

SECRET/NODIS/XGDS

SINAI DISENGAGEMENT  
AGREEMENT

August 21-September 1, 1976 [5]

BOOK 3

SECRET/NODIS/XGDS





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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

~~SECRET/NODIS/XGDS~~

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, Ambassador to U.S.  
Lt. Gen. Mordechai Gur, Chief of Staff  
Amos Eran, Director General, Prime  
Minister's Office  
Avraham Kidron, Director General, Ministry  
of Foreign Affairs  
Professor Ahron Barak, Attorney General  
Meir Rosenne, Ministry of Foreign Affairs  
Professor Yuval Ne'eman, Legal Adviser to  
the Ministry of Defense

United States

Dr. Henry A. Kissinger, Secretary of State and  
Assistant to the President for National  
Security Affairs  
Joseph J. Sisco, Under Secretary for  
Political Affairs  
Malcolm Toon, Ambassador to Israel  
Monroe Leigh, Legal Adviser of the Department  
Winston Lord, Director, Policy Planning Staff  
Alfred L. Atherton, Jr., Assistant Secretary of  
State for Near Eastern and 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 *WR*

DATE & TIME:

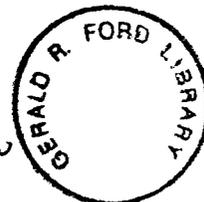
Thursday - August 28, 1975  
10:47 a.m. - 4:25 p.m.

PLACE:

Prime Minister's Office  
Jerusalem

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DECLASSIFIED  
E.O. 12958, SEC. 3.5 *State Dept Review*  
*SF 9/18/03*  
NSC MEMO, 11/24/00, STATE DEPT. GUIDELINES  
*hr*, 10/30/03



[The Secretary was delayed by his meeting with Former Prime Minister Meir at her residence in Jerusalem. Photographers were admitted.]

Rabin: She's a very courageous woman. The fact -- in her book -- that she came out of the war as a different person. And she's the only one who came out saying that.

Kissinger: She's a great lady.

Sisco: Do you have the paper I gave you on "aegis?"

Peres: Yes. It means goatskin.

[The photographers leave.]

Kissinger: Those three Congressmen insisted on seeing me. I offered to send Joe. They refused. They said "if Sadat has time to see us, why can't he?" They forget I have to see both sides, not just Sadat.

Can I see the agreement?

Rabin: We discussed it yesterday and prepared our version of the agreement.

[Mr. Eran passes out copies of the Israeli draft at Tab A. Dr. Kissinger reads it over.]

Sisco: Do we have copies?

Allon: Of our version.

Kissinger: You dropped out those two sentences altogether [in Article II].

Rabin: Yes. We put different letters [in Article IV] but this is not relevant because we've got the map.

With respect to the first page, you see there is little difference.

Kissinger: We ought to be able to sell this. Don't you think?

Sisco: I agree. I haven't examined every word. I think it is saleable, but I think you ought to point out the differences.



Kissinger: Let me go over them as I have found them. You restored this "have agreed," [in the first line].

Rabin: And not to "resolve."

Kissinger: Wait a minute, that is a change. You took out the "resolve"

Allon: It's not operational; it's a legal expression.

Kissinger: It is going to the edge of what I think may be saleable here in Article I. I hadn't read it carefully.

Dinitz: There are two changes in Article I.

Kissinger: You took out "resolve" and "recall." The first change, the way it is now written, could turn into a massive problem. If you get that, it would be a spectacular achievement as the first line of an agreement.

Dinitz: We took out all references to the settlement of conflicts by peaceful means.

Kissinger: You see what happens when one makes too many proposals. Once we put in your suggestion on peaceful settlement into Article II, they saw an opportunity to get resolution 338 into Article II.

Allon: You said if the word "negotiations" is excluded, it is no problem.

Kissinger: It will be a problem with Article II.

Rabin: But that is the Egyptian proposal.

Kissinger: To let it stand that naked. But it is handleable.

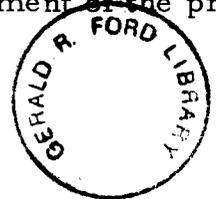
Article I will be a major problem. I am not saying you are unreasonable. I am just giving you an analysis of the problem.

Peres: We made a major effort to meet the Egyptian sensitivity, as you will see in many parts.

Kissinger: I have no....

Rabin: We have included Article IV.

Kissinger: I am trying to give you a professional assessment of the problems, not to argue with you.



Rabin: The problem in Article IV is two points. One in paragraph 5, because then the zone is not defined, the zone between the line, what we call the buffer zone. We understand they don't want to use the term "buffer zone."

Kissinger: Is that right?

Rabin: It was not used in the past.

Kissinger: I understand what you are saying. I don't think that's a bad way of phrasing it.

Rabin: We tried not to put new terms in.

Kissinger: I have to tell you there may be bargaining about Article IV, because we have never really argued it with them. We had your version which they rejected; you had their version. I don't think this is an unmanageable formulation, but there may be something that I...

Rabin: Then let's go to paragraph 6.

Kissinger: Six may be a problem.

Rabin: What is the problem? Either you define more specifically, because "no military forces" doesn't mean no fortifications...

Kissinger: I think they will accept 6, the fallback position.

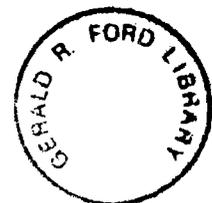
Peres: If you ask me, I think they will accept not the fallback but the first, which is much better. If I understood you correctly, what they say is that they want to show their people they are getting a piece of land which is different from the buffer zone. Here we make it unspecified, so they have a chance to claim whatever they wish. When you go to the fallback position, then they are in trouble. For that reason I felt the shortest is the best.

Rabin: I prefer the fallback position.

Kissinger: They will probably object to the word "land connection."

Dinitz: That is theirs.

Sisco: It is ours; it is not theirs. It is our language.



Kissinger: But that they agreed to.

Sisco: That's right, they accepted that.

Saunders: They didn't object.

Rabin: We took what you gave us yesterday and it is written exactly the same way.

Kissinger: Then may I make a suggestion to you? I think it is not without use to you to have non-militarization provisions in the agreement. I would prefer, unless you object, to present your fallback position first.

Rabin: I prefer it too.

Kissinger: And then if they reject it, to go to the other formulation.

Peres: It is your option.

Kissinger: But I don't want to present anything in an unagreed manner. I would think from your point of view it is better to have this.

Rabin: I agree with you.

Kissinger: All right, so we will present the fallback position, and if they play with it....

Rabin: Unless they completely dilute it....

Kissinger: If they do, I will go to the short sentence. If they start playing with A, then I will go to your other version.

Rabin: It might be if they don't want to repeat it, what is above, this is not a real issue to me.

Sisco: It is the same substance.

Rabin: Yes, if it is related to A, not to repeat it again.

Kissinger: To sum it up, if they object to 6 (a), I will propose as a compromise your short version. I think you are right, they will prefer the short version.



Rabin: Then anyhow we will have an argument in the annex about it.

Kissinger: They might prefer it in the annex.

Sisco: They might. It would be best if we could resolve it here.

Kissinger: If they don't raise any issue, you have got something that is better for you. If they do raise an issue, it doesn't hurt to let Fahmy win one battle in front of his President. And we can go back to that position.

Sisco: Absolutely. Tactically you are absolutely right.

Kissinger: It is a pure tactical point.

Allon: If it is still possible without any troubles to include the term "buffer zone," it can be helpful.

Peres: I am afraid we will have heavy sailing on that, and then we prevent the chances of introducing it in the annex.

Rabin: Zadok said it's better not to argue about the terms, because it will hurt the chances.

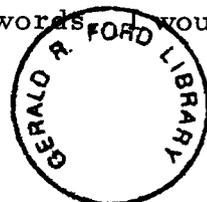
Kissinger: "Inaccessible" is a rather clumsy word. If a synonym for it could be considered.

Rabin: What is a synonym?

Kissinger: I don't know. "The parties can enter it only under conditions described in the annex."

Sisco: The reason is that you run into this same delicate problem. This is cosmetics again, Mr. Prime Minister, and not a matter of substance. It is the appearance on their side of them adopting explicit language in the agreement which appears to be a self-denial on what they consider to be their own sovereign territory.

Rabin: What is our problem? We want to find expression that the lines of both sides cannot be crossed regardless of the fact that the UNEF is there or not. Now in their formulation it is written that: "In the area between the lines designated on the attached as lines A and B, the UN emergency force will continue to perform its function." It is too much related to the UNEF, and someone can come and say once the UNEF is out, what is the status of the area? This is the problem. I am not worrying about words, I would like to explain what the content is.



Kissinger: Why couldn't you achieve the same thing by saying "the personnel of the parties can enter the buffer zone only under conditions specified in the annex?" Without using the word "inaccessible."

Sisco: As was the case, by the way, in the disengagement agreements.

Peres: It may raise a lot of problems in the annex and we will waste a lot of time.

Kissinger: Why can't you say the thing positively? I have no trouble presenting it. This is the one article we have never really discussed with them.

Sisco: That will raise problems.

Allon: The problem will become a real issue if and when the UNEF vacates the area. As long as the UNEF is there, there are no problems. The trouble is that in their wording it is connected only with the presence of UNEF. Maybe it is not intentionally done, but we have to be careful.

Rabin: Yes, therefore I am not arguing about the exact formulation, but if it is going to be this way as it is in the draft you brought us yesterday, it is related too much to the presence of the UNEF.

Peres: If you feel you can sell it better by saying this will be a buffer zone, you can present it, but not to go into an argument.

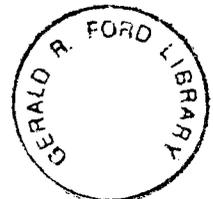
Rabin: To say "buffer zone" and that the details will be in an annex. We don't want to call it the UN zone. This is the difference. Because once the UN is not there, there is no zone.

Sisco: We have avoided that in the disengagement agreements. We did not call it the UN zone.

Kissinger: The ability of your lawyers to come up with... I have said to my colleagues that I sometimes argue about the Israeli geopolitical and strategic judgments, but their legal judgments are always impeccable.

Rabin: Anyhow, you understand the problem.

Kissinger: All right, I think we will come to a solution for Article IV. Why should I negotiate for the Egyptians? I think this is not an issue that is insoluble.



Peres: You can tell them we accepted Article IV under protest because this changes very much the whole balance of the document as far as we are concerned. But you made a major effort.

Kissinger: I understand.

Sisco: Just so you will know what is new, the use of the roads is also new here.

Rabin: That is the problem, once you start to be specific.

Dinitz: We can say this is also a subject to be described in the protocol.

Kissinger: We will see what happens. All right. No changes in Article IV, Article V, Article VI.

Sisco: Are there any other changes?

Dinitz: In Article VI it's "aegis."

Rabin: Exactly as proposed yesterday.

Sisco: Article 51 is out.

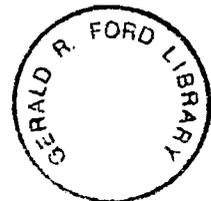
Allon: We tried to make as few changes as possible.

Kissinger: Unfortunately, Joe is recovered, and is back to his idea that I'm incapable of understanding anything. He's whispering to me the obvious. So I can move my lips and he talks. [Laughter]

Sisco: He's putty in my hands! [Laughter]

Kissinger: Now, to sum up. First of all, I will take it of course to Alexandria as it stands. The fact that I am taking it, you should understand, does not guarantee its acceptance, or doesn't necessarily make it an American proposal. Although I think you have made a very serious effort to bring it to a conclusion.

