

SINAI II DISENGAGEMENT  
AGREEMENT

August 21-September 1, 1976 [1975]

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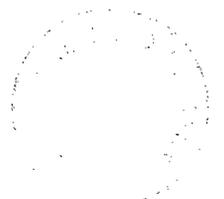
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SECRET/NODIS/XGDS

SINAI DISENGAGEMENT  
AGREEMENT

August 21-September 1, 1976 [1975]

Mr. President

BOOK 2

SECRET/NODIS/XGDS





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, Israeli Ambassador to the 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

United States

Dr. Henry A. Kissinger, Secretary of State  
and Assistant to the President  
for National Security Affairs  
Joseph J. Sisco, Under Secretary of State  
for Political Affairs  
Malcolm Toon, U. S. Ambassador to Israel  
Winston Lord, Director, Policy Planning Staff  
Alfred L. Atherton, Jr., Assistant Secretary  
of State for Near Eastern & South Asian Affairs  
Harold H. Saunders, Deputy Assistant Secretary  
for Near Eastern and South Asian Affairs  
Peter W. Rodman, NSC Staff *PWR*

DATE AND TIME:

Tuesday, August 26, 1975  
10:25 a. m. - 4:38 p. m.

PLACE:

Prime Minister's Office  
Jerusalem

~~SECRET/NODIS/XGDS~~



DECLASSIFIED  
E.O. 12958, SEC. 1.5 *State Dept Review*  
EXEMPTED FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION  
*HR* 10/17/03  
CLASSIFIED BY: HENRY A. KISSINGER

Rabin: There is nothing left in the Sinai that he wants.

Kissinger: Except three-quarters of the Sinai.

Rabin: Sadat is quoted as saying that now he's taken all the parts from the Israelis for an overall.

[Photographers were admitted briefly.]

Kissinger: The reports we are getting from Saudi Arabia and from Jordan are that, partly due to the Syrians and partly for other reasons, there is a growing anti-agreement feeling. Rifai has turned against it. And even if you were to say he is the Talleyrand of the area, that means he reflects trends in the area. I am not saying he is a great moral force, but we had reports this morning from Saudi Arabia and Jordan -- the King too, and especially from Rifai. And I consider that somewhat interesting, because in March, when I thought the negotiations would end, I wanted to prepare the Jordanians, and at the meeting I gave them all the negatives and asked what they thought. And they unanimously said no matter what happened, no matter how bad the agreement was, that any agreement was better than no agreement, and that I should push as hard as I could.

All this reinforces what you said yesterday, that we should try and finish it. I think if we don't finish it fairly soon, the thing will evaporate. But I am really very concerned about the Rifai conversation with our ambassador.

Allon: Do you think he is also expressing the view of the King?

Kissinger: To a certain extent.

Sisco: He has such a large amount of influence on the King.

Allon: Is he loyal to the King?

Kissinger: Not if it serves his purpose not to be, but that is irrelevant to the point here.

Rabin: The problem is that we assumed that more was done with Egypt on the question of the agreement before the shuttle was started, I must admit.

Kissinger: I don't think you had any reason to assume this, because we never said that we were going to take up the agreement with the Egyptians before. We told you exactly what we took up with the Egyptians, which was the lines, and we reported to you immediately whenever we heard from the Egyptians. We never said we would take up the agreement at the time when the lines weren't set. We never had done that in any other negotiation.

Sisco: And particularly, you were conscious, Mr. Prime Minister, that if we had put some kind of draft that we had not concerted together, you might have felt, and justifiably, that we were trying to work out a concerted draft with the Egyptians.

Rabin: We studied the Egyptian proposal for the open agreement. And allow me to say with all frankness, that in this process of negotiations we have to give tangibles, territories, and all that we get back from Egypt are words. We started with the hope of dealing with non-belligerency, end of the state of belligerency, and we agreed in March that the basis would not be non-belligerency or the end of the state of war. But even in March, we had certain wordings that for us was essential, I would say, and more than that. The question of non-use of force and solving disputes between Egypt and Israel by negotiations and peaceful means is for us something that is weakened much. We will go to the drafting later on. The second point was the question that the agreement will be in effect or in force until superseded by another agreement. The question of a minimal period of duration in regard to UNEF. And of course certain aspects that show that we are moving towards peace, not only moving on the ground backwards. If we cannot overcome these problems, I see a massive problem.

Allow me now to go -- before we go into details....

Allon: I think when we go to the draft we will find it easier, but since we are approaching the -- I hope the successful -- end of this shuttle, I think that we must, all of us, be very open with each other and explain everything, what is essential, and what can be fallback. These two elements: refraining from the use of force and solving problems by the parties through negotiations and other peaceful means. That has become almost the only important political expression of this agreement which makes some distinction between the separation of forces and the new agreement. In March we got it. In the paper which Joe provided a few Senators.



Rabin: We don't know: this is what we were told. This is the paper. [He hands paper to Dr. Kissinger.]

Allon: In it Joe stressed this achievement as an important one, and quite rightly so. The old text is known to the entire Cabinet, to all members of the Defense and Foreign Affairs Committee of the Knesset.

Kissinger: I can't accept that. If you leak out documents we haven't agreed to with the Egyptians, you have to deal with the consequences.

Allon: There was no leak, on the contrary, in March. It was leaked by the Americans, officially leaked, not by us. We are not the only leakers in the world, with all due respect.

Kissinger: You gave the text that was discussed for submission to the Egyptians to your Parliament.

Allon: Not the Parliament but the Security Committee.

Kissinger: Even to the Security Committee.

Allon: In March we could take it for granted that these two elements are included and this was given by the State Department to Senators to show how the Israelis were inflexible. And we went a very long way towards Egypt. But this is the soul of the agreement, politically.

So I have the feeling, since the elements in a weak way are being presented in the Egyptian draft, we can put it in such a wording that will give it a little more meaning. And this is the only thing we are bringing to our people in return for what we give up as far as the direct agreement between us and Egypt is concerned. The U. S. -Israeli document is another problem. So let's concentrate on the drafting and find out.

Kissinger: Since reference is made to our alleged briefing of the Congress, I think it is peculiar criticism to come from a government which massively interferes in our Congressional affairs to a degree that no foreign government ever has or would ever be accepted. This was a paper, these were points which Joe gave to one Senator who requested it.

Sisco: Senator Ribicoff.



Kissinger: This was not distributed in the Congress, so to speak.

Allon: It was in the papers.

Kissinger: If it was published in the papers, it was because Ribicoff may have managed to give it to one of your correspondents. It was not published in the papers by us. It was not used with any other Congressmen. We didn't start out this way. But Ribicoff specifically asked Joe to write down what he had said so he could remember it. It was not a State Department paper that was distributed to the Congress.

Allon: I am not saying that. On the contrary, I am bringing this to show it was agreed, that's all. It was agreed.

Kissinger: If we compare the briefings that are going on on the Hill, if we consider the fact that every Senator and Congressman that we contacted on the day the negotiations broke up had already been contacted from here, I think this is just not a correct criticism. Secondly, we cannot accept the proposition that all Israel is getting out of it is these things. We have explained innumerable times what we think Israel is getting out of it in terms of the geopolitical situation. So it is not done as a favor to the United States. One has to consider the alternatives. And I think in terms of the United States position, we are at the very margin where one can still justify this agreement in terms of what is in the U. S. 's interests. That is my personal conclusion about this agreement.

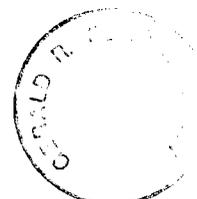
Peres: May I just say a word? I think the negotiations should be secret but agreements, as much as we can, should be public.

Kissinger: You have certainly lived up to that principle. [Laughter.]

Peres: I just want to give one example. We couldn't tell the Parliament about our right to send cargo through the Suez because it was a secret agreement, but how can you send cargo secretly? And the result was that until this very moment, although we reached an agreement in January, 1974, we couldn't send cargo.

Kissinger: But the Canal didn't open until June!

Peres: I can understand your point, but you must also see our problems which are not simple at all. We have an agreement in January, 1974.



One of the major issues of that agreement that we have told our Parliament and public is our right to send cargo through the Suez Canal once it is opened. Now since it is secret the result is that we can't send cargoes. We have to negotiate now on the wording of the second agreement to fulfill an item which we have told our people and our Parliament that we have agreed to already.

Allon: It is not a matter of criticism, Henry, I think you have it wrong. We say let's stick to what we decided about before, that's all.

Kissinger: We went through the same exercise with the Egyptians yesterday. The fact that somebody gives you something which we agree to take to the other side, and even which we agree with to take to the other side, it doesn't mean it is then set in concrete. Besides, I don't think in this document we have much to apologize for.

Sisco: These are points. . . . Every point you have got listed here is fine. .

