world power. In support of this objective, the USG will in the event of such threat consult promptly with the GOI with respect to the support, diplomatic and otherwise, or assistance that it will lend to Israel." This is a watered-down version of our original draft, and we decided last night -- I think I am correct, Mr. Prime Minister -- not to challenge or to change this.

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Mr. Allon: Unless you are ready by your own decision or volition to make it stronger. The first version was very good indeed.

Dr. Kissinger: The first version went beyond the NATO commitment. We looked at the NATO commitment.

Mr. Allon: We're a better ally than some in NATO.

Dr. Kissinger: But in NATO they have a reciprocal obligation. We know France will support us completely when Hawaii is threatened.

Mr. Dinitz: 12. "The USG and the GOI will, at the earliest possible time, and if possible within two months after the signature of this document, conclude the contingency plan for a military supply operation to Israel in an emergency situation." You added the word "emergency" and we see no problem.

Dr. Kissinger: I have one suggestion which has nothing to do with this document. Let's do 13 and make it the last one, because I would like to have five minutes with the Prime Minister before I go to Egypt, to make absolutely sure I understand the mood. Then we have to do downstairs and meet with the press, and I don't want to be late.

Mr. Sisco: Then we need to look at the map for a few minutes to be sure.

Dr. Kissinger: If you accept our 13, then we are through 13.

[Dr. Kissinger and Mr. Rabin consult privately from 12:22 to 12:30 p.m. In the main meeting room, the map was laid out on the floor and discussed. Food was served. David Kennerly came in and took pictures. The Secretary and Prime Minister then returned.]

Dr. Kissinger: Well, gentlemen, as I told the press yesterday, if this fails, this will be the world's record for an almost-completed agreement. You can't come closer and fail.

What I'd like to see is a negotiation between Israelis and Vietnamese.  
[Laughter]

[The meeting adjourned at 12:40 p.m. The Secretary's remarks to the press outside the Office are at Tab C.]

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SECRETIsrael Draft after discussion  
with US delegation on  
August 30, 1975, evening. (8)ANNEX TO EGYPT-ISRAEL AGREEMENT

Within 5 days after the signature of the Egypt-Israel Agreement, representatives of the two Parties shall meet in the Military Working Group of the Middle East Peace Conference at Geneva to begin preparation of a detailed Protocol for the implementation of the Agreement. The Working Group will complete the Protocol within 2 weeks. In order to facilitate preparation of the Protocol and implementation of the Agreement, and to assist in maintaining the scrupulous observance of the ceasefire and other elements of the Agreement, the two Parties have agreed on the following principles, which are an integral part of the Agreement, as guidelines for the Working Group.

1. Definitions of Lines and Areas

The deployment lines, areas of limited forces and armaments, Buffer Zones, the area south from Line E and west from Line M, other designated areas, road sections for common use and other features referred to in Article IV of the Agreement shall be as indicated on the attached map (1:100,000 -U.S. Edition).

2. Buffer Zones

(a) Access to the Buffer Zone will be controlled by the UNEF, according to procedures to be worked out by the Working Group and UNEF.

(b) Aircraft of either Party will be permitted to fly freely up to the forward line of that Party. Reconnaissance aircraft of either Party may fly up to the middle line of the Buffer Zone on an agreed schedule.

(c) In the Buffer Zone, there will be established under Article IV of the Agreement an Early Warning System entrusted to United States civilian personnel as detailed in a separate proposal, which is a part of this Annex.

(d) Authorized personnel shall have access to the Buffer Zone for transit to and from the Early Warning System; the manner in which this is carried out shall be worked out by the Working Group and UNEF.

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3. Area South of Line E and West of Line M

(a) In this area, the United Nations Emergency Force will assure that there are no military or para-military, or (irregular forces) of any kind, military fortifications and military installations; it will establish checkpoints and have the freedom of movement necessary to perform this function.

(b) (Unarmed) Egyptian civilians and third country civilian oil field personnel shall have the right to enter, exit from, work, and live in the above indicated area, except for Buffer Zones 2A, 2B and the UN Posts. Egyptian civilian police shall be allowed in the area to perform normal civil police functions among the civilian population in such numbers and with such weapons and equipment as shall be provided for in the Protocol.