The biggest changes here are in Article I which makes it totally operative. There is a long dispute in international law whether preambles are part of agreements. They have settled that by making it Article I, which makes it unambiguously part of the agreement. And they did it by changing preambular language into operative language but still keeping preambular words



like "resolve." But by taking out "resolve," you have made it a totally operative thing, beyond any possibility for them to use vague wording. So I think it will present a problem. That is my judgment.

Dinitz: But here it is still a weaker language than it would have been, because there is no mention of disputes here.

Kissinger: I think they will insist on linking it to 338.

Allon: There is a linkage to 338 in the appropriate place where there was a reference to negotiations.

Kissinger: I am giving you my judgment. Now, Article II, naked...

Allon: Did you notice that we asked for Charter Article 51 to be deleted?

Kissinger: I was going to come to that. The extremely difficult things are Article I and the dropping of Article 51. There are really no other changes of any significance. You have accepted Article IV.

Rabin: With the changes we have mentioned in paragraphs 5 and 6.

Kissinger: We shouldn't debate it now, but you should get intellectually prepared -- just for study -- for a reconsideration of Article I. I mean, what happens if they reject that version of Article I? Article IX I think I can handle. It is in Article I that the negotiating problem is going to arise. I agree with you basically on dropping Article 51, although this will have to be ordered by Sadat.

Sisco: Yes, you won't get that from Fahmy.

Allon: Is he such a coward that he wants his boss to decide?

Kissinger: I think Fahmy wants to make sure that Sadat carries the blame. I mean he certainly maneuvered at every meeting in such a way, on the blockade, the cargoes, the non-resort to force, to put it on his shoulders on every issue.

Allon: That is comradeship!

Sisco: That is the reality of Egyptian politics, Yigal.



Rabin: We have to worry about the reality of Israeli politics.

Sisco: But all you do is lose your job. He loses his neck. There is a difference.

Kissinger: I won't settle it there, but just for my understanding of your position, supposing they want to start drafting something to bring back. I have not brought every suggestion they have made, which is one of their grievous complaints. But supposing they want to stick in the "only by peaceful means as provided for in Security Council Resolution 338?"

Rabin: Normally they attach it whenever there is the word "negotiations." They distinguish between "peaceful means" and "negotiations."

Kissinger: How do I answer the argument that they say by putting this into the first line it makes it a peace treaty? What would distinguish it from a peace treaty?

Dinitz: You have a special article in the agreement that says that it is not a peace treaty.

Allon: And there is a reference here to 338.

Peres: The inclusion of 338 in the first paragraph will be impossible for us.

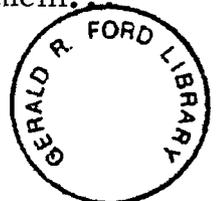
Kissinger: Well, look, if worse comes to worst we will have to come back to you on that one. And they will probably introduce the word "resolve" again and then you can make your decision.

Rabin: If you want to make it "resolve," do you believe you can add to Article II the "settle their differences by peaceful means" without the word "negotiations?"

Kissinger: No. I have to tell you honestly that I think that Article II as it now stands... They didn't like that sentence they gave us yesterday but it had the advantage for them of making this "military blockade" stand out less. Sadat is now very uneasy about Article II the way it stood the day before -- very, very uneasy.

[Mr. Atherton passes a note.]

Roy Atherton suggests, where it says "have agreed," to leave those two lines at the top, and then say "They resolve that the conflict between them..." In other words, the word "resolve" goes back in.



Sisco: It is good from your point of view because it has "both parties resolve that.."

Kissinger: Why don't we see? For all I know, he may be so relieved to see something to which he can say "if I agree to this, this is the agreement," that he will buy it all.

Allon: Since we are talking as friends, I would like to inject into your minds that to us it is a major issue, the same as was Article 51.

Kissinger: I understand that.

Allon: Yesterday we worked hard on these two first articles, a few hours really with our best lawyers.

Kissinger: I have no question that they are advantageous from the Israeli point of view.

Allon: And he should know this was the only thing more or less accepted, in March.

Kissinger: Just a second, what was accepted in March was that this was preambular language and would include the word "resolve."

Rabin: In March you had the article that called for non resort to use of force, and as Zadok says, it is now an amputated article.

Kissinger: I think we have to get it clear. What is amputated out of the article?

Peres: That all disputes should be settled by negotiations and peaceful means.

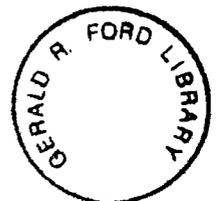
Rabin: You gave it to us.

Sisco: Yes.

Kissinger: Can I see the exact formulation?

Rabin: And we will have a problem, because we then reported and they will come and ask us what happened. It is less than in March.

Dinitz: If at least we can say it was split into two parts.



Kissinger: What is the formulation we gave you in March?

Sisco: [Looks at old draft] That is what you gave us.

Kidron: You corrected them.

Allon: And you brought a positive reply and that is what you told Ribicoff -- as testimony, not as a commitment.

Kissinger: [To Sisco] These are things we took there, but that is not something they gave us. We never had a precise document with the Egyptians.

Rabin: This is what we were told.

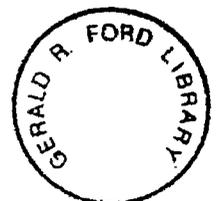
Kissinger: There is no possible way you could have been told that all three formulations were acceptable.

I predict we will have major troubles with the dropping out of Article 51 and that will be a major problem. We will win on Article 51 and they will come back with something on that first article. That is my prediction. Unless Sadat says, "anything, just let's get this thing over with."

Dinitz: May I say something that prime ministers will not say. I want you to know, Mr. Secretary, in all the spirit of frankness, that the proposals that were submitted last night in the discussions which ended at 3 o'clock by our lawyers and experts went much beyond this. The Prime Minister's main objective was to remain as close as we could to the document you brought back from Egypt. And I think we have done really a major effort in this respect.

Kissinger: But to that I agree. I have said it already, that you have made a major effort. And I consider of all the things that you are asking, which are not too many, dropping of Article 51 will be a struggle, but is achievable. Dropping of Article 51 will just turn into a nasty exchange, at the end of which I think the odds are it will be dropped. My prediction is the odds are that the beginning of this will be changed, and even with Article II think they'd... Article II...

Rabin: This is an Egyptian proposal of the day before yesterday.



Kissinger: And when they looked at it standing alone, naked, they thought it would give them major problems.

Rabin: That is what they proposed.

Kissinger: I am just trying to tell you that standing alone, naked, it will present a problem. But that is not our problem. I am just telling you their reaction. But there is no sense in debating it.

Allon: When Sadat rejected the idea of termination of belligerency, he said he would give the non-use of force. This is simply language of non-use of force.

Kissinger: Non-use of force and military blockade. And if you remember some of his early formulations, he always linked it to the continuation of the peace process. But there is no sense debating it now.

The ground rules are that when you get it, it proves that toughness prevails. If you don't get it, it proves that I didn't press for it hard enough.

Allon: You should feel that this is a great effort on our part and try to understand that this is the situation. As much as is only possible without undermining....

Sisco: I am sure Henry will make a major effort on this Article 51. I have not understood from you why that paragraph would not be highly attractive to take care of some of your Right Wing, that it at all denies you to do what is necessary militarily. I thought Article 51 would be attractive to the Begins of this world.

Allon: There are two objections. One is the collective defense. Secondly, they consider our very presence in the administered areas as an act of aggression and they can use it as an excuse to go to war when they want.

Kissinger: All right. It is just my prediction; I am telling you where there will be trouble. But it may be that if I tell him this is it now, if you agree to this, the agony on the agreement is over, he may just take it. And it certainly is progress, and he will certainly be pleased with Article IV, and you have certainly made a major effort.

Okay. What should we turn to now?



Rabin: The American proposal.

Kissinger: I will try to get the words "at least" in [in the letter on duration ].

Peres: What will you do?

Kissinger: What I would like to do if it is humanly possible, is to come back tonight and meet with you tomorrow and then work in the Arab countries on Saturday.

Allon: You'll be back when?

Kissinger: About midnight. You don't have to meet me, Yigal. I've dispensed Fahmy at the other end.

Dinitz: I'll be there.

Kissinger: It's senseless. We can't talk in the helicopter.

[The legal and other advisers joined the meeting: Messrs. Leigh, Oakley, Barak, Rosenne, and Ne'eman. Mr. Saunders hands out copies of the Proposal, Tab B.]

Kissinger: Let me, incidentally, make clear: I haven't read this document.

Rabin: [Reads the draft] Dr. Kissinger, we will ask some questions. Then I prefer that we will have a consultation.

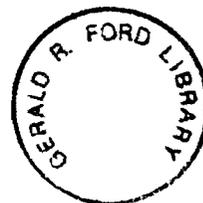
Kissinger: This is not frozen and concrete. I haven't even read it yet, to tell you the truth.

Rabin: I am going not in accordance with importance. But 250?

Kissinger: Just to be precise where the 250 came from. Gamasy said yesterday that since their equipment is less automated than yours, he thought 250 was a better figure than 200.

Rabin: He wants more!

Kissinger: I cannot believe that Gur's security will be jeopardized by 50 men.



Rabin: Now, what is the meaning in paragraph 2a. "Will monitor operations within each station?"

Kissinger: Put any other word in there that pleases you. But we have got a problem to have something just other than "guard."

Sisco: We didn't mean to imply that we were running the thing, and if there is some better phrase that you have... Our Congressional problem will be unmanageable if we say they are simply as guards. So write any word you like.

Gur: Why go into so many details?

Sisco: We have to put it before the Congress.

Kissinger: We have to answer it anyway, and it is better to have it in an agreed document. And I think in respect to the Egyptian station, you want the Americans to have some control that it doesn't turn into a military post.

Rabin: Then I see that you want only two manned stations.

Kissinger: I put down two because we are not going to show it to the Egyptians, if we agree, before we have agreed to three.

Rabin: May I ask: "No arms shall be maintained at the stations and other facilities covered by this Proposal, except for small arms required for internal security and self-defense." We have a problem, I believe. Is it for the Americans or for the surveillance stations too?

Kissinger: The surveillance stations, too. Or you have to tell us what arms you want there, because it has to be on their side too.

Rabin: I understand. It should be on a mutual basis.

Kissinger: Antitank weapons suitable for fighting foxes. That's what your Ambassador says.

Rabin: Can't you find a stronger term in Article 6? What does it mean? The US affirms that it is willing to continue to perform the functions described above..."

Kissinger: Why don't you suggest something after your own consultations?

Peres: There is one omission which I wonder why it is. It is that either both nations will ask for an alteration or otherwise none has the right to do



it single-handed. There is no reference to it. Is there any reason why it is not here, or is it just overlooked?

Kissinger: The problem is to find a phraseology. The Egyptians will not admit your right to determine it. We can put it in terms of the criteria the U.S. will use -- like a request by both parties. You see? We couldn't find a formula yesterday, but, for example, in paragraph 6, or in paragraph 7, I think we could say: "among the criteria the US would use, or one of the criteria, will be a request by both parties and not by one party," or something like that. "Not by one party" is again difficult. I leave this to the ingenuity of your lawyers to find something. "One criterion which the U.S. would consider conclusive would be a request by both of the parties," which makes it clear that a request by one of the parties wouldn't be considered conclusive.