Allon: No. I am saying that even you took it for granted then that that was secure, that we had got it from the Egyptians. And all of a sudden it turned out they had weakened it to a considerable extent.

Kissinger: They haven't weakened it to a considerable extent. These are things they agreed to that we didn't say necessarily would be in a public document. To Ribicoff we didn't say that: we said Egypt agreed to these points.

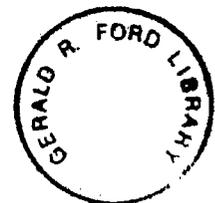
Sisco: Look at it, Yigal.

Kissinger: This was a briefing of Ribicoff in fact requested by him.

Sisco: Requested by Ribicoff. He had seen Simcha. He felt he had not received the answers that he sought in terms of what were the concessions on the political side.

Kissinger: There were things in there we never for one minute said would be in a public agreement. For example, reducing propaganda.

Allon: Without Ribicoff. You told us, all of you, that this could be taken for granted, this was the Egyptian commitment. And we took it as an important concession.



Kissinger: I don't recall that you ever admitted that you had gotten anything very important in March.

Allon: We always praised that item.

Kissinger: Let's go on. Could someone go through this paragraph by paragraph?

[Referring to Israeli redraft of Israel-Egypt agreement, Tab A]

Peres: I think here in Article I, we have added in the second line the words "but only."

Kissinger: They had "will", I made it "should" and now you are making it "will." I think that "will" and "shall" are synonymous.

Sisco: First paragraph of Article I.

Kissinger: But let's go through this and I won't comment on any point now until we go through the whole thing.

Allon: It should be "only." This is very important.

Rabin: Now Article II is the main issue. In II, you put "armed blockade." We changed it to "blockade". And then of course, "settle all disputes by negotiations and other peaceful means." Which is exactly the point.

Kissinger: I have seen many things, but I have never seen a briefing paper for a Senator used for drafting an agreement.

Rabin: No, because this was promised to us in March.

Sisco: But it is Article I now.

Rabin: Then we understand when it comes to the second part of Article II, but if it can be left in. Well, in Article III, we put in "shall continue".

Kissinger: You may not believe it but Fahmy thought he was doing you a favor by not referring to the other agreement.

Rabin: We are not referring.



Allon: There is no reference to the disengagement.

Kissinger: I am sure that is no problem.

Allon: But we don't want to give it the strong accent of a military agreement which the Egyptians are trumpeting all over the world. We must say "continues" because otherwise we don't want to give the impression that this is a new cease-fire agreement.

Kissinger: Let's go through the whole thing and I will give you my impressions later.

Rabin: In paragraph 2 of Article III we have added "assurances" on the assumption that we will get rid of paragraph 2 in Article II.

Peres: If the Egyptians will insist on omitting paragraph 2 of Article II, we suggest as an alternative in Article III, paragraph 2, "Annexes and assurances." We will have more than one annex anyway.

Kissinger: Like the Talmud.

Peres: The Mishnah.

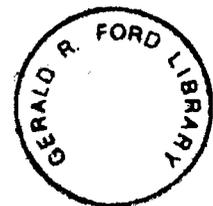
Rabin: Article IV is again a problematic one. Why? If you put what the Egyptians want, it is unbalanced. Either you go into the details or you don't go into the details.

Kissinger: I understand what you are doing.

Peres: I want to really explain why, because it is not as one-sided as you are making it. Take the use of the roads. If we use the Egyptian way, we have to say the Egyptians have the right for civilian traffic and the Israelis for military traffic, which will make the whole agreement look even worse for them. For that reason, following your advice, we put the heading but we didn't go into details.

Kissinger: I only see one major problem in this paragraph, I think I have no problem with the concept.

Rabin: I understand what you mean, the question of the Egyptian civil administration.



Kissinger: "UN area with Egyptian civil administration" -- that heading is a major problem.

Rabin: Yes, we will come to it. Then in Article V, instead of "Egypt agrees", "the parties agree."

Kissinger: Yes.

Rabin: Then for the duration of the agreement, they want to extend it annually and here we have added "for the duration of the agreement."

In Article VI there was some re-arranging. Our people thought it was better to put it this way, but it is not an issue. They put "for the duration" after the responsibility of the Chief Coordinator.

Dinitz: It is a question of a more logical arrangement.

Rabin: This is not an issue. We want "the good offices of the Chief Coordinator." We don't know exactly what presiding means. I think it is in the Egyptian interests as well as ours that there will be no decision by majority.

Kissinger: It is the least of our problems, in my view. But I'd like to get all your comments and then consult some of my associates.

Rabin: Article VII: "All cargoes." Here we used the language that we got through President Nixon in the Disengagement Agreement.

Peres: Here I want to make one remark. If we shall ask what is the difference between this agreement and the previous one, our point is that a promise that was given secretly is now open. We cannot use a language which is less powerful or expressive than the previous one. So we really copied word by word from the letter of President Nixon, and we shall tell our public there is nothing new in this except that a previously secret commitment is now becoming open and public.

Rabin: Then we come back to Bab el-Mandeb.

Allon: And we can give a written assurance that we don't mean military equipment.

Kissinger: The only point you ought to remember is, we go through this exercise twice a day, you only once.



Peres: And we envy you.

Kissinger: There is not one member of our party who doesn't believe that the day direct negotiations begin, we have to prepare for war. [Laughter]

Peres: But you say wars start from a state of peace. So we need a state of peace first. [Laughter]

Kissinger: No one is more in favor of direct negotiations than this group. [Laughter]

Rabin: In Article VIII, practically there is no change, except "in accordance with Security Council resolution", that we took from Article IX.

Kissinger: [To Sisco] You noticed they put Bab el-Mandeb back in there? They slipped it by me.

Peres: Since from time to time we are all joining in praise of President Sadat, I want to quote him. He said: "The Red Sea should be a sea of peace." We should use his language, which is more generous language than what we have here.

Rabin: Now we cut out the article calling for registration. Or rather they cut it out and we accepted that.

Kissinger: It would be the first document signed in a UN building in the presence of the UN that won't be registered with them. It would be a new procedure. But that is not our problem.

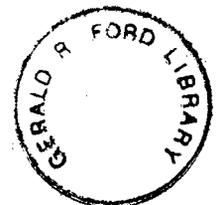
Rabin: Then there is a question about the Charter, Article 51, which anyhow exists, and the question is, why put it in?

Peres: What is the reason they just put it in?

Kissinger: It is in a lot of documents which have non-resort to force.

Sisco: They are worried about an attack by you on them, and they therefore want a specific reference to Article 51.

Rabin: The problem is that in reading Article 51 there is something about collective self-defense. We read it very carefully. And it leaves room for interpretation about what is aggression. They will come and say "the very fact that you are occupying our territory is an act of aggression."



Dinitz: [Reads Article 51 aloud] "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

There are two points here that concerned our people. One is that the Egyptians may claim that the very fact that we are sitting on their territory is an act of aggression that justifies at any point an act of self-defense on their part. And the other is the collective right of self-defense, which was put in originally with the view of NATO in mind, which means if you have obligations with other countries to come to their aid.

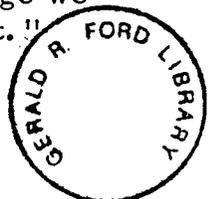
Kissinger: It was basically put in with OAS in mind, not NATO. But it doesn't make any difference.

Dinitz: But that is what concerned our people, since they have agreements with other Arab countries to come to their aid.

Peres: Security Council Resolution 338 we have transferred from Article IX to Article VIII.

Allon: One other comment, although it doesn't appear in this agreement, but is connected with it. Our Minister of Justice also made this point. We would like to find a way how to commit both sides to a possible situation in which UNEF will cease to exist for some reason, and nevertheless the agreement should continue and the buffer zone should remain a buffer zone even not supervised. We are not insisting on getting it in the public agreement, but this should find an expression in another agreement, if possible to keep it secret, either through America, or... Otherwise that is a situation that might cause great troubles, and we shall be accused by our people, very rightfully.

Rabin: This is in regard to the letter because it relates to the duration. This is our version of the letter. [He hands over Tab B]. And we put in "Israel" instead of "Egypt." The first paragraph is exactly the same. The second one, you see in brackets "without prejudice to any obligation of the parties under this agreement." This is what Yigal is referring to. If it can be done in the annex, it is not a problem. So the only change we have added is "at least two renewals," and omitted "goes into effect."



Peres: "At least."

Rabin: Basically it is "at least," plus the bracketed wording, which is from the legal people.

[There was a break for consultations beginning at 11:15 a.m. The U.S. side conferred alone, as follows:]

Kissinger: The Egyptians can't do both "only" and "shall." They might do one or the other. What does "only" add?