(c) Entry to and exit from the area, by land, by air or by sea, shall be only through UNEF checkpoints. UNEF shall also establish checkpoints along the road, the dividing line and at other points, with the precise locations and number to be included in the Protocol.

(d) Access to the airspace and the coastal area shall be limited to unarmed Egyptian civilian vessels and unarmed civilian helicopters and transport planes involved in the civilian activities of the area as agreed by the Working Group.

(e) Israeli vessels will be permitted to sail and Israeli aircraft to fly along the median line of the Gulf of Suez in an agreed manner.

(f) Israel undertakes to leave intact all currently existing civilian installations and infrastructures.

(g) Procedures for use of the common sections of the coastal road along the Gulf of Suez shall be determined by the Working Group and detailed in the Protocol.

4. Aerial Surveillance

There shall be a continuation of aerial reconnaissance missions by the U.S. over the areas covered by the Agreement (the area between lines

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F and K), following the same procedures already in practice. The missions will ordinarily be carried out at a frequency of one mission every 7-10 days, with either Party or UNEF empowered to request an earlier mission. The USG will make the mission results available expeditiously to Israel, Egypt and the Chief Coordinator of the UN Peacekeeping Mission in the Middle East.

5. Limitation of Forces and Armaments

(a) Within the Areas of Limited Forces and Armaments (the areas between lines J and K and lines E and F) the major limitations shall be as follows:

- I) Eight (8) standard infantry battalions
- II) Seventy-five (75) tanks
- III) Thirty-six (36) artillery pieces, including heavy mortars, whose range shall not exceed twelve (12) km. (above 120 mm)
- IV) The total number of personnel shall not exceed eight thousand (8,000)
- V) Both Parties agree not to station or locate in the area weapons which can reach the line of the other side.
- VI) Both Parties agree that in the areas between lines J and K, and between line A (of the Disengagement Agreement of January 18, 1974) and line E, they will construct no new fortifications or installations for forces of a size greater than that agreed herein.

(b) The major limitations beyond the Areas of Limited Forces and Armament will be:

- I) Neither side will station nor locate any weapon in areas from which they can reach the other line.

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II) The Parties will not place anti-aircraft missiles within an area of ten (10) kilometres east of Line K and west of Line F, respectively.

(c) The UN Force will conduct inspections in order to ensure the maintenance of the agreed limitations within these areas.

6. Process of Implementation

The detailed implementation and timing of the redeployment of forces, turnover of oil fields, and other arrangements called for by the Agreement, Annex and Protocol shall be determined by the Working Group, which will agree on the stages of this process, including the phased movement of Egyptian troops to line E and Israeli troops to line J. The first phase will be the transfer of the Abu Rodeis oil fields and installations to Egypt within .... days. Implementation shall be completed within .... months after signature of the Protocol.





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August 25, 1975

MEMORANDUM OF UNDERSTANDING: AGREEMENT  
BETWEEN THE GOVERNMENTS OF ISRAEL AND  
THE UNITED STATES

U.S. DRAFT

ISRAEL DRAFT

The United States recognizes that the  
1. Egypt-Israel Agreement of \_\_\_\_\_, (herein-  
after referred to as the Agreement), entailing  
the withdrawal from vital areas in Sinai, con-  
stitutes an act of great significance on Israel's  
part in the pursuit of final peace. That Agree-  
ment has full US support.

U.S.-Israeli Assurances

1. The USG will make every effort to be fully responsive,  
within the limits of its resources and Congressional  
authorization and appropriation, on an on-going and long-  
term basis to Israel's military equipment and other de-  
fense requirements, to its energy requirements and to its

1. The USG will make every effort to  
be fully responsive, within the limits  
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authorization and appropriation, on an  
on-going and long-term basis to Israel's

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economic needs. In this spirit the Administration will seek authorization and appropriation of funds from Congress in FY76 in the total amount of \$ \_\_\_\_\_. It will thereafter submit annually for approval by the US Congress a request for military and economic assistance in order to provide for Israel's economic, energy and military needs. The needs specified in paragraphs 2, 3 and 4 below shall be deemed eligible for inclusion within the annual total to be requested in FY76 and later fiscal years.

military equipment and other defense requirements as well as to Israel's economic needs. In this spirit the Administration will seek authorization and appropriation of funds from Congress in FY1976 in the total amount of - - - - - dollars as indicated also in a separate U.S.-Israeli Memorandum dealing with the specific items. It will thereafter submit annually for approval by the U.S. Congress a request for military and economic assistance in order to provide for Israel's economic and military needs.