Peres: I noticed that you don't call it any longer "American proposal."

Kissinger: This was one of the debates here between Sisco and me. Before the Egyptians will accept, we will have to call it "US proposal." We have the problem with the Congress. Quite honestly, we will have to present this in part as having come from you. We cannot present it as the US eager to get itself involved somewhere and has rammed this down the parties' throats. And in your briefing of the Congress, it will increase its acceptability if you make clear that this was an urgent Israel requirement. I don't think Sadat will sign it unless it has "US proposal."

Peres: The second point: you mentioned that this will be called the "early warning zone" and here you changed it into "system."

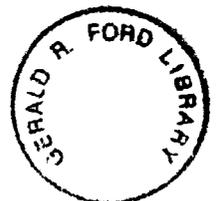
Kissinger: We can play with it.

Peres: "Early warning zone as described in the map."

Sisco: You have to be careful with this word "zone," because you get into the problem of its relationship to the UN buffer zone, and particularly we had in mind your own thing that this should be as separate as possible.

Peres: We can use once "area" and once "zone." Either the "UN area" and the "early warning zone" or the other way around.

Then another point is the separation from the UN; this is disconnected from the UN agreement.



Kissinger: I would point out -- I mean, you will consider it and give us your countersuggestions -- that the things that aren't stated aren't there. If you don't state a connection to the UN, there is no earthly way to have a connection with the UN. If you rub it in too much, you may start an unnecessary debate there.

Sisco: If the Security Council were to raise questions, Mr. Prime Minister, about this, our position is that this is a proposal that stands on its own and therefore does not require any approval of the UN. If you make it explicit, it raises the problem. If you are quiet, then this is the point.

Rabin: It can be included in the bilateral agreement.

Sisco: That's correct. We can have an understanding.

Allon: One doubt about Article 7. I am not questioning the power of the President or the government of the US to call back its personnel whenever it serves its interests, whatever it is.

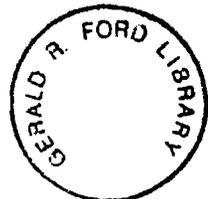
Kissinger: "Vital national interests."

Allon: To tell you something -- to be very honest with each other -- when the idea of American presence was introduced to the government, even to our smallest but very important body with whom we met yesterday in the party, to explain that in case of emergency the very presence of Americans there may deter the Egyptians from going too far. But if one of the explicit reasons for taking away the American presence is when their own safety is jeopardized, it means it will be quite enough if there is a threat from the other side of doing something and some people will come up and say, "their safety is jeopardized; call them back home."

Kissinger: First of all, it will make it helpful with the Congress. Secondly, any action that makes the situation sufficiently grave for us to pull them out...

Allon: Could you at least add "after consultation with the parties?"

Kissinger: May I make the suggestion; rather than sit around here batting ideas around: This is our first draft. It is not presented on anything like a take-it-or-leave-it basis. Why don't you consult with each other? Give us all your suggestions. But do it about like you have been doing it on the agreement in the last few days. Concentrate on essentials. But none of this has ever been seen by the Egyptians.



One point: in selling the agreement, Sadat and Fahmy yesterday said to me that it would be easier for them to accept some of these formulations if for the initialling I called the agreement also "US proposal." I am just trying to think of selling this, the agreement, in its present language, to them, and then the agreement, the signature, would remove the US proposal. But for the initialling. Of course, this makes us the fallguy in the Arab world, and I am not sure I would accept it. In other words, we would put over the Agreement: "This is a US proposal for the Agreement that both sides should sign." And then he said it would be a lot easier for him to live with a lot of phrases that he is highly worried about now, if he doesn't look as if he's negotiated them, and that phrase would be in the initialling and then the two sides would initial them, and then when the agreement is signed, that cover phrase disappears.

Allon: With no change in it?

Kissinger: 48 hours later.

Dinitz: Who will sign the agreement in full?

Kissinger: The agreement in full would be signed by their Chief of Staff and by Osman, who is their Ambassador to Geneva. They thought that it would be easier for them if what is initialled is a transmittal letter of the US which says, "we are proposing the following agreement to both parties," and that will then be initialled. And then in the Agreement itself, what is signed on Tuesday or whenever it is signed, maybe Rosh Hashana. [Laughter] You don't need the Religious Party by then anyhow. [Laughter] Think about it. Don't give me an answer now. I would think if we did it that way, the probability of this getting accepted unchanged is greatly enhanced. I haven't really consulted with my people whether they think it is a good idea.

Rabin: We will go to discuss.

[The meeting recessed between 11:57 a.m. and 12:56 p.m. for consultation by the Israeli team, and then resumed.]

Kissinger: Can I raise two things that have come from Egypt? The first has to do with the text of the draft agreement. I told you I didn't know whether he has said "only." He now says -- which is not exactly true -- that he had given me the choice between either taking the word "shall" or



taking the word "only," and if we want to use the word "only," we should use the word "should." He was slightly corrected on this by our Ambassador. He is now proposing that we use the word "will" and then we can use both "will" and "only." And I think we should settle on that.

Rosenne: We prefer "will" and "only."

Allon: We can accept that.

Sisco: I think "will" is stronger than "should."

Allon: I agree. It is very important to have "only."

Peres: We will take "will."

Rabin: What is the other?

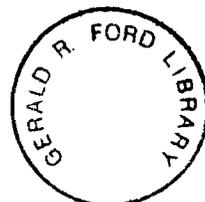
Kissinger: The other is more serious and I have to read you the whole cable so that you understand. It has nothing to do with the Agreement. [He reads from Alexandria 0114:] This is Eilts: "When I arrived at Montaza for a meeting with Fahmy, the Minister of Petroleum was also there. They had been talking about an Amoco incident... which was described to Fahmy on the basis of reports and maps. The Minister of Petroleum said even though Egypt doesn't accept the median line, it has consciously sought to limit operations to the western side to avoid incidents. The Amoco vessel had been challenged by the Israelis west of such a line. Fahmy was greatly exercised by the incident. He asked that I convey this immediately, leaving aside the nationality of the vessel. Egypt wants assurances that Israel will not challenge oil exploration operations in the Gulf. Without such assurances, they will have to drop the present reference to blockade in the Agreement. In view of above, you may want to raise this matter with the Israelis before coming here."

Rabin: When did it take place?

Sisco: Well over a week ago.

Rabin: What happened?

Peres: They came three or four miles to our shore and then it was checked and there was some misunderstanding with the American captain on the boat. It was settled, I think.



Kissinger: Wait a minute. I have got to tell them something tonight. You don't have to tell me now; tell me before I go.

Peres: If I may suggest, that if both parties on petroleum vessels mutually agree that no party will harass the other, we shall accept it. Because we have also petroleum boats.

Rabin: The problem is: They don't harass our ships; the question is that they have come very close. This is the problem. They have never harassed our ships; this is not the issue.

Peres: What is the issue?

Rabin: The issue is that they came closer to us and we wanted them to leave. We will see.

Kissinger: Think about it and give us an answer. Something to take back to them.

Rabin: The problem is that Amoco should be more clever. It is to say that when they want to go so close, they have to find a way first to notify us and then to coordinate it. If they will try explorations so close to the shore which is held by us, it is going to create a problem. Tomorrow they will come and start digging in the Sinai. Because, practically, we didn't have troubles for eight years. Why start now?

Peres: Not only that; we have to reject the language of an ultimatum. I mean, we are ready to find any reasonable agreement.

Kissinger: This wasn't addressed to you. It was addressed to me. I just read it to you. If I transmitted everything that everyone said to me in these discussions here verbatim... [Laughter]

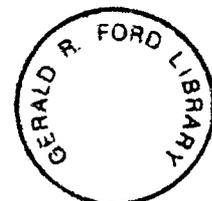
Rabin: We will talk about it later.

Kissinger: Have we got the paper here?

Peres: In connection with the Early Warning, instead of system -- in the preamble, not paragraph 1 -- instead of Early Warning System, we would prefer "area."

Rabin: "Early Warning System Area."

Peres: "Early Warning System Area."



Rabin: Because it's a system.

Kissinger: You can't say "an area shall have the following elements." I can understand why you would want to say the "early warning system area" in the first sentence. I do not see how you can say it in paragraph 1.

Sisco: You have got it established in Article IV.

Kissinger: Be careful. You don't have it in an agreed document.

Rabin: You don't have to add it here, because this is in reference to Article IV of the Agreement, in which the term "area" is not used. What we have to do is in paragraph 1 to say, "early warning system area to be established in accordance with Article IV."

Peres: I suggest you will see the other alterations and see. "The Early Warning area under the custody of the US to be established in accordance..." We would prefer to have the custody in this connection, and in the paragraph 1(a), later on, there to cross it out.

Kissinger: The Egyptians will never agree to a phrase that an area that they consider Egyptian is under the custody of the US.

Sisco: And what about the United States?

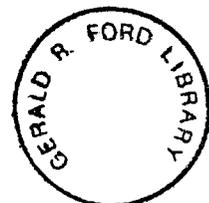
Peres: That's what I am saying, that the "early warning area" should remain in the preamble and here the "early warning system" under the custody of the US. Because it is okay; here you have the system.

Kissinger: Let's write these down. Why don't we follow your method? We are learning from each other.

Peres: Then [reads:] 1(a), "They shall perform the function of visual and electronic surveillance only within their stations," and then we don't have to have the extra sentence ["Each such station shall be under the custody of the United States"], which was transferred above. You see the difference?

Kissinger: I know, but you will live to regret the day when you don't identify these stations as being in the custody of the US when the Egyptians start playing with their stations.

Peres: If it is the whole system is "under the custody," you have it within.



Kissinger: It makes a hell of a lot of difference whether you say the whole system.... Well, go ahead.

Peres: Now, we have the number of stations, in paragraph (b), and we certainly insist on six stations. Again, I mean, in order not just to argue in vain, I frankly think there can be two solutions to it. There can be either four manned stations and two sensors, or three manned stations and then the three sensors, just guarded by very small group, say of 10 or 12 people, something like that. And we would like to have your final opinion on that.

Kissinger: My opinion is that I have no authority to talk about even three; All the President has authorized me to talk about is two. And however we call them, frankly we don't have an idea of putting such huge numbers even into the other stations.

Rabin: How many?

Kissinger: About 15 people.

Rabin: In each one of the surveillance stations?

Kissinger: What are they going to do there? Our idea is quite frankly something like 15 in each station, in each one of the three or two.

Rabin: And how many in the surveillance stations, the Egyptian and Israeli?

Kissinger: Maybe about 10.

Allon: Then there are three shifts.

Kissinger: Yes, that means we need three shifts for each and then some support personnel. Just think what is going to happen when these people start writing back and saying, "we are not doing a damn thing. We are sitting around there, custodying." And quite frankly I think the way to do is to wrap up these watch stations with the surveillance stations so that they can rotate a bit, so that they have got something to do.

Sisco: I personally think ten is too high.

Kissinger: Joe, for Christ's sake.

Allon: They should have girls too.



Sisco: And a PX.