Sadat told me explicitly that if he put in "blockade," it would be used against the boycott. He wants it clear that he's sticking with the boycott.

Atherton: Let's ask what they see as the difference between "blockade" and "armed blockade."

Kissinger: For the Egyptians to put in "armed blockade" is a tremendous concession.

Saunders: The reason to put it in the operative paragraph is to obviate having "peaceful means" again.

Kissinger: We can tell Ribicoff.

Sisco: We'll put it out ourselves.

Kissinger: "Will continue to observe." -- that we might get away with.

Article IV: I think we will get away with that.

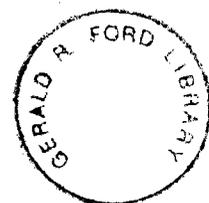
I think there is a high probability it will blow up if they really insist. We can propose it to them.

"UN area" -- We'd better tell them the Egyptian thinking right away.

Article V is all right.

"Good offices" -- if they give us a variety of euphemisms.

"All cargoes destined..." -- Sadat will never sign this.



Atherton: This is the hardest to argue because it's the exact wording of the letter.

Kissinger: That makes no difference. It's all domestic politics. It's another thing to have it in a public document with his signature.

Atherton: That's what I meant. Because the documents were known, it's hard for them to accept a different wording.

Toon: Can we give them a letter?

Kissinger: How can Sadat give them a letter they will publish?

Paragraph 2 [Article VII]: Of all the paragraphs that Sadat can't accept, this is the one.

Sisco: Right. The reason they say "Straits leading into the Red Sea" is -- they'll drop Bab el-Mandeb; that's why it's in brackets -- they're trying to get in the Straits of Tiran.

Atherton: Which they've never got us to say in the Law of the Sea negotiations.

Sisco: Just so you know there is a substantive problem. It's not only that they want it in the agreement.

Kissinger: We might fix this by doing it in a side letter. He said he would.

On Article 51: At one point they were willing to strike that yesterday. We might be able to get that out.

Lord: They're worried about the collective thing.

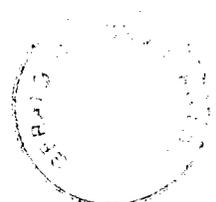
Kissinger: Article VIII and IX: This is Peres' trying to get a victory. He thinks "in accordance with 338" qualifies "superseded."

Blockade -- it's a massive problem.

The UN area -- a major problem.

"All cargoes" -- a major problem.

The second paragraph of Article VII -- impossible.



The rest is manageable.

That in addition to the fact that in a four-page document they've made [counts] 11 changes in 9 articles. Which will have a very very bad effect on the Egyptians.

Sisco: Their move.

Atherton: Fourteen.

Sisco: I count 12.

Atherton: About a dozen.

Kissinger: Another strange thing is they handle this letter as an international agreement. Maybe they'll buy "at least."

Sisco: "At least" is what they're looking for.

Kissinger: I think Fahmy is sophisticated enough... This is Amateur Hour. [Laughter] This whole thing is Amateur Hour. The idea that if the Security Council drops UNEF they can get the General Assembly to overrule it and keep UNTSO alive... Fahmy keeps saying "Amateur," "Amateur."

Atherton: On Article 51, "armed attack" can't by any stretch of the imagination be seen as continued occupation.

Sisco: That is the Arab legal doctrine.

Kissinger: They're worried about an armed attack on Syria.

Sisco: They have a point.

Kissinger: Why say "have agreed as follows?" This is one of those chicken-shit things. They wanted the preamble in the agreement. We got it. So we put it in operative language.

Lord: It shouldn't be a problem for either.

Sisco: You should just say they wanted three points in the preamble. Non-recourse to force; peaceful settlement, and negotiations.



You should point out in the record that these three are now in here and in operative paragraphs.

Kissinger: I think I'll say: "I want to stop this discussion of all the things they didn't get. The record will show that everything you asked for is in there."

For them to say they were misled...

Sisco: They didn't say "misled."

Kissinger: They said, "we were under the misapprehension that move was cleared with the Egyptians."

Let's look at that Ribicoff presentation again.

Sisco: I don't have it here.

Saunders: It's accurate. And it is all in there.

Kissinger: I have to say: It has to be analyzed from 3 aspects --

- The total unmanageability of some of these changes
- The feasibility of these changes
- And three, what procedure we now follow.

If I take it there and try it out, that's one thing. But if they hold on it...

When Fahmy says "We should have Nasser" -- when he was in disgrace under Nasser. He was never locked up.

Sisco: No, he was not locked up.

Kissinger: But he was badly treated and kept in a lower office. At any rate, the Nasser period was not his high point. When he can say that, you know we're at the ragged edge. No one can doubt the emotionality of that meeting yesterday.

Saunders: The speech you made to Asad at the end of the Syrian negotiation would be relevant here. That either you can negotiate it and conclude it, or you can haggle for a week.



Kissinger: I have to put on record, first, that I can not let go unchallenged the statement that they were screwed. Because they'll put out the record. Then I'll talk to Rabin alone.

All right, let's get the darlings in here.

[The Israelis return and the meeting resumes at 11:45 a.m.]

Rabin: Meanwhile we have another problem. The Arab countries decided in Lima to press for either expulsion or suspension of Israel.

Kissinger: Including Egypt?

Rabin: That's what the papers say. I didn't check it.

Kissinger: I think it's a Syrian maneuver, to put Egypt in an embarrassing position.

Rabin: And Libya, and Iraq.

Kissinger: Iraq too? How could they do that? [laughter]



My impression is that Asad doesn't expect it to pass but he thinks it is a very useful tool to create a united Arab front on an issue on which it is impossible for any Arab to stay out. Because he knows damned well that if it should pass, that there is not conceivably any agreement that can be implemented. You can't have an agreement implemented that relies on an organization that has either suspended or expelled Israel. That's axiomatic. So I think it's this year's version of the Rabat Conference, so far as Asad is concerned.

Rabin: Our problem is not because of Syria, not because of Iraq, not because of Libya or the PLO. The question that will come up will be how Egypt -- that you negotiate with something that's supposed to be a little bit of a change -- takes this position.

Kissinger: Well, this is not the time to discuss it. The basic question has to be asked by responsible Israelis is whether this whole debate with the Arabs is going to terminate into a very legalistic exercise in which you keep pointing and say, "See, they still are the same," or "he's not for total peace," or whether you try to understand the dynamics of the situation. There is nobody I know who's talked to Sadat who doesn't believe -- and maybe he is so masterful that he's fooled everybody -- who doesn't believe that he wanted to make at least an effort to see whether a peaceful solution could be solved. In making that effort, obviously their radicals are going to make every effort on their part to put him into the most difficult, complicated and embarrassing position possible.

Now, I have to tell you that, in my judgment, a price is already paid in this negotiation. I am not sure whether the attitude of Sadat is still as optimistic as it was a year or so ago. But I am not going to argue this. But if peace is ever going to be made, it will not go from war to peace in one day, and what serious Israelis have to ask themselves is whether they will get out of the trenches for some serious evolution with at least some Arabs, or whether it is going to be this constant trench warfare. It is a very serious problem, which should worry one, and which has nothing to do with how many votes



you can get in the Congress at any one time. Because one ought to look at that in historical terms. Incidentally, it is relevant to this agreement too.

And I understand, however, that this doesn't ease your immediate problems. Because the people who are going to harass you on this are in the trenches, and you can't change them overnight and you can't give a speech explaining why Sadat may be driven to do this and why this is as much an anti-Sadat as an anti-Israel move -- more anti-Sadat. It is an anti-agreement move, by Asad. That's his interest, and that's perfectly clear to me from talking with him.

But if you said this publicly you'd make Sadat's life even harder.

Let me make a few statements, some of which I have to make for the stenographic record:

One, we absolutely cannot accept that a briefing paper for a Senator should be a basis for a serious drafting discussion. Because if that were done we could produce briefing papers on the other side.

Secondly...

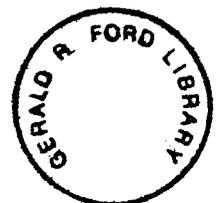
Rabin: Allow me to say in regard to that: We do not base it on this paper. We base it on what we were told by you in March. Let's make this clear.

Kissinger: All right.

Allon: As evidence, not as a basis for argument.

Kissinger: Then we come to the second point. In reviewing the points in that paper, we find that every one of them is being met in one clause or another of the agreement or in the assurances. So we feel that what has been achieved substantially meets this paper.

Three, in all negotiations that I have ever conducted, including all negotiations conducted in which Israel was a party, it was always clear that first you negotiate the principles and then you go into the drafting, and that in drafting you cannot hold either party to every legalistic interpretation to what they may have made in the negotiation. But, nevertheless, we believe that every point in that paper and every point we have made to you is included.