(In addition to the above, the USG will make provision also for an annual expenditure to Israel for oil supplies to compensate for the net additional annual expenditure to Israel required for oil supplies to replace the oil from Abu-Rodeis to Israel, the quantity being

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presently 4.5 million tons. The cost which is presently estimated at 350 million dollars, will be annually determined by the two Governments on the basis of the market prices.)

2. Israel's long-term military supply needs from the United States shall be the subject of periodic consultations between representatives of the US and Israeli defense establishments, with agreement reached on specific items to be included in a separate US-Israeli memorandum. To this end, a joint study by military experts will be undertaken within \_\_\_\_\_ days. In conducting this study, which will include Israel's 1976 needs, the U.S. will view Israel's requests sympathetically, including its request for advanced and sophisticated weapons.

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2. Israel will seek to make its own independent arrangements for oil supply to meet its requirements under the current market prices. If Israel notifies the USG that it is unable to satisfy its needs, the USG will, upon such notification, act to ensure promptly the supply and delivery of oil to Israel (to meet all its requirements). The USG will determine whether the authority to enter into this commitment and to ensure the supply and delivery of oil to Israel now exists. If the U.S. determines that such authority does not exist or is doubtful, legislative authority,

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having the effect of satisfying this commitment, will promptly be requested from the Congress.

USG also agrees that the Congress will be informed of this commitment, on behalf of the U.S. so that it may be respected by the Congress in the framing of any domestic legislation which might affect it.

3. Israel will seek to make its own independent arrangements for oil supply to meet its requirements through purchases in the market. In the event Israel is unable to secure its essential needs in this way, the USG, upon notification, will for a period of three years (subject to review) and within an overall ceiling of 125,000 barrels per day, act to ensure promptly the supply and delivery of oil to Israel if (a) the oil Israel needs to meet its requirements is unavailable for purchase; or (b) an embargo prevents Israel from obtaining the necessary

3. The USG will make available funds, the amount to be determined, to the GOI necessary for a project for the construction and stocking of the oil reserve to be stored in Israel, so as to bring storage reserve capacity, now standing at approximately six months, up to one year needs at the time of the completion of the project. The project will be implemented within four years. The construction, operation and financing and other relevant questions of the project will be the subject of early and detailed talks between the two Governments. (In submitting to the U.S.

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supplies of oil. (The foregoing is based on the application of the IEA conservation formula.)

Congress the total Israeli economic aid package, the USG will make provision for an additional annual expenditure to Israel for oil supplies.

The USG assures Israel of its intention to inform the Congress, based on existing legal authority, of its undertaking to act promptly to ensure the supply and delivery of oil to Israel in the above contingencies.

4. In order to help Israel meet its energy needs, and as part of the overall annual figures in paragraph one above, the United States agrees:

- a. To ask Congress for funds for oil supplies so as to assist Israel in meeting its additional expenditures for the import of oil to replace that which would ordinarily have come from Abu Rodels (4.5 million tons in 1975).
- b. To ask Congress to make available funds, the amount to be determined, to the GOI necessary for a project for the construction and stocking of the oil reserve to be stored in Israel, bringing storage reserve capacity and reserve

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stocks now standing at approximately six months, up to one-year's needs at the time of the completion of the project. The project will be implemented within four years. The construction, operation and financing and other relevant questions of the project will be the subject of early and detailed talks between the two Governments.

5. The USG will not expect Israel to begin to implement the Agreement before Egypt fulfills its undertakings under the January 1974 Disengagement Agreement including, inter alia, its commitment to permit a passage of all Israeli cargoes to and from Israeli ports through the Suez Canal.
6. The USC will make every possible effort to assist in the establishment of an atmosphere in which the Agreement will be observed without being subjected to pressures or deadlines.

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7. The USG agrees with Israel that it is not feasible to enter into a further interim agreement with Egypt and that the next agreement should be a final peace agreement.

8. In case of an Egyptian violation of any of the provisions of the Agreement, the USG is prepared to consult with Israel as to the significance of the violation and possible remedial action.