Kissinger: I really think, you know, that two of them we can easily justify on the ground that they are checking exit and entrances to the surveillance station. And we can add radars to them and let them look down the road. Although we all know that by the time we could communicate and they see down that road, they will be behind the lines. [Laughter] Right, General? [Laughter]

So I can see three. I just think if you say three sensors that are guarded by five Americans, first of all, our Joint Chiefs of Staff will testify that that's insane, that that's the reason you have a sensor there.

Allon: What about the Bedouins?

Kissinger: Once a Bedouin picks up a sensor, that immediately triggers off something. That's what a sensor does; when you touch it or somebody gets close, it communicates.

I don't care what the Bedouins will do to the sensors: I know what the sensors will do to the Bedouins. [Laughter]

It plays the national anthem.

When that great genius Brown has to testify that on the sensor he needs five or ten Americans guarding the sensor, he knows he is destroying his budget for the sensor. [Laughter]

Peres: Speaking seriously, you will be criticized and I understand that you are going to have a difficult time in passing the Congress, which I don't want to underrate. For the same token, the same effort, let's organize in this area something which, in my judgment, can add greatly to peace and stability. It is not a laughing matter so much if we shall have on those roads a built-in system where every Egyptian and, if you wish, every Israeli can say, "let's not tackle this area; forget about it. There are sensors, there are guards." The people may be bored but the area may gain such a great advantage that while today we are laughing about it, in the future it may serve as a nucleus for a different situation.

Kissinger: May I urge that you don't press this argument publicly too far.



Peres: We are talking here among ourselves, and for this reason; it is not that we are just trying to get another ten Americans or 20 Americans. This is not the issue at all. But if the Giddi Road and the Mitla Road and the connecting area will be really organized in a way where temptation of any sort of attack will be reduced to the maximum, we are creating something which, after all, doesn't cost financially or politically as much as people claim. It is nothing. Here for nothing we can gain a lot, more than by any other arrangement, and we must look on the thing not in a matter of two months or three months. You know, the editorials will be over, but in the coming three or four years, we introduce here an element of stability and reason in a place where there were already three or four wars. And I believe this is a serious consideration. Otherwise, we wouldn't argue on that.

Kissinger: But, first, the President has adamantly refused more than two stations. Now I may be able to convince him -- I feel fairly confident -- to go to three. I know I can't convince him to do six. It is absolutely out of the question. Sadat has agreed to two stations. I may be able to get another one. I know he will not go higher. He's already briefed on the basis of two stations to our press there. So I think realistically we cannot get more than three stations, and I don't see -- now that we have got the whole warning system in the Passes -- that it gives an excuse for freedom of movement.

Peres: I will tell you where the difference is: if we shall have, for example, four stations, we can put one station at the entry and one station at the exit of the two roads, which are major roads in the Sinai, and it will change the whole strategic outlook of this part.

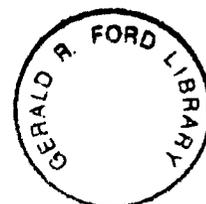
Kissinger: You can do it with three, too -- two at the Giddi and one at the Mitla.

Peres: Let's have two in the Mitla as well.

Sisco: I am against three and Henry knows it. I think all we need is one on the Mitla and one on the Giddi and four sensors. I am against going beyond two.

Peres: If you will have two in the Egyptian direction and two in the Israeli direction, I don't see why the President of Egypt should disagree to it.

Kissinger: Because he doesn't want any.



Peres: He doesn't want? We did a lot of things that we didn't want either, and we did it in order to progress, and we based it upon a certain logic.

Kissinger: Which he doesn't accept to begin with.

Peres: We accepted things which were unacceptable to us and you know it perfectly well. We can play, if you wish, with the monitoring, unmanned stations by guarding them here and there. This we can do. But I feel that if the entries and the exits of those roads will be in one way or another guarded in a symbolic manner -- after all, that's what we are talking about -- the future will gain greatly. And what today seems unimportant may become extremely important in the future, and for the very same effort we are doing, let's do it right.

We have a claim because we were given to understand that the President and yourself are inclined to have six stations. How was this number born? We suggested...

Kissinger: You started out with four.

Peres: We started out with a square, with an American square in the Giddi and Mitla Passes.

Kissinger: You started with four. I said to the President four. He said, "Don't accept four, because, sure enough, they will ask for six." He was right!

Peres: No, sir; I am sorry. We were informed that six are approved.

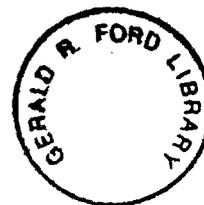
Kissinger: That's true.

Peres: So we didn't start with four.

Rabin: Where do you want to put them, according to your proposal? [He gets up to the map.] This is Umm Khisheiba. This is the Giddi.

[Rabin, Peres, and Kissinger get up to the map.]

Kissinger: If we have two, I was going to put one here [indicates] and the other one on the Mitla where this road intersects the Mitla. Now that the Egyptians will have something here -- 716 -- I wanted to reserve the third for checking with the Egyptians.



I know you all think that I can make the President do anything I want, but it simply isn't true. He's got a presidential campaign coming up next year and he considers this highly unpopular.

My thought was maybe put two on the Giddi, on the theory that to put one here and one there, someone checks the Israelis going into here and the other checks the Egyptians there.

Gur: In the Mitla we must have two, because there is no big station there.

Kissinger: I don't think the President will approve four, and I don't think the Egyptians will. Since the President changed his mind, I notified you, which was four weeks ago.

[All sit down.]

Peres: Then to continue. Page 2, paragraph b [of Tab B]: "There shall be established unmanned electronic sensors at both ends of each Pass and in the general vicinity of each station." Here we want to add "and the roads leading to and from those stations."

Then 2a, "At the two surveillance stations described in paragraph 1a above, United States personnel..." here instead of "monitoring," we would like to put "will follow the nature of the operations of the stations..."

Kissinger: That's a definition of "monitoring."

Peres: It is a definition of "monitoring," but there are two changes. We say "the nature of the operation" instead of "operations" themselves. Something that you are not going to do anyway.

Rabin: By the present definition, you are responsible, or it might seem that you are responsible, for the intelligence.

Kissinger: But "follow the nature" -- that's a French word.

Ne'eman: And not the content.

Peres: The difference is that "monitoring" has a professional sound.

Kissinger: But "follow the nature" makes no sense in English.



Peres: We shall take your English.

Kissinger: I understand what you want us to do is to make sure that we are monitoring only what is being done, the nature of what is being done, rather than the substance of what is being done. That's acceptable.

"Observe" is too weak. It is not strong enough to justify our being there. "Supervise the nature."

Peres: "Supervise the nature" also might be. Because "monitoring" in that connection has a highly professional sound.

Kissinger: All we are doing at each place is to make sure it isn't being used for anything other than these purposes but not the content of these purposes. This is undisputed.

Peres: Then if we shall go in the same way, "follow the nature of the operation of the stations and all movement..." Here we suggest to cross out "within," but "all movement into and out of each station."

Kissinger: [To Leigh:] Is there a special reason why we need "within?"

Leigh: I think we can drop that.

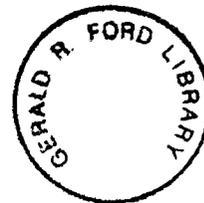
Dinitz: End of 2a, to "the" Joint Commission, and not "Joint Commission."

Kissinger: Otherwise who knows what kind of a joint commission? Okay.

Peres: Now, we are coming to page 3: "The US affirms that it is willing..." We would like "that it will continue" instead of "it is willing!" Page 3, article 6.

Kissinger: All right.

Peres: We would like here to add an additional article before your 7, and we suggest the following words. We listened a little bit to the advice of Joe. "No change in this Proposal should take effect except upon the request of both parties of the Egypt-Israel Agreement." And then we are coming to your Article 7. This will be a separate article. So 7 will become 8. Now 8, we suggest to add the following: "In such a case the parties will be informed in advance in order to allow them to make alternative arrangements."



Kissinger: That is, to man your own warning stations?

Peres: It says here, "Notwithstanding any other provision of this proposal, the US may withdraw its personnel. . ." If you withdraw for American reasons, the problem is: what will happen?

Rabin: We cannot afford that the UN will be put instead of you on Umm Khisheiba.

Kissinger: But we have to get one thing straight. We have explicitly rejected that there is an area in there which is a US area. I understand that you don't want the UN in Umm Khisheiba, but the UN has rights in that area.

Peres: We don't question their rights. We say that if you are going to withdraw your personnel, which will introduce a major change in the whole structure of the area -- and for American reasons -- the parties should be notified in advance so that we shall have to see who can replace. Suppose the Swedes will come in? God knows who.

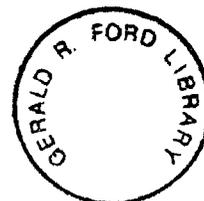
Kissinger: Should we try them now?

Peres: That's an early warning! [Laughter] Then we suggest an additional article, 9, which is simply a technical one, saying "Technical problems arising out of the implementation of this Proposal will be worked out by a joint team." There are at least six problems which are not mentioned here.

Kissinger: A joint team of whom?

Peres: Of American, Egyptian and Israeli. I shall mention what are the problems. The problems are, who is going to move when and in which way? We should agree upon the traffic. A second one is: How about the maintenance of water, communication lines and the maintenance of the road? Because obviously such a station has a cable. Three, the coordination with the UN about the entry of Israelis and the Egyptians to the buffer zone. Four, how many vehicles will be in each of the stations? Five, if there will be any linkage -- which we suggest in case of emergency -- between the local stations and the American stations. I mean, those are technical matters.

Kissinger: Between the local stations and the American?



Peres: Say your station is in an emergency, or one of our stations is in emergency. So we can put either wireless connections...

Kissinger: I think these are all questions that have to be answered.

Peres: So what we suggest that the working group or a team -- we don't mind the name, by the way -- work out all those technical problems arising from the implementation.

Rabin: It is not an attempt to create another commission. This is a team. Then there is a problem if we would like to add something in terms of intelligence. They are going to build a station there -- traffic, bringing materials. But let's assume that -- in our case, our station is built -- we want to add one antenna. Shouldn't we be allowed to do it? Or they would like to add one antenna. They have to build it anyway.

Dinitz: You have an idea what they want to build?

Kissinger: No, and I haven't asked them either, because I don't want to get... Okay. Have we got your text?

Allon: You will get it.

[Dr. Kissinger and Mr. Rabin retired for a private talk between 1:31 and 1:47 p. m., and then returned.]

Kissinger: One other change the Egyptians told us yesterday that I forgot to mention to you. In Paragraph II [of the Agreement at Tab A] they want to reverse one and two, state the Israeli line before the Egyptian line.

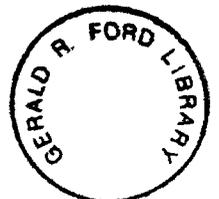
Peres: It doesn't matter.

Rabin: That's not the problem. You can tell them after a long struggle, we agreed. [Laughter]

Kissinger: They will believe it!

Dinitz: We're using your method!

Kissinger: I would like to take it to the Egyptians.



[Lunch is served. The Israelis distribute a redraft of the Proposal on the early warning system, Tab C. They make a correction deleting "within" in paragraph 2(a), on page 2.]

Rabin: Try to sell it.

In the agreement there is no reference to what early warning there is.

Kissinger: I warn strongly against introducing any new concept.