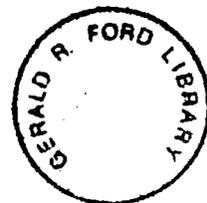
Four, it's our judgment that the Egyptians are at the ragged edge. We told you that about Soviet emigration last year and you didn't believe us. You may not believe it with the Egyptians. It is our judgment that if we push them just a little bit further, what we are risking is the end of the negotiations, and I ask you to keep that in mind. If you make a different judgment, since we are the mediators, we will carry out what you propose to us. But you must keep that in mind.

There were at least two occasions yesterday when the formal meeting ended -- in fact, I ended the formal meeting and asked to see Sadat alone -- because I was not sure what would result if they stayed together as a group. There the atmosphere was ice-cold. In the afternoon, the atmosphere was not ice-cold but it got so emotional that I thought at least Gamasy would walk out, and while you can say Fahmy is acting or not acting on this or that point, when Fahmy says, "I am sorry we don't have Nasser now," this is not a usual statement to make for an Egyptian Foreign Minister in a negotiation of this kind, and it shows that matters have reached a point where they feel questions of profound honor are involved. I tell you this for your consideration.

Now, with respect to the agreement itself [Tab A]: I think it is important to point out that there have been a number of very significant changes. For example, we told you that the "nonresort to force" would be both in the preamble and in the Agreement in March, and the "peaceful means." Now, yesterday, we changed the preamble to Article I, which was already a substantial improvement of the document, by the mere fact of making it Article I. We then changed the status from exhortative to operative, which gave it the same status as all of the other articles, which was again a tremendous improvement.

Now, you have put on top of it another statement, in front of it, which in itself one can't object to, if there weren't this history. But here it says "Agreement." The first word is "agreement between Egypt and Israel," and then the first sentence says that "the Parties agree." It is like the other clause which says, Article I says -- it's the only thing that's yet been written as part of the agreement. They may take it; they may not take it. It is going to be considered as sort of an irritant that rubs, in the nature of it.

I give you that as an example of something which in itself will mean nothing. We have counted 14 changes in a 9-paragraph document. We believe that in itself it will create massive problems.



And we are about at a point now that we were with the Syrians on the last day of the negotiations in May, when I thought it had broken up and I finally said to Asad, "We either settle this in 12 hours or we will be here six weeks, and I am not going to stay here six weeks." But this is about where we are.

Now, let me go through your changes by categories, some on which we believe you are right and which we should carry out; some which we believe are trivial and probably manageable, which the only thing to consider is whether since they are trivial whether people should bother with it. Some which are totally impossible, in our judgment, of attaining. And some which are very serious.

Now, let me take first the ones which I think present no problem. Article III, "shall continue scrupulously to observe," I think it is no problem. "The Parties also confirm the annexes and assurances" is probably no problem, depending on what your press is going to be saying in the interval and depending on how irritated they are in general by this process. What you say afterwards is less of a problem. What you say before is more.

Article V, you are right. We will support you. The only reason we accepted it for reference here, the word "Egypt," is on the off chance that you might think this nails down Egypt more than if you say "the parties." But you are right on this. [Sisco confers with the Secretary.] I am talking about the word "parties," not "for the duration of the agreement." That's a substantive point on which you are right and we will support it.

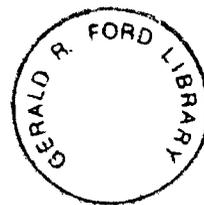
The next one, "through the good offices," we have no problem with.

Allon: No problem with "the duration of the agreement?"

Kissinger: No, I will come back to it. I am going now through the easy ones.

"Through the good offices," I have no problem with it. I would suggest to handle it that you and we work out two or three alternative formulations that you can live with, one of which we can get accepted. I don't see any reason why they don't accept this one, but just in case Fahmy now has to prove his manhood to his people, let's prepare two or three things.

Rabin: I prefer that you finish all your remarks before we reply.



Kissinger: That's what I recommend too.

Article VIII, "in accordance with Security Council Resolution 338." I am sure they will accept it. All we have to say for the record is that we totally reject the interpretation that was made of Article X yesterday, that by adding the phrase "by new agreement between the parties in accordance with 338," in the superseding paragraph, that this would have any operative effect except to explain what the new agreement has to be like, and that it has no additional obligation. Therefore, again, my judgment is that this is a point that might be accepted unless the Egyptians have decided that they have been pushed beyond the limit and they are going to prove their manhood on minor things.

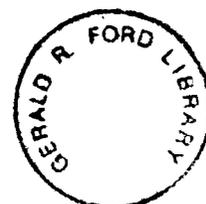
Dropping out Article 51, while we don't accept the conceivable interpretations and while it is specifically to react in case of "armed attacks," given the operation of the UN majorities, we will make a major effort to remove it. I think you have a good point there. And we will make a major effort to remove it.

Now, this is the first category. Now we get to the categories which we believe will be... Let me go through the thing again, and point out problems that will not be so easy.

I skipped Article I before. I think the word "shall" is possible. I think the word "only" would raise major problems, and I believe that a legal interpretation would make clear that it isn't necessary. We fought hard. The Egyptians wanted to use the word "ultimately" -- "will ultimately be resolved only by peaceful means." We took "ultimately" out because we said on that basis you can have a good size war and then "ultimately" solve it. And they finally agreed to that, but I doubt that they will agree to this.

Now, let me go through the substantive points. I have sort of mixed things up. I was going to take the trivial ones first but in going through, I mentioned a few important ones.

On Article II, "to settle all disputes between them by negotiations or other peaceful means." I would like to point out that since Article I has now become an operative paragraph, there is a redundancy between Article I and Article II. Before the reason that it was in both places was we wanted to strengthen the preamble by an article. But we can make an effort to see whether something can be put back in.



Now, let me get to the issues which will be, in my view, nearly unmanageable. First, Fahmy adamantly took the position that he as Foreign Minister would never be on the record as having recommended either the blockade point or the cargo point and that he wanted to be in a position of having been ordered to do this by Sadat. So he totally refused to discuss any of this either with Eilts or with me and took the position that if this is to be done it must be ordered by Sadat. And this is, in fact, what happened. Now, Sadat took the point that he could not use a phrase in a word that could be read in the Arab world as implying that he had agreed to drop out of the boycott obligation. And he said if he uses the word "blockade," particularly since in the draft we had submitted to him it said "direct and indirect blockade," you would certainly imply that this also involved the boycott and that he could not survive this politically. This is why he said "armed blockade." We can come up with a synonym for "armed blockade" -- "military" -- and can come up with a synonym that makes clear that means military operations to cut off...

Rabin: I thought that the word "blockade" is completely different than the word "boycott." And since there is no "directly or indirectly"...

Kissinger: He felt he had to avoid the interpretation that it involved the boycott. I am just trying to point out to you what his problem was.

Rabin: We understood it yesterday.

Kissinger: And why the word "armed" was used.

Now, UN area with Egyptian civilian administration. I think we'd better face this also today, because if it is going to fall, let's get it clear now. The Egyptians take the view that, first of all, for all practical purposes they are getting back almost no territory. You are withdrawing, but they are not getting any territory. And, incidentally, this is also a point that Rifai made to our Ambassador yesterday. But they take the position that the Sinai to them is not the Gaza Strip; that it is Egyptian. They cannot accept any document that gives the impression that when they take over civilian administration of a territory that they consider their own, that they are doing it as trustee for somebody else. And therefore, they will certainly not accept the phrase "UN area with Egyptian civilian administration." They will take the position that this is their territory on which they have agreed not to station military forces, which, incidentally, from some point of view, is a better precedent.



Rabin: We have agreed to the term "demilitarized."

Kissinger: They have agreed to the term "no military forces."

Sisco: It was in our formulation.

Kissinger: They have agreed to the phrase "no military forces," which means, I suppose, demilitarized. I think operationally it means demilitarized. And they are willing to write that in the document. So this phrase will be totally unacceptable, though I think the concept of having Article IV more general and then having what they gave us in an annex, I think they will accept. It just means we have to find, first, a different name, and then we have to agree among ourselves just exactly what we are talking about there. Because I see that as a problem.

Article V, "for the duration."

Rabin: We will discuss it. But if they would have agreed to the term "demilitarized" and not just "no military" -- I don't know; I don't want to add difficulties.

Sisco: Mr. Prime Minister, could I say? You know, when this gets out in public, you can go ahead and use the word "demilitarized." It is the same thing.

Kissinger: I in addition find it incomprehensible to see what is the difference between "no military forces" and "demilitarized," except that you in the past used demilitarization and they said, no demilitarization. But then they accepted "no military forces" in a document, that they sign with you.

Dinitz: I think what the Prime Minister had in mind is demilitarization in the Egyptian...

Rabin: Egyptian demilitarized zone.