7. In case of an Egyptian violation of any of the provisions of the Israel-Egypt Agreement in all its parts, the USG will consult with the GOI in order to determine what measures the USG should take in relation to Egypt in order to ensure corrective action.

8. Should Israel take military action as a result of an Egyptian violation of the Agreement or any of its attachments, the USG, if it agree that such action is reasonable, will lend Israel material and diplomatic support.

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9. The USG will vote against any Security Council resolution which in its judgment affects adversely or alters the Agreement. 9. The USG will vote against any Security Council Resolution which affects adversely or alters the Israel-Egypt Agreement.
10. The USG will not join in and will seek to prevent efforts by others to bring about consideration of proposals which it and Israel agree are detrimental to the interests of Israel.
11. In view of the long-standing U.S. commitment to the survival and security of Israel, the USG will view with particular gravity threats to Israel's security or sovereignty by a world power. In support of this objective, the USG will in the event of such threat consult promptly with the GOI with respect to the support, diplomatic or otherwise, or assistance that it will lend to Israel.
11. Should a world power threaten Israel's security or sovereignty the U.S. will lend Israel its full appropriate support and assistance. The nature of the support, diplomatic and otherwise, will be subject to prompt consultations between the GOI and USG.
12. The USG and the GOI will, at the earliest possible time, and if possible, within two months possible time, and if possible within two months
12. The USG and the GOI will, at the earliest possible time, and if possible within two months

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after the signature of this document, conclude the contingency plan for a military supply operation to Israel. In an emergency situation.

13. It is the USG's position that Egyptian commitments under the Egypt-Israel Agreement, its implementation, validity and duration are not conditional upon any act or developments between the other Arab states and Israel. The USG regards the Agreement as standing on its own.

14. The USG notes the Israeli position that negotiations with Jordan will be directed toward an overall peace settlement at such time as conditions are conducive to such a negotiation. Any US initiative concerning negotiations with Jordan will be fully discussed with the GOI well in advance, and every effort will be made to arrive at a coordinated position.

14. The USG shares the Israeli position that negotiations with Jordan will be directed toward an overall peace settlement once conditions are conducive to such a negotiation (and not towards an interim agreement with Jordan). Any U.S. initiative concerning negotiations with Jordan will be fully discussed with the GOI well in advance and every effort will be made to arrive at a coordinated position.

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15. Should negotiations between Israel and Syria on an interim agreement develop, the USG will support the proposals outlined by Prime Minister Rabin in his talks in Washington in June 1975 and what was reiterated by Ambassador Dinitz in his oral clarification of . . . . .

15. Should Syria initiate military or para-military action against Israel or should Syria undertake or tolerate acts that might threaten the ceasefire the USG will support Israel diplomatically. These acts include, inter alia, the infiltration of terrorists across the Israel-Syria ceasefire lines and the stationing of terrorist groups in frontal areas facing Israel.

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16. Should Syria initiate military or para-military action against Israel or should Syria undertake or tolerate acts that might threaten the ceasefire the USG will support Israel. These acts include, inter alia, the infiltration of terrorists across the Israel-Syria ceasefire line and the stationing of terrorist groups in frontal areas facing Israel.

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16. In accordance with the principle of freedom of navigation on the high seas and free and unimpeded passage through and over straits connecting international waters, the United States Government regards the Strait of Bab el-Mandeb and the Strait of Gibraltar as international waterways. It will support Israel's right to free and unimpeded passage through such straits. Similarly, the United States Government recognizes Israel's right to freedom of flights over the Red Sea and such straits and will support diplomatically the exercise of that right. In the event of any interference with the passage of Israeli ships or cargoes through such straits or with Israeli flights over the Red Sea or such straits, the United States Government will consult with Israel on how best to assure the maintenance and exercise of such rights.

17. With respect to the boycott against Israel, the USG will take appropriate steps authorized by its domestic legislation with respect to (a) the coopera-

17. Without derogating from the principle of freedom of navigation on the high seas and through international waterways, the USG regards, inter alia, the Straits of Bab el-Mandeb leading into the Red Sea as an international waterway. It will strongly support Israel's right to free and unimpeded passage through those Straits. The USG also recognizes Israel's right to freedom of flights over the Red Sea and its approaches and will support strongly the exercise of that right. In the event of an interference with the passage of Israeli ships or cargoes through the Straits or with Israeli flights over the Red Sea and its approaches, the US will consult with Israel on how best to assure the maintenance and exercise of such rights.