Peres: Do you believe you can sell the concept of an area?

Kissinger: I think I can sell the concept of this whole warning system being interlinked and that the Americans must have freedom of movement within the interlinked system. The reason I think I can sell it is because it serves their own purpose of pretending that all this is done in support of the two big stations, and it serves your concept of an area. But for that reason we have to fuzz it up a little bit in the language.

Peres: Since it is a symmetric situation, I think in this case, every word that we use should have parallel benefits to the Egyptians.

Kissinger: [reading Proposal at Tab C, paragraph 4, page 3:] "Landing rights and unimpeded freedom of movement." They'll never accept that.

[Dessert is served. Dr. Kissinger reads over the draft with Sisco, Leigh, and Saunders.]

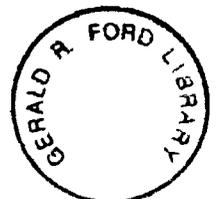
Saunders: We can change it to allow access.

Rabin: With us you will have no problem.

Kissinger: I am not worried. I am trying to get a paper that they will accept. I think we should have a paragraph that says with complete clarity that the American personnel should have freedom of movement within the early warning system.

Rabin: This is essential for you. If, say, the sensors will be destroyed, you want to move out there.

Sisco: Absolutely.



Oakley: And the communications.

Kissinger: This paragraph [4] -- this is the sort of thing that drives people right up a wall. They will never give up in a document that will be published "Landing rights and unimpeded freedom of movement."

Peres: You need it for Congress?

Sisco: Just say "communications facilities and such other facilities as may be necessary."

Kissinger: Or "other services." I am not nearly so worried about Congress as about the Egyptians. On this they are very sensitive.

Rabin: The only issue that the Congress may raise, that if you don't have unimpeded right....

Kissinger: We can do that in a separate protocol with the Egyptians and you.

Rabin: The problem will be, how do you get water? Whenever you will need a rescue operation, just turn to us! [Laughter]

Kissinger: "As are necessary to perform their functions." What do you mean by "shall be immune from local criminal, civil, tax and customs jurisdiction?" Under this provision they can do anything in the area.

Leigh: That's absolutely essential.

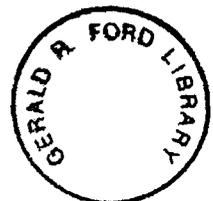
Kissinger: Do you think the Egyptians will accept that?

Leigh: Yes.

Kissinger: His problem is he's being accused in the Arab world of having established an American presence in place of the Russian.

Under this provision, which our legal eagle has come up with, they can murder each other in the stations -- which they will probably do anyway out of boredom. [Laughter]

Peres: Boredom will kill them before!



Kissinger: Absolutely no jurisdiction. The Egyptians can't punish; no military organization that can punish.

Rosenne: If they have diplomatic passports.

Kissinger: Let me make a suggestion. I know you are interested in establishing the principle of an early warning system area. My strong advice is that the less you hit it head on, the more likely that principle can be established. Listen to my suggestions throughout this thing and you will see that I think I got enough paragraphs in there that establish it without doing it in that way you are attempting, and without forcing the Egyptians to write it into the basic agreement. In the preamble, I recommend: "In connection with the Early Warning System referred to in Article IV..." -- not the Early Warning system area -- but I put, "The Early Warning System to be established in accordance with Article IV in the area shown on the attached map will be under the custody of the US." That establishes both the custody and the area. "It shall have the following elements."

Then "There shall be two surveillance stations..." I have made only minor changes. Their location "as shown on the attached map" rather than "on the annexed map."

Peres: You started with the preamble, not Article I?

Kissinger: The preamble: "In connection with the Early Warning system referred to in Article IV of the Agreement between Egypt and Israel..." As part of that agreement the US proposes the following. We may have to drop out "between Egypt and Israel." Just say "of the agreement concluded on this day." There won't be, hopefully, too many agreements concluded on this day that could be attached. If they are sensitive about having Egypt and Israel.

Then we propose that "The early warning system to be established in accordance with Article IV in the area shown on the attached map will be under the custody of the US..." period. You see, that establishes area and custody, both, without putting the area under the custody as such.

"It shall have the following elements: there shall be two surveillance stations to provide strategic early warning, one operated by Egyptian and one operated by Israeli personnel, as shown on the attached map." That's the only change in this paragraph.



No change in the next paragraph except that we won't put in six; we will just put in a blank. Then we put in a blank before the unmanned electronic sensors.

With respect to the two surveillance stations, we take out the word "within" which you put in by mistake. Article 2a.

Instead of "follow," we put in "verify the nature of the operation."

Rabin: Good word.

Kissinger: But we will fall back to "supervise" if they should be more acceptable.

I recommend in 2(b) that we say the "US personnel will immediately report to the parties..." I think if we keep mentioning the Joint Commission, that may....

Sisco: Overload the traffic.

Kissinger: ...overload the traffic.

Rabin: Why "within?"

Eran, Peres: We took it out.

Kissinger: That eliminates the man in the rest-room.

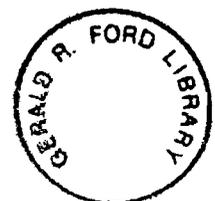
"Report to the parties and to UNEF," instead of "Joint Commission." The rest stays as it is. Always put "parties" before UNEF.

Rabin: Right.

Kissinger: Three is fine. Then I would suggest a paragraph 4, which you may not like: "The US personnel serving the early warning system shall have freedom of movement within the area of the system."

Sisco: You said they wouldn't like?

Kissinger: That was a joke. The next paragraph (4) I have asked our people to cut it down. How does it read now?



Sisco: The US shall be entitled to establish support, management and secure communications facilities and such other services., " and then you pick up your last line, "as necessary to perform their functions. " That's all you need. Strike all the rest.

Rabin: Paragraph 3: Only small arms?

Kissinger: Number 5 we can spruce up a bit.

Peres: "Except for murder and sex crimes. "

Kissinger: If they can commit sex crimes there. [Laughter]

Rodman: The Bedouins!

Rabin: We have girls in Umm Khisheiba.

Kissinger: The only other changes: Paragraph 8, I would suggest "In such a case the Parties will be informed in advance..." For what purpose that notification serves, I don't think we have to specify.

Peres: We want to make it a little bit difficult for the President of the US to exercise his right. I think there must be something so the parties will have a chance.

Kissinger: The President has to be able to take the position that if American lives are at stake, he can get them out, even if you have to make alternative arrangements.

Peres: I imagine the President will do it whether it is stated or not. Would it be just the lives of the personnel, it is okay. Then you have the interest of the US that won't be served any longer. If you are ready to take out this, it is okay.

Kissinger: Take out what?

Peres: That "the U. S. may withdraw its personnel if it concludes that their safety is jeopardized," and then we shall take out the other part. You see? If you want also "national interest," we have a national interest as well. If you are talking about safety, we can understand. But if you are talking about a change in policy, we must have the chance to organize our alternatives. I mean, it must be an equal logic. After all, we are under your custody. Don't forget it.



Kissinger: We can say, if you want it that way, "the US will make every effort to inform the parties in advance in order to give them an opportunity."

Peres: No. I can distinguish between an emergency case where the lives of American soldiers may be jeopardized. That's okay. Then you act quickly. But the point is if there is a change in American policy, I think we are entitled to have a chance, an equal chance. There can be two parts: in case that lives are jeopardized, you just inform us. In case your interest changes, we must be given time to have an alternative.

Kissinger: We could conceivably say in the latter case, that is, where the national interest is involved, that we inform...

Rabin: Therefore, distinguish between the two.

Kissinger: Let's say, in the latter case, "the parties will be informed in advance in order to allow them to make alternative arrangements." "In order to give them the opportunity to make..."

Peres: That is what I'm suggesting.

Kissinger: We can do that.

Sisco: He said: "In order to give them the opportunity to make alternative arrangements." It is the same thing.

Kissinger: Then the last paragraph, 9, we would suggest: "Technical problems will be worked out through consultations with the United States."

Rabin: No problem.

Kissinger: All right. We will take this to the Egyptians. I think there is a high probability that they will accept it all. If they have any changes in a word here and there, we will bring it back.

Peres: Mr. Secretary, if I understand correctly, you made yesterday four references to the protocol. Would you like us to go over each paragraph or would you like us to refer to the four points you have made?

Kissinger: I'd prefer the four points I made. Where is the protocol?

Peres: It is called "annex" actually.



Kissinger: I have to study that a little more carefully. What I would like from you is the points I made, and if you could give me something I could take to Sadat for Gamasy; then we can have tonight Atherton and your people put it all together, and then I would take it to Egypt tomorrow. Because Gamasy has said to me in front of Sadat -- correctly -- "I know what you are going to do to me. You are going to leave this to the end when everything else is agreed to, like you did in Aswan." That's why I had to give him an hour or so, to give his explanation for tomorrow.

Rabin: What does he want?

Kissinger: What he wants is a considerable increase in the limited zone, no limitation west of the Canal, an increase in artillery, and an increase in tanks.

Peres: You mean about the 70?

Kissinger: Yes. As I said, I told Sadat it was absolutely out of the question.

Rabin: We are withdrawing. So what is the purpose of an increase?

Kissinger: Gamasy's reasoning is that because he will now stay there. The Disengagement Agreement was considered for a brief period; this one will stay there for many years, and therefore they have to be more comfortable.

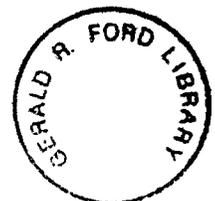
Sisco: It is interesting that in their conversations -- and this is very much of interest to you -- they do say: "This is going to last for years." And to the extent to which they emphasize that, you can get a little of the human psychology as to how they view the length of this agreement.

Rabin: We will see.

Sisco: All right. We will hope.

Rabin: It may be it is better to discuss it tomorrow, after we will pass the open agreement and the American early warning system.

Kissinger: But give me your ideas, because if we can pass this, I can tell it to Sadat tonight and tell him what he has to get Gamasy ready to accept tomorrow.



Rabin: The basic question that I see is the limitation of arms in the protocol. The second question is the timetable.

Kissinger: Right. The major question we have now is the coastal zone. We absolutely have to get that straight: who is going to be where? Secondly, that navigational problem, which I raised yesterday, that you are not going to patrol off their coast.

Rabin: I think it is the same problem. We talked about navigation along the coast.

Peres: There is one point which we have suggested and we feel that maybe the Egyptians will accept, which you felt is a thorny issue, and that is that both parties will have the right to fly up to the middle of the buffer zone. That's a right preserved for the Egyptians equally as for us.

Kissinger: Except, I hate to tell you, they do not accept your legal status in the buffer zone the same as theirs. And, therefore... I remember I tried that on Sadat.

Peres: May I say it is not a legal right, but really a sort of early warning for both sides, to guard against concentration of forces. We are not asking anything which is legal in this case. This is a part of the warning system. So both parties in case of emergency will have the right to fly to the middle.

Kissinger: I will raise it. Really, one of the things that I find very striking is I don't think you understand the depth with which they feel about their sovereignty.

Peres: They should understand the depth we feel about having four times to go to war for some crazy Egyptians supporting the Palestinians. There are deep feelings on both sides. Our peace is to us as their territory is to them.

Kissinger: We are talking here about 10-15 kilometers.

Peres: Where?

Kissinger: How wide is the buffer zone?