Allon: It isn't an accident that they prefer to use "no military force."

Kissinger: It isn't, because they are so committed to no demilitarization. I am amazed that they agreed to use the phrase "no military force."

Peres: The difference may be in fortifications.

Sisco: No, no, it isn't a difference of substance.



Peres: That's the point.

Kissinger: That can be put in the annex.

Rabin: We understand the problem. This we are aware of.

Kissinger: Now, Article V, the phrase "for the duration of this agreement." If I were talking to my staff members, I would say this is one of these chickenshit points -- if the lady [stenographer] forgives me -- that one sort of adds. It doesn't mean a thing. This whole thing is supposed to be for the duration of this agreement, which will add irritations to no purpose. It may or may not be accepted, depending on how much they want to prove their manhood.

Article VII, paragraph 1: "all cargoes destined for and coming from Israel will be permitted through the Suez Canal." I do not believe that Sadat will possibly accept this. Again, this is one of the points that Fahmy said he would never write even in the other way unless he got a direct order. The usual oozing disdain of Gamasy for this point was overwhelming, as, indeed, for this whole document, which he felt stated only Egyptian obligations. So it is a question here whether we want to write "civilian" -- whether that's achievable myself. Coupled with a letter explaining it. It is, after all, a lot of difference whether Sadat writes a personal letter which he can revoke and which his successor can ignore or whether the government of Egypt takes a formal obligation vis-a-vis the government of Israel in a document that they jointly sign and which speaks of cargoes going to and from Israel, which is a rather substantial event.

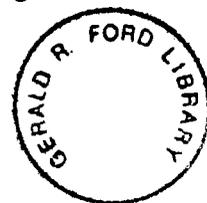
Peres: May I ask you on that point: did I understand correctly that it will be written "all civilian cargo?"

Kissinger: I said I can make an effort for that.

Peres: But it will be here in the agreement?

Kissinger: Oh yes, that is an effort that is within the range of the attainable.

Paragraph 2, I tell you, it would be a mistake to raise or let me raise it and drop it. But it will lead to an explosion. First of all, it states a proposition that the Law of the Sea Conference did not accept, because it makes the Straits of Tiran also an international waterway, and it forces Egypt to take a position in this agreement contrary to the position it and other Arab States and a majority of the Law of the Sea Conference took. It is something that was explicitly rejected by the other side.



Article 51, I have pointed out to you, we will support you on, that it should be dropped.

Now, on the letter [at Tab B]. In the evolution of this letter, we don't tell you all the things we go through on the Egyptian side any more than we tell them everything that goes on here. Fahmy had a lot of insertions and a lot of deletions and we dropped them all out of the letter, with the argument that we want to go as close to what we gave you the first time when you were there to see the President, in June. And he wanted to delete a lot of things, believe me. And he wanted to add a lot of his qualifications. And we finally got him back to essentially what we had shown you. The only Israeli thing that's taken out is "without prejudice to any obligation." On "at least," I think he will probably agree. We all know it doesn't mean anything.

Rabin: Exactly.

Allon: But it sounds good!

Kissinger: He will make some cynical comments.

Peres: You are talking about the letter?

Kissinger: Yes, the letter. I would urge you to drop the parenthesis, or let me support it and put it before them and drop it.

Now, what I would recommend that you do is to go through this document again and first see whether you can reduce the number of changes I should ask for. Secondly, if you can't reduce them, tell me which I can drop without a struggle. Then you can blame me for not having achieved it. Or conversely, since this is not your style, if you tell me those that you absolutely must have. Give me some priorities. That gives me a different way of negotiating with them, because then I can do it within the context of your domestic problems rather than... They think they were pushed to the edge of the cliff yesterday. If I go now and say, "Look, the Israelis give me this as their counter-argument," there will be an explosion. If I go to them and say, "Look, they have their problems as much as you have yours and as many of these as you can take, it would be helpful but these two or three are essential." Especially if I say it to Sadat alone before the meeting starts, I think we have a chance. While if we give this as an undifferentiated job of issues, we will be in trouble.

And if I could see you alone for a minute.



Peres: One point you didn't refer to, and this is in the "settlement of all disputes," the difference between paragraph I and Article II, "to settle all disputes between them by negotiations and other peaceful means." I mean, the problem is "the settlement of all disputes."

Kissinger: Well, let me tell you what Fahmy says. Fahmy says the only dispute they have got with you now has to do with the peace settlement. They haven't got any other dispute. That's the only one that has the risk of war. That they have now got in Article I, in two places: under "only by peaceful means" and "are determined to reach a final and just peace settlement by means of negotiations." I do not exclude that I can strengthen that paragraph, that Article II, a little bit from the way they have drafted it. But I would like to point out you have a lot of things you can point to here.

Peres: I want to ask another question before we go to consult among ourselves. I don't remember exactly the words, but at a given point President Nasser sent over a letter with the Secretary-General to the American President, Eisenhower, about the freedom of navigation in the Straits of Bab el-Mandeb and Tiran.

Kissinger: When was that, in 1956?

Peres: 1957. And that is why I wonder why that is such an important issue to the Egyptians, since on this issue there is an open commitment by the Egyptians. I mean, I want to understand; I am not arguing.

Kissinger: I have to report to you what they say. And if we could tape all our conversations you would see that they are as irritated by my repeating your arguments as you are by my repeating their arguments. Sadat said if he mentions the Straits of Bab el-Mandeb, he will have the Saudis, the Yemenis, and everyone else on his neck, explaining why he singled it out, and all riparian powers there are going to raise special hell with them. If he mentioned "military blockade," it applies to the Bab el-Mandeb. Secondly, he says he recognizes that the Bab el-Mandeb is an international waterway.

Allon: He is going to write a letter.

Kissinger: He will write a letter, and he won't object to our saying publicly to that effect -- which, incidentally, we are prepared to do. He explains his problem in terms of inter-Arab politics. I have to tell you, in terms of the cables I have seen this morning from both Jordan and Saudi Arabia, that both the Saudis and especially the Jordanians used to plead with us to get this agreement made, at all costs. I don't consider Rifai an enormous moral force but that makes his views more significant, in many respects.



[Dr. Kissinger and Mr. Rabin go to talk privately in the inner office from 12:22 to 12:26 p.m. The Israeli team then consulted from 12:26 to 12:58 p.m. The meeting thereupon resumed.]

Kissinger: I tried to get an official clarification of when Rosh Hashana and Yom Kippur start. Even on that there was not unanimity.

Kidron: Friday evening the 5th is Rosh Hashana; Sunday evening the 14th is Yom Kippur.

Allon: You can give one speech at the Special Assembly and one at the General Assembly.

Kissinger: If you're suspended at the Special Session, I will not give a speech. You can be sure of that.

Rabin: Article I [Tab A] Since you said "shall" is not a problem, we come to the "only." But it should be related to the question of Article II in a way, because then "to settle all disputes" becomes much more important, if "only" is dropped.

Kissinger: Can I reverse it also?

Rabin: No, no. Article II, this is the crux of the matter. Then there is no other point in Article I.

Allon: Article II is more important than you think. Since you don't live here.

Kissinger: As compared to having no agreement, when you wouldn't have non-resort to force.

I understand your point.

Peres: Article II, we had one point. "Armed blockade," and we would prefer "blockade." If not, we would prefer "military blockade" instead of "armed." We would prefer a naked "blockade."

Kissinger: "Military" you can certainly get.

Allon: Just for the record, I understand a letter will follow which explains it.

Dinitz: Explains about Bab el-Mandeb.

Kidron: "Blockade" doesn't refer to oil.

Rabin: That's the boycott.



Allon: I will tell you why I am raising it. The legal advisers are afraid that since another word is being attached to the word "blockade," whether "military" or "armed" -- they would prefer "military" to "armed" -- then it has some limits; that they will use some other ways of blockade. So maybe an explanation or letter will be needed. Just to satisfy the legal aspect, not publicized.

Kissinger: From whom?

Allon: From the Egyptians to our American friends. Maybe included with Bab el-Mandeb.

Kissinger: I don't mind making an effort on blockade and perhaps getting a signed agreement between Egypt and us that this means, you know, forcible interference with traffic and that it doesn't mean the boycott.

Allon: If you get "blockade" without an additional word, do it. We would appreciate it.

Rabin: Adding of "blockade" is a great achievement.

Kissinger: I am sure I can change "armed" to "military." That makes no difference.

Rabin: If you keep the blockade and a letter to you that it doesn't mean the boycott.

Kissinger: From me to them.

Allon: I am not saying that this would break the agreement.

Kissinger: We are talking now in a way that I can handle. If you tell me, "try," I will try anything. If you tell me, "hang up on it," then we are in trouble.

Rabin: But "to settle all disputes between them" this...

Allon: This is "hanging!"