18. The USG will take the necessary steps authorized by its domestic legislation to ensure that corporations, controlled by U.S. nationals,

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tion by U.S. corporations with the boycott and (b) the including oil companies that engage in the practice by such corporations of any form of discrimina- exploration, production and marketing of oil, tion direct or indirect against Israel, Israel corpora- do not cooperate with the Arab boycott against tions or Israel nationals.

Israel in any form whatsoever, nor practice any form of discrimination, direct or indirect, against Israel, Israel corporations or Israel nationals.

19. In connection with the Israel-Egypt Agree- ment the USG considers all the Egyptian commit- ments given to Israel in any form whatsoever via the USG or otherwise, as binding and irrevocable.

18. In the event that UNEF or any other UN organ is withdrawn without the prior agreement of both parties to the Egypt-Israel Agreement and the US before this agreement is superseded by another agreement, the agreement shall remain binding in all its parts. Without prejudice to the generality of this provision it is agreed:

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- a. The Buffer Zone between the forces of Egypt and Israel in which UNEF is stationed will continue to serve as a Buffer Zone separating the forces of the two sides with unchanged status.
- b. The arrangements in the Zone, such as those relating to the warning system of both sides as well as the agreed movement of Egypt and Israel personnel in the Zone will not be affected by the withdrawal of UNEF personnel.
- c. The demilitarized status of the UN Zone will remain unchanged.
- d. The U.S. civilian presence in the area of the Agreement will remain unchanged.
- e. All other arrangements in the area, as defined by the Agreement, will remain unchanged.

19. If UNEF or any other UN organ is withdrawn because of an action by Egypt contrary to its undertakings drawn because of an action by Egypt, the USG

21. If UNEF or any other UN organ is with-

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In the Agreement, the USG notes that Israel claims the right to take the right to take corrective measures. notes that Israel claims the right to take corrective measures, including the reoccupation of the zone by Israel.

20. The USG notes that Israel and Egypt have announced their agreement to aerial reconnaissance missions to be carried out by the US over the areas covered by the Agreement at a frequency of one mission every 7-10 days. The USG will make the photographs available to both Israel and Egypt expeditiously. The area to be photographed is as agreed between the parties.

21. In the spirit of the special relationship existing between the U.S. and Israel and in light of the determination of both sides to avoid a situation in which the U.S. and Israel would pursue divergent courses in peace negotiations, the U.S. will take the position that these are negotiations between the parties. Should the U.S. desire to put forward 23. In the spirit of the special relationship existing between the U.S. and Israel and the desire to avoid a situation in which the USG would be putting forward or supporting at Geneva or elsewhere suggestions or proposals in relation ship to an overall peace settlement which Israel would consider unsatisfactory, both countries

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proposals of its own, it will make every effort to will make every effort to reach agreement on coordinate with Israel its proposals with a view to the modalities, nature and substance of such refraining from putting forward proposals that proposals. Israel would consider unsatisfactory.

22. In case of lack of agreed intelligence data ; between the USG and the GOI concerning an Egyptian violation, the USG will give full weight to the Israeli intelligence data, bearing in mind the cruciality of the time element.

23. The US and Israel agree that signature of the 25. The USG agrees that the Egypt-Israel text of the Egypt-Israel Agreement and its full entry Agreement will not enter into effect before into effect shall not take place before approval by Congressional approval concerning (a) the U.S. the US Congress of the US role in connection with the presence in the region of the Sinal Passes and surveillance and observation functions described in (b) the guarantee of oil supply to Israel. The the Agreement and its Annex. Upon notification USG has received the consent of the GOE on that Congressional approval has been given, the this matter. parties will forthwith (within 72 hours) sign the Agreement as previously initialled. During the period between initialling and Congressional



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action on this US role, Egypt and Israel agree to maintain the status quo, including their obligations under the 1974 Disengagement Agreement, and that UNEF shall continue in its function. The US has informed the GOI that it has obtained GOE agreement to the above.