Peres: In several places 30 to 40 kilometers.



Kissinger: Flying up to the middle gives you 15 kilometers.

Peres: Twenty.

Kissinger: What is the reason that you offer for the flights?

Gur: [Gets up to the map:] The problem we have is that we feel we have to cover the west area of the Canal, because in that area they have their men, their main military force. They have concentrated almost seven divisions there. The only way in which we can have good information is by taking photos whenever we think we should take them. We get some photos from your planes, but it is very seldom. If we do not fly in that line, we will never be able to detect exactly what crosses the Canal.

And I understand very well the depth of their feeling about Sinai. We have a deep feeling for our defensive possibility, and I want to remind you that our force here is much much smaller than the forces that they will have along the Canal. And it is the only way for us to know if they cross the Canal, in what force, when and how.

Kissinger: Not from Umm Khisheiba?

Rabin: Umm Khisheiba is mainly electronic; it's not air photos.

Gur: What we need is to take photos to know exactly where they are, because otherwise they can cross the Canal in one night and one day. So this is something that is entirely defensive and it goes beyond any feelings. It is a military project that cannot be overcome.

Peres: It is a matter of safety, not of rights.

Allon: If I may also add, even from an American point of view, not to carry the sole responsibility for any eventuality; at least the Israelis will too.

Kissinger: They will certainly reject it. As a question of principle.

Gur: I think if they accepted the principle of the stations, because of that same reason, because it is a defensive presence...

Kissinger: They accepted the principle of stations because it is American, for one thing. But I see the point.

Gur: We checked exactly the kilometers and we checked it with the best cameras, and the only way to do it is that way. Unless, of course, we



we have the American reconnaissance planes, and we are not talking about that. We are talking about the planes that we have now, with the best cameras that you have and we have for these planes. And that's the maximum that we can do.

Kissinger: Okay. I will raise it. They will reject it, and then we have a problem. I'll see what I can do.

Rabin: And could we get the right for flight in the Red Sea?

Peres: You raised six points; four official. One, the distance of the missiles. We suggested 16 instead of the present 20. Upon your request, we have reduced it to 12 and the fallback position 10, as you have suggested.

Gur: I just want to mention that it gives them the opportunity to move 10 kilometers with the main block of their missiles.

Kissinger: And that will be very helpful.

Peres: That you asked us, and we decided to go and meet your request.

Kissinger: He hates me!

Peres: Motta? He loves you.

Then the second point you have raised is about the roads. I want to make clear our position.

Kissinger: The roads in the south. Why don't we finish all the limitation of forces you have.

Peres: The second point is about the tanks, to which the Prime Minister already agreed. And certainly this goes without saying that whatever the Prime Minister said to the President is our position.

Rabin: [To Dr. Kissinger:] I said it to you.

Peres: So it is 75 tanks. No problem on that.

Then there is a third problem that you have asked us about, the augmentation of troops in the limited area. We hate the idea. For us it is plenty of trouble. Not that we fear if they will have an additional 500 or something like that,



but for us to go and explain it to our people will really give us a great deal of problems. Yet, as a fallback position, we shall agree to an additional 1,000, if they wish. We would prefer to keep it to 7,000. But then we want to add something. We'd like the Egyptians to be as fair as possible. We feel they have violated the previous agreement by having more than the allowed 7,000 troops. Really, there must be a gentlemen's agreement.

Kissinger: They swear no.

Peres: We wouldn't raise it unless we had reason. We are not looking just for arguments for argument's sake. But we are ready, and that's the fallback position that you can decide when and in which way to use. For us, it is troublesome. That was point number two.

Point number 3 was the overflights which we have discussed, and shipping, which the Prime Minister indicated, which make for four points. That leaves us with additional two points that you have raised.

Kissinger: I just mentioned all the problems.

Rabin: Number of artillery. This is a problem to be decided now.

Peres: Number of artillery. You mentioned two points, if I am not wrong. Artillery and missiles. We feel that neither the Egyptians or we should be interested in introducing in this area missiles of a long-range nature that can reach the other side. We shall have missiles. They will have missiles. Let's keep the areas free, so nobody will be worried about the missiles of the other side.

Kissinger: I think they'll agree.

Rabin: We are talking ground-to-ground.

Peres: Because on the ground-to-air, they have agreed already.

Then you have guns, We suggest a simple formula. There were 36 guns, and at that time there were two limitations to the guns, the range of the guns and the range of the danger so no gun will reach the other side. We suggest to make it simpler: There will be 36 guns of 12-kilometers range on both sides, and finish. We won't be worried; they won't be worried. Since they have an increase in tanks already and they might have an increase in troops. We feel this is the best way to do it. But this should also include the heavy mortars, so no side will complain about the other.



And the rest, I recommend very strongly to leave to the working group. I feel there, in spite of whatever you may feel, we experienced from the meeting in Kilometer 101 and then the meetings, strangely enough, with the Syrians, the technical people, the generals when they meet agreed faster and better than we do around this table. So let's limit our dealings to just [principles].

Kissinger: Yes, the Syrians made a concession at Geneva which I have never understood to this day.

Peres: They made several concessions which we didn't anticipate. And the Egyptians were fair enough at the negotiation at 101. So were we. So I strongly recommend not to deal unnecessarily with the technical issues.

Kissinger: One issue that would help, if I understand it correctly, is you want to have a limitation that the weapons of ground-to-ground weapons of neither side shall reach the other. That means, in effect, that they can move their artillery up to the Canal, except for those that can reach your side.

Peres: No. We distinguish between artillery and distance. Missiles, we suggest there should be a limitation in kind.

Kissinger: 12 kilometers?

Peres: I'm sorry. There were two sorts of missiles. We have the ground-to-air missiles.

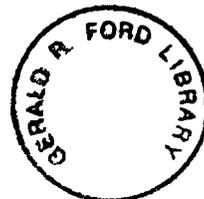
Kissinger: 10 kilometers.

Peres: We suggest 12 kilometers, but if you suggest 10, we shall follow your advice. While previously suggesting 16. Then we have the ground-to-ground missiles which we don't refer to any range, but the limitation that no ground-to-ground missiles will be stationed at the place where it may endanger the other side.

Kissinger: I agree. And the rest of the artillery?

Peres: The rest of the artillery we suggest the same 36 pieces with a range of 12 kilometers.

Kissinger: That I understand, but there was a limitation produced by having the artillery out of range of the other.



Peres: When we don't have to have it. You say a simple 12 kilometers and that's it.

Kissinger: Let me just make absolutely sure. My understanding is that west of the Canal there is no limitation on artillery except for missiles or artillery that could reach your front lines.

Peres: Exactly so. Artillery is just east of the Canal.

Kissinger: I understand.

Rabin: And the range limitation.

Kissinger: On missiles?

Rabin: On artillery too.

Gur: That they won't reach.

Kissinger: I understand. That's fair enough.

Rabin: I would like to make it clear: artillery, the 36 in the thinning-out area; all other artillery, it is up to the range not to reach our line. But beyond the Canal.

Kissinger: That's exactly my understanding. Just for my education, what is the range of this? Is there any artillery that has a range that can reach?

Gur: That's why I wanted to bring the map. They have the 130 mm gun, but the Syrians have the 180 mm gun, which has a range of 44 kilometers. And no doubt the Egyptians can get it easily.

Kissinger: Easily I doubt. Incidentally, Sadat told me that the Russians have just cancelled their military training, and won't let them send officers for training.

Gur: The Syrians got after the war at least one battalion. That's why there are some places in which if they have the 180 mm gun they can reach our territory.

Kissinger: Let's turn to the roads.



Peres: Then there were two problems that you have raised in addition. One is the road. Your definition, and I put down what you have said, is that the road will be in Israeli-controlled territory, whereby the Egyptians will have the right to move for civilian purposes and the Israelis in an unrestricted way. That's the definition that you suggested.

Kissinger: What's your problem?

Peres: From our point of view, there is no problem. Maybe you have.

Kissinger: My problem is that that came up as part of another suggestion, so I wasn't focusing on it with precision. Because there is one place where the road is jointly used, which is at the edge of the Egyptian territory.

Peres: Two places.

Kissinger: Let me show you. I don't have it clearly in mind but I have a recollection. [He indicates on a map.] There is one place in here where the road is used at the edge of your territory and at the edge of your territory and at the edge of their territory. There I thought there was no question that this road had to remain an Israeli road, because that was defined as the edge of their territory. Then we have the other area around here. That's my recollection. And then a third area here.

Here I was looking for some cosmetic way to show a link here and to fuzz up whose road it is, but making it absolutely clear -- there is no question at any of these points -- that you have the right to use it for military movement.

Peres: Here [indicating] we are going to give half of it to Egypt so that they can claim they have an uninterrupted land connection, but the road will remain in Israeli control. So that the Egyptians can move civilian traffic and we shall have the right to move in an unrestricted way. So here we give them a tiny piece of land along the shore so they can claim they have a land connection.

[Dr. Kissinger and Sisco confer with Peres at the map.]

Kissinger: What can we show on a map here that the Egyptians can publish? That's their problem.

Peres: You can show a connection.



Kissinger: You can't show that.

Peres: We can make, if you wish, UN-Israeli controlled but with the right of Israel to move all her traffic.

Kissinger: [to Dinitz:] You told us in Washington, if we could find a place to move this road, you would move it. Now, we haven't yet found a way to move the road.

Rabin: Therefore, leave it open until we decide what will happen with the roads.

Kissinger: I don't think they can live with a map that's published like this. And I suggested that we show -- leaving aside now the custodianship of the road for a minute -- some area that can be shown a UN area here.

Rabin: What we had in mind was to have these two areas to be called the "white zone" and to leave it.

Kissinger: It wasn't explained. I thought it was some sort of UN zone.

Rabin: It's different.

Kissinger: How you color it is of no conceivable interest to me. I don't care if you paint your territory white. [Laughter]

Peres: Would you like to go over the Protocol?

Kissinger: No. I want to get that road straightened out. I had mentioned to the Egyptians that I would try to see what I could do about getting this territory under some sort of UN control so that there would be continuity. I saw to my horror yesterday that Gamasy had already colored it in for Egypt. I then sent Eilts to Fahmy and Sadat to explain to them that whatever it would be, it wouldn't be under Egyptian control. But you have to assume that when I tell you something repeatedly and you don't contradict it, I am assuming you are going to do it in some way. I did assume you would color something where you might build another road. If that road never got built, that is no problem.

Peres: And who is the owner of the present road?



Kissinger: Let's leave that for the time being.

Allon: Can it be neither Israeli or Egyptian?

Kissinger: The owner of the road?

Allon: The UN?

Kissinger: It's out of the question that Israelis move on an Egyptian-controlled road.

Allon: Why not strictly UN?

Gur: I want to explain to you what is the substance, not what are the colors. If we leave that area, the coast, immediately we make our front 200 kilometers longer. That's impossible. Because leaving that area alone, it makes our responsibility much more difficult. Maybe Gamasy thinks otherwise, but he is not responsible for our problems.

Kissinger: He also doesn't think about them as creatively as you do.