Rabin: Article II, paragraph 2.

Kissinger: We can get the word "assurance."

Rabin: Yes, and that such a commitment will be given to you in writing to this effect and will not be mentioned in the agreement.

Allon: So you achieved many things, you see.



Rabin: Article III, you didn't see any problems.

Dinitz: "Shall continue."

Kissinger: I don't at this moment see any problem. Because unless Fahmy was being unusually tricky, he thought he was doing you a favor by not referring to the Disengagement Agreement -- by stating it as if it were an additional obligation. "Shall continue" is fine.

Rabin: If you want back to the first draft, we don't see any problem.

Sisco: Reconfirming the first one.

Kissinger: I don't think he has any problem with that either. It is no problem here.

Rabin: When we come to Article IV, I understand that the real problem is the "UN area with Egyptian civilian administration." The problem that we face: first, allow me to show you an Egyptian map that you delivered to us and this division of the area: "Egyptian civil administration zone with UN presence." Now, the problem is the question of the using of the roads. Once we will use this, we find ourselves in a problem of using the road and then the road will be included in their area.

Kissinger: No, no, the dual-purpose roads are in your area.

Dinitz: He means the joint roads.

Allon: The two sections.

Rabin: We also do even more than that. We called it "white zone" for the time being; the three sides will use them.

Kissinger: I know. Let me sum up my understanding of the road. It can be either in a protocol or elsewhere. It is my understanding that you have unrestricted use of the roads.

Allon: Yes.

Kissinger: It is my understanding, secondly, that the demilitarization or non-militarization provision applies as of course also to the Egyptian use of the roads. Since they are not permitted to have military stuff in the zone, they certainly cannot use it on that road. Of course, if they ever got to that



point with military equipment, they would have already violated the agreement. There is no plausible way they can get there. It is almost a non-sequitur, because if they showed up with a tank at one of those check points, they would have had to violate the agreement for 80 kilometers.

Gur: They can come by sea.

Kissinger: To that point? To the road?

Gur: To all these points.

Kissinger: Be that as it may, there is no dispute between us that they cannot use the roads for anything other than civilian traffic.

Allon: Quite. The UN can use it for its own purposes.

Kissinger: Therefore, that is a matter that is handleable in the protocol, in my view. It's never been challenged.

Let me explain what I think their problem is. If there were some way of reconciling it, it could have advantages for you. Their problem is that to regain Egyptian territory and then to put it under someone else is a hard concept to get across. Second, what is the principle, as I understand it, that Israel has been trying to establish? The principle that Israel has been trying to establish is that territory will ultimately be returned to the Egyptians but will not contain military forces.

Rabin: Demilitarized.

Kissinger: Yes, or "no military forces," which has always been the definition of demilitarized. I think their refusal to use "demilitarized" now is more emotional than substantive. I don't really know the difference, unless Rosenne came up with a difference. Now, I would think that to establish the principle that something is under Egyptian sovereignty in which the Egyptians have agreed to have no military forces as part of an agreement with Israel would be a tremendous conceptual advance, and is substantively different from the UN buffer zone in terms of the concept. The UN buffer zone -- we can dispute whether there is Egyptian sovereignty there or not. At any rate, the Egyptians are not active there. This would be the first real agreement by them that some territory can go back to them without military forces, and, therefore, I think there is even some advantage in their formulation for you in terms of principle.



Allon: Would they agree to it?

Rabin: They have used this term. This is an Egyptian map.

Kissinger: Yes. I think they'd agree with that. You know, if that's the phrase you want. What they object is to have a strip of their territory appear on a map like Gaza.

Allon: How about "non-military Egyptian civil administrated area?" "With UN presence." So it gives them the dominant position and the UN comes second.

Kissinger: But why rub their nose in it? If the title that is listed here.... I agree completely that the protocol.

Rabin: Because they have used it.

Kissinger: I have no problem with that phrase. My problem is to add the phrase "non-military" to the heading. I have no problem whatever to putting into the protocol that there will be no Egyptian military forces in the "Egyptian civil administration zone," if that's to be the title. You see what I mean?

Peres: I want to stress: you said we shall come with some suggestions. Now, if you accept in principle the wording as it is....

Kissinger: We haven't checked it carefully.

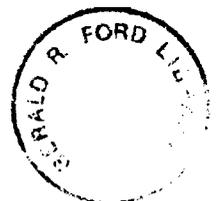
Peres: If you accept. The point is this: If we here simply describe the different possibilities without reference to the specific land, then we can use, as the Prime Minister suggested, the Egyptian descriptions apply to the geography. This we shall leave to the protocol and then we don't have problems. Take this wording:

Rabin: Which wording?

Peres: That you have suggested, "buffer zones and Egyptian civilian administrated area with UN presence" -- their wording. And then we don't apply which is going where. We can let them.

Kissinger: I think that will work.

Peres: Okay.



Kissinger: And then in the protocol, you spell it out, including "no military forces."

Allon: And solve the problem of roads.

Rabin: And in the protocol will be the roads too, and you have to stress that in the protocol there will be differences when it comes to the common-used roads.

Kissinger: Yes.

Allon: I think maybe common-used roads ought to be included in the headings here.

Kissinger: No. My suggestion is: I would not put it in here, because that rubs it in in front of their noses.

Peres: Then we must specify who uses that.

Kissinger: In the protocol I think the thing to do is to say, "this road is open for Egyptian civilian traffic on alternate days," and perhaps say nothing about Israel because that makes it clear.

Peres: If it is Israel-controlled territory.

Kissinger: If you put it into UN territory, then you have to be very specific.

Peres: Israel-controlled territory, with, as you have said. Let's leave it for the protocol.

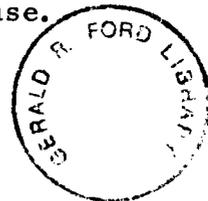
Kissinger: My provisional thought -- we might get into trouble here later -- is that the best way to let it go through. Keep it in Israeli territory, but on the days on which they use it, remove the Israelis from the road and have the UN on the road.

Peres: With the Egyptian right to use it. Okay.

Allon: That's fine.

Kissinger: But on this, at any rate, if it is UN, when it will turn into a UN, we will support that you can use it for military traffic.

Peres: What you have suggested: Israel-controlled with Egyptian use.



Rabin: We could say "white zone," with no title -- UN, Egyptian or Israeli.

Article V. First, we try for "the duration of this Agreement."

Peres: If you won't be successful, we suggest the following: "Its mandate shall be extended each year for a year."

Rabin: May I ask you, what is the meaning of "annually?"

Kissinger: Look, if you extend it annually, it means that it has to extend over a year because otherwise how can you extend it annually?

Sisco: Every year. It was your language, and the reason I am shaking my head, not that there is a substantive point here; it is just that that language has been consistently the language.

Rabin: "Annually" means every year or once?

Allon: He will do it twice and then he will say, I did it twice.

Kissinger: "Annually" means once each year.

Allon: Unlimited?

Kissinger: Under this agreement, yes.

Rabin: Within the context of this agreement?

Kissinger: Under this agreement. I have to point out to you that Fahmy said to us yesterday that the letter limits the obligations of the agreement.

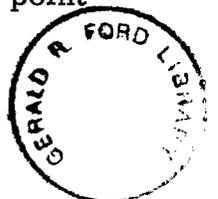
Rabin: I think he is right.

Kissinger: And he says, you know, "you want it? Fine."

Rabin: If the agreement would be between decent sides -- I mean one side -- the problem would not have appeared for asking for the letter. But we have experienced all these commitments that have not been fulfilled.

Kissinger: There is no possible way you can extend it annually for less than a year.

Dinitz: The point was not that it would be extended for a year. The point is whether it will be extended over and beyond.



Sisco: It is open-ended, Simcha. Unlimited; indefinite duration.

Peres: What is the problem here? The difference between "annually" and "each year for a year." Theoretically, "annually" can be the first year for a year; the second year for half-a-year. If the renewal is every year. What we are preferring -- I mean, we don't insist; let's look to our legal minds: They say the following: if you take out "duration," which you said is a major problem....

Kissinger: No, I said this is one of these problems which is going to cause unnecessary irritation. In fact, strictly speaking, if I may say so, if you put "for the duration of this agreement" in one paragraph and not into every paragraph, you are then raising a question whether the other paragraphs are somehow not for the duration. What is it about this paragraph that makes the duration of the agreement more applicable? Every paragraph is for the duration. It is one of these points which precisely because you can't explain it causes you a hell of a lot of trouble. I have no substantive problem with it.

Peres: Today El Ahram published the following item. It says: "Israel has agreed to take the Egyptian idea that the UNEF force, the UN, will be for a complete year." That we took it.

Kissinger: That's great.

Peres: That's great, and here we suggest to....