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# TELEGRAM

INDICATE  
 COLLECT  
 CHARGE TO

August 31, 1975

E.O. 11652:  
 TAG3:  
 SUBJECT:

ACTION:

FROM: ~~AmConsul Jerusalem~~ AmConsul Jerusalem CLASSIFICATION: UNCLASSIFIED

0 311355Z Aug 75

N/A  
 PFOR, IS  
 REMARKS TO PRESS BY SECRETARY KISSINGER AT PRIME MINISTER'S OFFICE, AUGUST 31, 1975

SECSTATE WASHDC	IMMEDIATE
AMEMBASSY AMMAN	IMMEDIATE
AMEMBASSY CAIRO	IMMEDIATE
AMEMBASSY DAMASCUS	IMMEDIATE
AMEMBASSY JIDDA	IMMEDIATE
AMEMBASSY TEL AVIV	IMMEDIATE
US DEL ALEXANDRIA	IMMEDIATE

UNCLASSIFIED JERUSALEM 1455

DEPT PASS NSC FOR GENERAL SCOWCROFT AND NESSEN

SEC. KISSINGER: AS WE HAVE BEEN TELLING YOU, WE ARE GOING OVER THE AGREEMENT AND ITS ANNEXES, AND ESPECIALLY THE ANNEXES INVOLVED AN ENORMOUS AMOUNT OF VERY PRECISE DETAIL. WE DID IT WITH THE BENTLE ATTITUDE OF BRINGING THE NEGOTIATIONS TO A CONCLUSION. WE BELIEVE THE NEGOTIATION IS APPROACHING ITS END, AND I HOPE THAT ON MY VISIT TO ALEXANDRIA WE CAN CLEAR UP THE REMAINING DIFFERENCES. I WILL RETURN THIS EVENING AND WILL AGAIN WITH THE ISRAELI REPRESENTATIVE DURING THESE DAYS.

Q: WOULD YOU SAY THAT THIS IS ONE OF THE MOST COMPLICATED OF INTERNATIONAL AGREEMENTS THAT YOU HAVE EVER NEGOTIATED?

SEC. KISSINGER: WELL I THINK THAT IS A RATHER

DRAFTED BY:

SENORS:WR

DRAFTING DATE:

TEL. NO.:

CLASSIFICATION AND DECLASSIFICATION APPROVAL:

SENORS

CLEARANCES:

S/3:PREM:WR

UNCLASSIFIED

# TELEGRAM

INDICATE  
 COLLECT  
 CHARGE TO

Jerusalem 1455

FROM AMCONSUL JERUSALEM	CLASSIFICATION UNCLASSIFIED
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E.O. 11652:  
TAGS:  
SUBJECT:  
  
ACTION:

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~~SWEEPING~~ SWEEPING TERM, BUT I THINK IT IS ONE OF THE MORE COMPLICATED ONES THAT I HAVE BEEN INVOLVED IN. BUT IF ONE CONSIDERS THAT THIS WOULD BE A SIGNIFICANT STEP TOWARDS PEACE IN THE AREA, THAT IT IS THE FIRST AGREEMENT THAT IS BEING NEGOTIATED WITHOUT THE IMPACT OF A ~~WAR~~ WAR BY TWO SIDES THAT ARE BEGINNING TO FEEL THEIR WAY TOWARDS PEACE, ONE HAS TO UNDERSTAND THAT IT IS INEVITABLY COMPLEX BUT ITS COMPLEXITY ALSO UNDERLINES ITS IMPORTANCE.

Q: <sup>THAT</sup> WOULD YOU SAY THAT THE PROBLEM HAS TO DO WITH THE MILITARY ANNEXES HAS SOMETHING TO DO WITH THE SIZE OF THE FORCES IN THE LIMITED FORCES ZONE?

SEC. KISSINGER: I DO NOT WANT TO GO INTO IT, BUT THAT DOES NOT HAPPEN TO BE THE MAJOR PROBLEM.

Q: (INAUDIBLE) TODAY'S AGREEMENTS WITH EGYPT THIS AFTERNOON.

SEC. KISSINGER: LET US WAIT TILL I GET BACK.

THE PRESS: HAVE A GOOD TRIP.

NEW YORK

FORM 100-101

DRAFTING DATE / VOL. ENT.

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