Gur: I know. This is a longer line than we had before. If we move from the coast it immediately adds 200 kilometers. Now, for our military forces, it is impossible, and we were never discussing such an event, such a possibility. So we must have a place in that area from which we can shorten the line and dominate the area in such a way that we will not have to augment our forces and to increase them. The best area to do it is the Gebel Faroun. That's why we wanted it so much and we still want it very much. The other place is that pass in the Abu Zneima area, and our fortifications right now are there, on that pass, so that militarily speaking we cannot leave that pass. That means we cannot be under the UN forces, because if that will be a UN zone, how can we stay with our military forces on the hills?

Allon: Only the road.

Gur: The fortifications -- and believe me I know that area -- are on the road, and they are important.

Kissinger: Really, for our future relationship, if you'd explain these to me when they arise, then I can explain them properly to the other side. I never understood this; there was no hint of this. It always seemed to me -- and I explained it repeatedly to the Ambassador -- that I thought your strategy was to have that coastal road so that you could always dominate that enclave.



Rabin: That's exactly what the Chief of Staff said.

Kissinger: Yes, but I never understood that you had to be along the coast. Because I was told in fact the opposite, that if I could find a way to move the road inland....

Rabin: Not inland.

Kissinger: That we would have a joint technical team to move the road to a parallel point which had to be inland.

Gur: We know the area, and we know that to build a new road parallel to that road of Abu Zneima is almost impossible. And that's why we are discussing so many times the possibility....

Kissinger: General, it is one thing for you to say you know it was a trick.

Gur: It wasn't a trick. We said always, and there was no doubt, that this is the main defensive area that we have.

Kissinger: It's one thing for you to say you pulled one over on me, because you knew we wouldn't find a road. In my mind, it had to be that this area was negotiable.

Allon: When you raised the problem with Simcha that the Egyptians are asking us not to harass their convoys, in our reply we said that although we have military positions close to the road, we shall not harass them. Isn't that it? I remember it by heart.

Rabin: That's right.

Gur: And it was in that same area.

Kissinger: That did not mean to me that you would have a military presence for all eternity close to the road. My colleagues and I studied like crazy to see whether we could find another place for the road, and if we had succeeded, you would have been forced to move inland. We were under the honest impression that this was something which in practice could be worked out, but on which we hadn't found a solution yet and probably wouldn't find a solution. I don't think your Ambassador could have been under any misapprehension what I was talking about.



Dinitz: I remember very definitely your question, and the answer that Yigal gave, and we said we know exactly what you wanted and detailed stages would be worked out on the shuttle.

Kissinger: This is an issue beyond this immediate issue. If I have to study every communication from Israel with a Talmudic thoroughness to see what else you could have in mind, and not logically a reasonable person would conclude.... I don't study your replies; I make my views very clear. I made it absolutely clear that it should look like a contiguous area and it should be UN. I know that you had the word in that you had a military position there. That didn't mean that this was a vital military position that could never be moved. This is what the Chief of Staff is saying now. Which is totally different. If I had known that, I wouldn't have come out here.

Sisco: What came through in simple language -- we don't have to get very technical -- was: this is an area where it is difficult to find a road; you and we will get together, and maybe as the result of a study we will be able to find where it ought to be. Maybe the road will never come about. At no time was it said that this is a vital area in terms of Israeli fortifications. That did not come through.

Allon: Before we go into consultations, here is the proposed letter. [Tab D]

[The Israelis break for consultations from 3:20 to 3:30 p.m. The Secretary and the Prime Minister then conferred alone in his office from 3:30 to 3:37. The meeting then resumed. The Israeli side was joined by Eli Mizrachi, Director of the Prime Minister's Bureau; General Ariel Sharon, Military Advisor to the Prime Minister; and Defense Ministry lawyers. ]

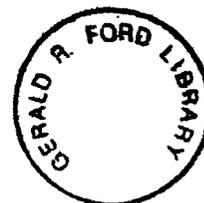
Rabin: We'll postpone that. We'll see what we can do and discuss it tomorrow.

Do you have anything on the military protocol?

Peres: We want to have the right of navigation in the mainstream of the Gulf of Suez, which should be open to us. We want now that our boats, which in the past had a coast -- we don't want to create again a situation where all of a sudden we shall discover that the Gulf of Suez is similar to the Suez Canal. There are two completely different situations, and this is a wide enough gulf.

Kissinger: How wide?

Gur: In some places 30 kilometers.



Kissinger: I don't know. What are the rules of international navigation?

Lord: In the Law of the Sea it could become a 12-mile territorial limit.

Peres: But we are evacuating the coast. So, okay, we are giving the coast, but we can't give it up all of a sudden to discover that in the middle of the sea we have the same problem as the Suez Canal. It is a place where we are sailing all the time, and we want to continue to sail without any restrictions.

Kissinger: There are two separate problems. One is the Israeli right of navigation, according to internationally recognized rules -- whatever those are, I don't know -- in the Gulf of Suez.

Peres: Under present conditions obviously it is four miles on each side, which leaves us at least four miles in the middle.

Kissinger: Three miles on each side.

Peres: Okay. So if the width of the Gulf is 22 miles...

Kissinger: I haven't studied the legal aspects. I am sure your people can do it. No one can object to your having -- in fact, one shouldn't raise the issue. Gamasy made a proposal, to which I haven't reacted at all, that they leave the Straits of Tiran alone, that their naval ships won't go there and your naval ships won't go up the Gulf of Suez.

Rabin: A very generous proposal, since he can't go there anyway.

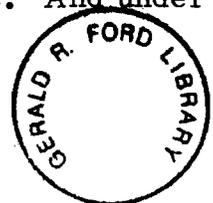
Allon: Since you owe him an answer...

Kissinger: I have tried to avoid dealing with Gamasy for as late as possible.

Allon: You can tell him we shall only confine ourselves to the middle of the Gulf. Not to go to the coast. Maybe he would be satisfied.

Kissinger: What do you talk about concretely when you say you will confine? Do you have a lot of ships there?

Peres: We have naval patrol boats which are sailing all the time, and it goes for the planes, and we wouldn't like all of a sudden to discover that because we gave back to the Egyptians the coast we lost our right to fly and sail in the middle of the Gulf, which is 30 kilometers wide. And under normal conditions we will do it anyway.



Sisco: That's one question. What about in the territory close along the whole land connection?

Peres: The answer is that we will sail up to the point where we are sailing today, namely up to this imaginary line.

Gur: I'm sorry to repeat myself, but it is all one military complex. First of all, we must have intelligence, and the fact that we gave back that area must not interrupt our intelligence. And it is the same thing to have fortifications and to have early warning by planes and by ships in that area. Otherwise, that means that we have lost 200 kilometers without any knowledge.

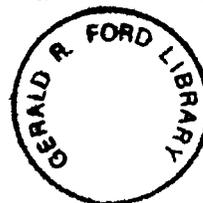
Kissinger: The point is, at what point in the process should we find out about these facts? Obviously, we don't think all these things through since it isn't our requirement. So this is very late in the process for me to understand the military requirement here.

And on the other hand -- forgetting now your situation with Egypt -- there is a whole tradition of patrimonial seas, which is now coming up -- the 12-mile limits. Mexico has declared the thing between Baja, California and the mainland of Mexico as a patrimonial sea, which is analagous in its contours to this one. It is not a minor problem that you can, when you make this move, simply settle it by saying what it does for you. It is clear what it does for you. I have never discussed this with the Egyptians.

Allon: The very fact that Gamasy found it necessary to try to clarify it yesterday shows that his main concern is whether we will continue to sail too close to the coast.

Kissinger: No, he says his concern is mainly to avoid clashes between the Egyptian and Israeli forces. But it is of course also equally a possibility that his concern is to get your electronic ships or whatever you have got out of the Gulf of Suez. I didn't ask him to explain it. When I came back in the evening, I found a protocol which entitled you to unlimited patrolling off the coast that you are giving up. That I said would not be acceptable to the Egyptians. I think your presence in the middle of the Gulf is going to be a problem, but I have not ever discussed this with the Egyptians and I just don't know how to discuss it now. I have no basis for making a judgment.

Peres: That's the reason why we have submitted to you our military protocol because all the points are included. I suggest, if you want to save time, let's go over the agreed annex and see what are the problems and in which way and when you are going to propose it to the Egyptians.



Kissinger: I have plenty to do tonight with the Egyptians.

Peres: Our people met with your people, Atherton and Leigh. May we know if you have any real issues that you feel may become an issue?

Kissinger: Did you say agreed principles? There are no agreed principles.

Peres: We have suggested that there will be three documents. In addition to the agreement. There will be an annex which will outline the principles upon which the working group will make its final agreement, wherever it will be, in Geneva or somewhere else. So these are really the guiding lines to the working group, mixed working group, the Egyptian-Israeli one. And I suggest, if you are willing, I strongly recommend in order to save time, you have here four pages and we can go page by page, because I think that your group should be aware. That's our proposal that we have submitted to your group. Proposal of annex of guidelines to the working group.

Kissinger: I frankly think we have discussed every issue enough to know your views on it.

Peres: We can go over it. [He hands over Tab E, Principles for Geneva Working Group, August 27.]

Kissinger: [reads it] I think we have agreed on most of this. [Reads some more] We will change the terms to make them consistent with the agreement. For example, we don't need "buffer-zones."

Peres: I want to remind you that in a short definition, the area doesn't have a name. It is an orphan, and we have avoided a name, having in mind that it will be named here.

Kissinger: I am not contesting.

Peres: I am explaining why we put here the buffer zone.

Kissinger: That's no problem. I suggest when we write it in the final form we put in whatever agreed name it has in the agreement. I told you my problem, the problem that will arise with 2(d).

Rabin: We discussed it.



Kissinger: Now, again, 3(a); I am sure they will object to the word "demilitarized," but not to the phrase "no military force." That's the phrase I told you about yesterday.

It is agreed, as I understand, that Egyptian police are permitted into this area?

Rabin: But we have to decide the size.

Peres: And numbers.

Kissinger: Size and number. No more than 35 plus tanks.

Peres: And nuclear bombs.

Kissinger: Can I be excused for five minutes? My wife is outside. She hasn't seen me. I'll be right back.

The only thing to settle is the definition of police and its equipment. They have agreed to no tanks, armoured cars, artillery, under any definition. So you will have to be more specific. 4 - we really have to settle?

Peres: We suggest that this will be left to the working group.

Kissinger: I'd be delighted.

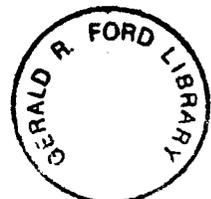
Peres: What we are trying to establish is the principles, and the details to be left to the working group.

Kissinger: I'm delighted. "Area will be supervised by the UN force." [3(f)] We will just make that consistent with the UN agreement. I mean, the non-military area, will be supervised.

On 4(a), I agree. I wouldn't express it that way. We need a euphemism.

They will object to the word "demarcation." We have discussed the limited forces and armament. I see no problem on page 3. Two, I have already made my points. I think early warning stations we should drop out of here and do it in the other thing.

Peres: The point is just the location.



Sisco: You don't need it here if you are going to go through the whole business.

Peres: There maybe somewhere a connection between the protocol we made and the signed agreement. If we are referring to the location.

Kissinger: Let's see whether it raises a problem. I have no intellectual objection.

Paragraph 7 is very helpful.

We ought to talk about the timetable.

May I be excused for five minutes?

[Dr. Kissinger left the room briefly, from 3:48 to 3:58 p.m. He returned, conferred with Mr. Atherton for a moment, and the meeting resumed.]