Kissinger: Let them claim it is all their victory.

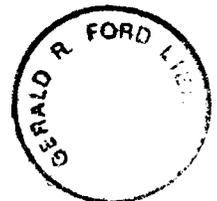
Peres: But since we had this experience of renewing for three months, six months and so on and so forth -- look, we don't insist again, but maybe it will come very easily in saying that Israel agrees to cross out the "annually for the duration" and say simply, "extended each year for a year."

Allon: I would like to ask you as an expert. "The Agreement shall enter into force upon signature and remain in force until superseded...." Does this cover also all the previous articles?

Kissinger: Of course.

Allon: You checked it with your legal advisers?

Sisco: Of course, it does.



Kissinger: We have had this gone over by our legal advisers. Incidentally, we will have to change it to: "shall enter into force with the signature of the protocols...."

Peres: You can use "annually for a year" instead of duration. "Annually for a year."

Sisco: Annually for a year; that limits you to one year, Shimon.

Rabin: Each one-year mandate shall be extended annually.

Kissinger: They will think we are nuts! They will say, how are you going to extend a mandate annually when it is less than a year?

Peres: I think they got the point, our legal people. I am repeating and saying why: "Annually" means that the first year you can have for a year. The second year, you can have for half a year.

Sisco: No, it doesn't. Maybe English is not your first language and it may not be the first language of some of your legal advisers. It does not mean what you just said.

Kissinger: If the second year they renew it for three months, then when the next renewal comes up, it is not an annual renewal. It is a quarterly renewal at that point.

Peres: The language we have suggested is "each year for a year."

Kissinger: "Each year for a year" is a mistake.

Sisco: Mr. Prime Minister, in English, that means only a year.

Peres: Okay, leave it.

Kissinger: We will try "for the duration of the agreement." I am obliged to point out to you, however, that putting "for the duration of the agreement" into one article and not into other articles raises a question of whether the other articles have a different duration.

Dinitz: The last paragraph takes care of the whole.

Sisco: The last paragraph is a paragraph that applies to every article in the agreement, which is the strongest position that Israel can go into in this document.



Allon: We accept your interpretation.

Kissinger: Let's go on to important things.

Rabin: Joint commission. We had a problem of "good offices," "aegis."

Kissinger: They accepted "shall operate under the aegis of the Chief Coordinator." I don't see any problem.

Rabin: Then we relate it to the protocol.

Peres: We prefer "aegis."

Kissinger: He may accept "good offices." It depends on how irritated he is at this point. [Laughter] If we can avoid a situation where Fahmy feels.... If we can get an instruction from Sadat to say, "Settle the goddam thing."

Rabin: "Auspices" isn't good.

Kissinger: If Fahmy says, "I am going to show the sons-of-bitches that I am going to be just as obnoxious as they are," then we will get ten Egyptian nit-picks. So far we are doing okay.

Rabin: When it comes to "all cargoes." I asked our legal people what is the difference: "all civilian cargoes" or "all cargoes of a non-military nature" -- not strategic.

Kissinger: "Of non-military nature" they will accept more easily than "civilian."

Peres: Okay.

Rabin: We have to attach to it a letter.

Kissinger: That they have already agreed to do.

Allon: When we are saying of "non-military nature", let's assume we are shipping some raw materials that can be used to produce some military equipment. They will say that is military because it is iron.

Rabin: I asked [Justice Minister] Zadok. He prefers in a letter attached to it to say what is excluded rather than we include. When we use "civilian," we have to define what is civilian. When you say what is "non-military," you have to just exclude.



Kissinger: That's a good point. "All cargoes of a non-military." I think he would prefer to tie it to the war effort.

Dinitz: "All non-military cargoes."

Kissinger: "All non-military" or "cargoes of non-military nature."

Allon: Don't use "strategic," if you can. It has too broad a meaning.

Rabin: Or "non-military cargoes" will be even better. "Nature" is not necessary.

Sisco: "All non-military cargoes." Shall we try for that, Henry?

Rabin: Now, we prefer the "non-military cargoes," with a letter of course attached to it.

[Food is served.]

Kissinger: It's the first time I'm getting Jewish food in Israel [potato latkes and blintzes].

Sisco: I ordered it.

Peres: Mr. Secretary, coming to the second part, let us state, first of all, what is the purpose, what do we really want to achieve and then I would like you to listen. Let's hear what we want to achieve and then submit the wording or the definition to the thing we want to achieve. We don't want to argue about it. We feel it will add a great deal if there can be a general reference of goodwill about the uninterrupted navigation in an otherwise stormy sea. Even in a general statement of a general nature.

Now, what I have to say is that Egypt expressed itself publicly on two occasions on the Suez, with a wording which was really generous and wise, to the UN about the Suez Canal. This is a letter from the Egyptian Minister of Foreign Affairs to the UN Secretary-General transmitting a declaration of the Government of Egypt concerning the Suez Canal and an arrangement for its operation, April 24, 1957.

Kissinger: 1957? I thought you found something from 1891. [Laughter]

Sisco: 1888!



Peres: And they say, "The Government of Egypt are more particularly determined to... and maintain free and uninterrupted navigation for all nations within the limits of and in accordance with the provisions of the Constantinople Convention of 1888."

Rabin: This is in regard to the Suez Canal.

Peres: Then the Egyptian Minister of Foreign Affairs -- this is also a document submitted, an aide-memoire handed to the Israeli Ambassador Abba Eban by Secretary of State Dulles. Published, not secret.

Kissinger: That's why we don't know about it. If it was secret, we'd know it.  
[Laughter]

Peres: You must refer to the Library of Congress! I can give you the reference. "The Egyptian Ministry of Foreign Affairs informed the United States that the Egyptian occupation of the two islands, the Tiran and Snapir, at the entrance to the Gulf of Aqaba, was only to protect the islands themselves against possible damage or violation and that this occupation can in no way be conceived in a spirit of obstructing in any way innocent passage through the stretch of water separating the two islands," and so on and so forth.

We would like to have -- and we don't want to insist on arguing -- a general declaration about the unimpeded or uninterrupted. Or to use what is here: "refrain from obstruction." Actually, this is something which Egypt shouldn't be ashamed of, and for us we shall take it as a declaration of goodwill, without really referring to other obligations Egypt has or her abuse on international waterways. We are asking: can this be achieved?

Kissinger: No.

Peres: And then, if not, why not?

Kissinger: "Egypt will not interfere with the right of navigation in international waterways?" Or "neither party"?

Peres: Or "neither party." Because in international waterways, we don't deal with the Pacific Ocean, after all. Look, we went to war two times because we were blockaded in the Straits of Tiran.

Kissinger: 1956 and 1967.



Peres: We wouldn't like to create or actually to refrain from such an event in the future. We would like to word it in one way or another.

Kissinger: How would you like to word it?

Peres: We have suggested here the wording, but we can go to other formulas, if you prefer to suggest them. We suggested, "The parties regard the Straits of Bab el-Mandeb..." and so on and so forth. Instead of maybe "an international waterway," we can say "free for navigation." Instead of defining the sea internationally, we can define the Straits of Bab el-Mandeb and the Red Sea as free for unimpeded navigation, without giving a description that this is an international waterway. Not an international waterway. In other words, we do not want on that occasion to extract more than it is really necessary to create an Arab goodwill for free navigation. That's all. Wording, we can look for.

And Egypt did it in the past on many occasions. Sadat, himself, declared himself in favor of having the Red Sea, as he called it, a sea of peace.

Rabin: But he said, "an Arab sea and a sea of peace."

Kissinger: I am not sure what he meant by a sea of peace. I wouldn't want to press that to an absolute extreme. It may not be your definition.

Eran: "A piece of Arab sea."

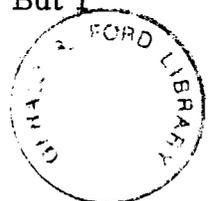
Kissinger: For a piece of peace. It can be an obligation not to interfere in any international waterway. The Straits of Timer.

Peres: He understands that peace is slightly different from war.

Kissinger: We will do our best.

Rabin: Fine. Then Article IX.

Kissinger: Delete the reference to Article 51. We will do our utmost. I mean, we agree with you on that. We think the interpretation you make is strange but given the way UN majorities operate.... We do not agree that this interpretation is a legitimate interpretation, but given the way the UN operates, I think your request to delete the paragraph is a reasonable request, and if we have trouble, we will come back to you. But I think it is a reasonable point.



Rabin: Now, on the letter [Tab B], we still keep in brackets "without prejudice." If you can achieve it.

Dinitz: On Article IX, as the Secretary said, they would try to drop the 338.

Sisco: And put it in VIII.