Allon: Now there is the problem of the letter.

Kissinger: Wait a minute: what letter?

Allon: Which should be complementary on the Suez Canal.

Kissinger: Look, I will not discuss any such thing in such a forum.

Allon: I see. We can have a smaller forum.

[The group was cut down to six on the Israeli side.]

Kissinger: You understand that these are only points for discussion, formulations and so forth.

Peres: Yes, I understand.

Allon: Can we go on? This is the letter regarding the cargoes, the Straits, the Red Sea and so on, which you said yesterday should be done in a secret letter.

Kissinger: Secret letter? I think we've learned one thing, and that is we can't negotiate a secret letter with you and have it remain secret. What we can do is convey assurances to you. But I don't see how we can have an agreed letter and keep a promise that the letter will not be published.



Allon: The same can happen with assurances.

Kissinger: If you publish assurances, that's one thing. If you publish the letter, we have a totally different problem.

Allon: You mean the assurances which the Egyptians will give us via America?

Kissinger: That's more or less the way we did it last time. Officially, we never gave you the letter.

Dinitz: You gave us a letter from President Nixon on the Suez Canal, on the cargo and Bab el-Mandeb.

Kissinger: Summarized assurance.

Allon: In a letter between President Ford and Prime Minister Rabin. Did you see the text?

Kissinger: But this is a letter that you want Sadat to sign.

Allon: Forget about the heading. Let's talk about the contents of the letter and then we will find out how to tackle it. This is not a letter to us. It is a letter to President Ford.

Kissinger: I don't think you understand: I cannot be in a position of having negotiated a text of any letter that Sadat may give to us with you.

Allon: That's a letter from Ford to us.

Kissinger: That I'll be glad to do.

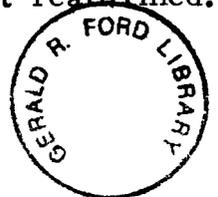
Allon: No name. They are both Presidents! Let's see the content of it.

[They hand over draft letter at Tab F.]

Kissinger: [Reads it] The first [paragraph] is all right. The second I have to check. The third is all right. The fourth tends to be redundant.

Allon: What about the last section?

Kissinger: Let me get it straight: I haven't read it carefully. What I can do on this paragraph is get a reaffirmation of January 1974. This goes beyond January 1974. Whatever the January 1974 letter was, I can get reaffirmed. Insofar as this goes beyond the January....



Dinitz: On Bab el-Mandeb?

Kissinger: Yes. I will have trouble.

Dinitz: What we would like, Mr. Secretary, is not to dictate or suggest or draft but to indicate what points we would like.

Kissinger: Yes. If you are talking about Bab el-Mandeb -- let's be very specific -- what I can get for you is a specific assurance again of the same kind with respect to Bab el-Mandeb as the last time, in addition to what is in the agreement. I cannot get something beyond it, in my view.

Rabin: All right.

Kissinger: This includes the Straits of Tiran, if you take it strictly.

Dinitz: This is our optimum. Whatever you can get....

Allon: I understand you said section one is all right.

Kissinger: Section one is all right in the same context as the previous one. Section 2 - I had an oral assurance last time. I didn't have a written.

Rabin: On what?

Kissinger: On the flights. Section 3, there is no problem. Section 4, I will have to check.

Allon: Section 4 is mentioned with Section 2 in the old letter of January 1974; only we made an exception for the military equipment. This is better for the Egyptians, for the understanding between us, since we are referring to non-military.

Rabin: To define the military.

Kissinger: Let me figure out a way of doing that. So maybe I should do that with a note to him saying that Israel will not send any [military cargoes], which is better for you.

Rabin: That's what we had in mind.

Allon: Exclusive and not inclusive. We can write to you and you will be able to write to them.



Kissinger: Just say here, "This is the assurance from Israel that the non-military provision will include the following."

Allon: That's fine with us.

Kissinger: Then if he doesn't contradict it... You see? I think it is a better way than to ask him to define "non-military." All he has to do then is acquiesce.

Allon: Another problem which, I am afraid, may raise some unpleasant problems between us and the rest of the world -- not between us, Egypt and the United States. This is the problem of limiting the economic warfare.

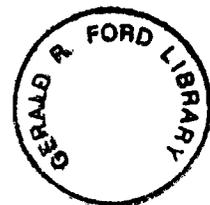
Kissinger: Now I have understood your government. Each of you has one obsession that he is permitted to pursue unchecked. [Laughter]

Dinitz: It's a division of labor, not of interest. [Laughter]

Allon: You are telling us what Gamasy tells you and what Fahmy tells you and what the President overrules. I would like to tell you that in the negotiations which are going on now between the European Common Market and the Arab countries about trade agreements similar to ours, there is a clause against economic discrimination, and this is the major item which stops them from signing the document. We signed it. Now, all of a sudden we shall sign a document which discriminates against Europe. It won't remain secret. There is reference only to American firms.

Kissinger: You are not being asked to sign any document.

Allon: Not sign, but these are the assurances that I am getting through you that he promised, and you can promise us that American firms can trade and invest in Egypt even if they have business with Israel. That's fine. But then our mutual friends in Europe will come up and say, "What about us? We have a lot of interests in the Arab world. We signed a trade agreement with the Israelis and you are discriminating against us." This may raise a very unpleasant problem for all of us. So either there is no reference to any specific country, or some others should be included. I will tell you frankly, since we are speaking as friends, that so far as I am concerned, I will give up the whole relaxation of the boycott and not give my hand to any discrimination -- and not break the agreement and I will go ahead and let them discriminate. After all, where do we sell our oranges and a great deal of our exports? To Europe, Germany...



Kissinger: Yigal, I am deeply moved by what you say but I do not believe that the Europeans will take it amiss.

Allon: I don't know. It is more serious.

Kissinger: Which European country will take it amiss?

Allon: First, the Common Market itself.

Kissinger: First, it is a secret letter, so it will never become public.  
[Laughter]

Dinitz: A European country wants to do business with Egypt. Egypt says, "Sorry, Mr. European country, you can't do business with us because you are doing business with Israel." They will come forward, the company or somebody else, and say "But American companies, Ford and others, are doing business with Israel, and yet you allow them to do business in Egypt." "Oh, with them we have a special arrangement!"

Kissinger: Never. They will find 500 other reasons. Whatever the reason is, it will not be that they have a special agreement with Israel.

Dinitz: The Europeans will realize that they are being discriminated against.

Allon: What is the explanation that Egypt gives?

Peres: Can you have the word that you suggested, without mentioning the Americans, but that you can have a special letter to Sadat? I mean, what was the phrasing? "Companies that have a major interest in Egypt" and omit "American companies."

Allon: That's what I suggested.

Peres: Then the suggestion will be done.

Kissinger: I doubt it. We must have raised it five times. I raised it twice during the last week, including yesterday.

Incidentally, my judgment is that they are going to relax on the Europeans over a period.



Allon: The fact that they refuse to mention and insist on mentioning the Americans is very unpleasant. I don't want to use it to make things difficult. I personally would suggest to give up the relaxation -- the hell with it -- and not to give acceptance to discrimination.

Peres: I must excuse myself. I have a speech at the Staff College graduation.

Kissinger: Can I get one more point which may involve the General and the Defense Minister [before their departure], having to do with timing? I think a six-month period will be all right. I haven't formally confirmed it. But have you figured out the timing in which something can happen after an agreement is made?

Peres: I told you about the southern tip on the Beta Line; We can do something rather early. This is okay. I mean, we shall talk it over when we see how important it is. We can make a major effort. Okay.

Kissinger: It is very important for him in the south. The center is less. And I think it will take off pressure on other things if he can put in an Egyptian civil administration somewhere.

Peres: He must understand that if he puts Egyptian civil administration alongside the Passes, which is purely civilian, which means that our military rights on the sea itself are not sacrificed, this will help us a great deal to meet them earlier.

Gur: Have a good trip!

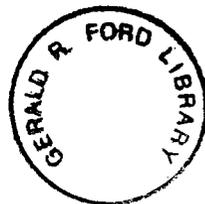
[Mr. Peres and General Gur depart]

Allon: Is there any definition for the political warfare? What do they think about it? I am asking whether the Egyptians are more definite on the matter of political warfare. Do they understand they can't either initiate or participate in expelling Israel from international bodies?

Kissinger: No, no. I don't remember that that was ever said.

Allon: So what is their political view?

Gur: [returns] We can't leave until your helicopter leaves. So I will have the pleasure.



Rabin: But I wanted to talk about the real assurances that should be conveyed to us in regard, you know -- I don't want to repeat all of them now -- that were discussed in Washington, under the chapter of assurances that are conveyed by the US from Egypt.

Kissinger: Incidentally, our view on that now is that it cannot be in an agreement between us and you. I mean, we will give you separate assurances. They are not agreement between us; they are assurances we have received which we will convey to you and sign. You get them.

Rabin: But to take it out of the agreement?

Kissinger: Take it out of the agreement. For reasons that will be complicated.

Rabin: To put them where?

Sisco: You are referring to Syria and the Geneva Conference.

Kissinger: If it goes the route of an executive agreement in the Congress, which it could, then it is a wierd agreement in which one side conveys assurances from a third country.

Dinitz: I think, Mr. Secretary, the part of the bilateral assurances between us can stay in the agreement.

Kissinger: Bilateral assurance, yes. No disagreement whatever.

Dinitz: And the general understanding between us can stand in the agreement. The only part that should be a separate one is the Egyptian.

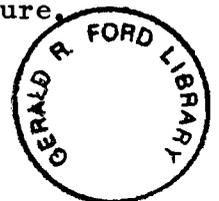
Kissinger: That's correct.

Sisco: I think that's fair.

Rabin: We found that other legal advisers believe that the Congress must approve the question of oil.

Sisco: Our Attorney General has given us an absolutely categorical answer that we don't need it.

Kissinger: Now, it's crazy, really. We have really gone about this meticulously. We have all the relevant legal opinions of a formal nature.



Dinitz: After all, it is your decision. We have checked with lawyers in New York.

Kissinger: It is not a question of trusting us. But if we start a debate, if every busybody Jewish lawyer in New York is going to try to prove you were double-crossed... We have developed a legal rationale. We would not like to have it tested in the Congress before it's implemented. It's been carefully tested against existing authority.

Sisco: We actually know where the oil will come from and how.

Kissinger: The legal restrictions in America against exports are against oil transported on pipelines. We have therefore checked whether we have enough off-shore oil to do this, and we do. And we have an opinion of the Attorney General that we have free disposition of the off-shore oil according to the law. More than ample.

[The timetable was discussed. Dr. Kissinger indicated that he would return the same evening from Egypt, and a meeting was set for Friday morning, August 29, 1975 at 10:30 a.m.]

Kissinger: What I shall try to do with them is to get them to agree to the agreement and the US proposal. If we can get those two documents, then all we have left is the annexes and then we will get into our mess here [the map].

Allon: By Sunday evening it will be more or less over?

Kissinger: Basically. We are not so far away now. It is the annexes and the assurances plus our bilateral thing.

On the bilateral, could you send somebody to us?

Allon: To Cairo? [Laughter]

Kissinger: I'm not scheduling any trips anywhere until it's clear. I have to speak at the UN.

Allon: When?

Kissinger: Tuesday. I could take a day of rest here.

[The meeting adjourned at 4:25 p.m.]





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