Kissinger: I personally think if the atmosphere is right in Egypt, if I can go to the Egyptians and say, "Look, we have got three problems and you have got to help me," that's one thing. If I say, "I have 14 things, all of equal importance," they will say, "We will give you 28 and we will bargain." So I think that will come out in the wash. If not, I will come back here. I do not consider it frankly a substance of any importance. I would try to move this. If it leads to an uproar, I will let you know.

Dinitz: Logically it really belongs in Article VIII.

Kissinger: I have no problem with it intellectually. It at least has the advantage of moving it out of Article IX, of highlighting duration. So legally, I don't think it is significant. Stylistically I see the merits of moving it to Article VIII.

Allon: But when a moderate person like Zadok is afraid of it, maybe it is worthwhile.

Sisco: I would agree with Simcha that it belongs logically in Article VIII.

Rabin: For us it is very important.

Now, to the letter.

Allon: One of the letters!

Rabin: We put it "without prejudice." Try.

Allon: But I tell you, if you get it, it is another important score.

Rabin: And "at least."

Kissinger: How insistent are you on that first paragraph, preceding Article I, the one that says after Agreement that "the parties have agreed?"



Peres: Not too important. It is more a logical procedure. It was suggested by our lawyers. Zadok says that's the way you write.

Dinitz: There is nothing behind it of political meaning. They agree to this language and they mistakenly put it in Article I.

Kissinger: The only trouble that I see is: you move the stuff from the preamble back into an article, and an article in operative language is in many ways more useful. I didn't want to raise too many questions about it. It stayed in Article I because it was the end of the preamble, and we cut it only after we had turned it into operative language.

Allon: Will that be a problem?

Kissinger: It depends on whether Sadat concludes tonight that he must have an agreement by Sunday, or if he concludes that every time some new problems arise and that if it is going to fail anyway, he doesn't want to be on record as having made too many concessions.

Allon: In El Ahram they say he is in a good mood.

Kissinger: If he has the attitude, let's get it over with; a lot of this stuff will not be so unmanageable. I think we have enough of that to proceed.

Do we have your papers on the military protocol?

Allon: I think we did deliver it to you.

Gur: I gave Joe a copy two days ago.

Kissinger: Have you modified it in any respect on the basis of what I said last night?

Peres: What are the modifications that you asked for?

Kissinger: The modifications that I would recommend are based on the conversation I had with Sadat, and it is this: Gamasy gave us a list of things that he wanted but are totally impossible: 21,000 men across the Canal, 150 tanks, and no restrictions on the other side of the Suez Canal. I said to Sadat, "Look, this is going to raise a whole new dimension of issues." And I hadn't discussed any details with him. I said that my feeling is that the zone of limited armament shouldn't be touched. He said, "If you can give us" -- I had mentioned to him that once we would equalize it with the Syrians -- he didn't use the word "token."

Rabin: You are talking about 40 tanks?

Kissinger: He said "If you can give us something token for Gamasy it would ease my problem very much." That was the last thing he said to me yesterday.

Peres: We didn't have a chance to consider it yet. The problem of the missiles, he didn't want 16 kilometers? He wanted 10 kilometers?

Kissinger: I didn't discuss it. I think Gamasy will consider four kilometers an insult and nothing.

Peres: We didn't have a chance to talk about it.

Kissinger: Then my strategy will be to try to delay, not to discuss military matters on this shuttle. I'd rather do it next time.

Rabin: Can we go to the American...

Dinitz: Egyptian commitments via the US?

Sisco: How about the agreement on the warning, surveillance? We haven't even surfaced it.

Peres: When you refer to the warning station, are you referring to the location or definition?

Sisco: I think both. You have to tell us the site. We have to work out an agreement.

Kissinger: Have you decided on what site they can have their warning station?

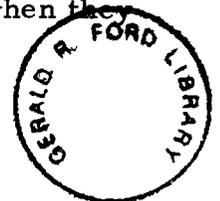
Rabin: Motta?

Kissinger: If you can answer that, that would help us.

[General Gur wipes off his hands and goes out to get maps.]

Peres: I was surprised to note the importance you attached to some of the minor issues.

Kissinger: It is not a question of importance attached. It is the psychological atmosphere that will be created if we come in with 14 changes when they already thought they were being pushed.



Peres: How long does it take you to know their mood? Immediately upon your coming?

Kissinger: After about half an hour. They want an agreement, there is no question. They are getting under increasing heat from the other Arabs and in my view they have to finish it fast, if they are going to finish it at all. In this respect, their problem and yours aren't all that different. Because with every passing day they have to answer more questions which can be put to rest only by agreement.

Allon: Aren't they acting sometimes?

Kissinger: I don't think so.

Allon: One day he is moodish; the other day he's happier.

Kissinger: I don't happen to believe this.

Allon: I think Sadat is the greatest actor in today's international arena. He is very clever. A great actor. I am not saying it as a criticism. Just have to remember it.

Kissinger: Sadat doesn't change that much.

Allon: The standard of living there is reaching bottom. It's lower than before.

Peres: But Sadat is better for Egypt than Nasser.

Kissinger: If you went through the Arab world as we do, you'd see that even if he's better for Egypt than Nasser, it takes great courage to do it.

Peres: Gamasy, of the military minds, is the most impressive.

Gur: [Returns, and puts up a map] These are the three points you brought us yesterday. Two of them we have to change our line, which we don't like to. And then they are very close to our line, which we think is not as good. And when we first gave some indications about where could be some of their warning stations, we said that we wouldn't like them to be on main roads, mainly the east-west road, and not too close to our border -- although I have to say that some of our military would like them very much to be as close as possible because of military reasons. I mean, it is much



easier to jam them and easier to catch them, if it comes to such a situation. But if we do not want to do what Gamasy said in the first place, that he didn't want their places to be too close to ours so that some conflicts may arise, the only place in the Passes is the third point, which we think is a very, very good place. We checked it tonight on the computer.

Peres: For the Egyptians.

Gur: A very good place for the Egyptians. Why are you smiling?

Kissinger: Can I tell you what our people are saying? That probably you have got bulldozers there now and it will be 420 meters by the time the Egyptians get there. [Laughter]

Rodman: No, they're just moving it.

Peres: We have made it empty, so when they go up on it, it will collapse. [Laughter]

Gur: By the way, it is a good idea! [Laughter] In that area, they will be very close to our positions. We will have another warning station not very far from theirs. And in order to defend that area, we will have people almost all over that ridge. Then we will have units on the Giddi Pass, as you know quite well.

Kissinger: That's where you would have moved Umm Khisheiba to if we had been more insistent.

Rabin: No, a backup station.

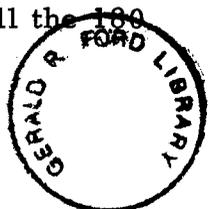
Gur: Not to that point, to the first point that they showed you yesterday, the Gebel Giddi.

Kissinger: That's where?

Gur: Not to move Umm Khisheiba, but we plan, in order to cover all southern Egyptian area, we must have another two warning stations and not only one.

Peres: Fall-back warning station!

Gur: In our territory. So 716, if at all in that area, 716 is the point. What I think would be the best point from all other points of view is still the 100



Kissinger: He won't take it.

Gur: I don't know whether you saw this map [indicating] before. What I want to show you is how it covers the area. All the colors [colored dots] that you see here are places that are being covered by a[n Egyptian] warning station that will be situated in that area. If we take that blue color, which is the 180, all the blue colors which you see here will be covered by that station. So when I suggested it, it is not just that I picked up a certain area. But that station is not on any of the main roads. It is farther away from our forces. It has an open area in which they will be able to build a station as we'll be able to have, I mean as we have in Umm Khisheiba. It is a big place.

Rabin: Who is building the station? Are you?

Kissinger: How are we going to build the station? You think we will put in an American construction team?

Peres: You want us to do it? [Laughter]

Kissinger: I think there is no way to avoid their building the station. We have no intention of building the station. How can we?

Gur: So, to sum it up, we prefer that their station will be the 180. It will prevent any unneeded conflicts.

Peres: Mr. Secretary, I want to conclude our position. If you can, we would prefer that you will convince them about 180. We don't object to 716. Then there is one point, not for immediate preference, unless you feel it should be: Umm Khisheiba is here. Maybe in the future we would like to have a road to our position through Umm Khisheiba. Today we can't make it, for plenty of technical reasons. But if you feel that Egypt should be notified about such a possibility...

Kissinger: They seem to think ...

Rabin: They know it. It is under construction.

Gur: What I think the Minister is talking about is another one. We have now a road that goes -- and you can see it in the air photo; there is no secret in that -- that gets quite close to Umm Khisheiba in that area.

Kissinger: Gamasy said yesterday to me that this whole operation into the Giddi is nonsense because you have an access to Umm Khisheiba in the north.



Gur: I will show you what we have.

Kissinger: I am telling you what he said. And therefore if he moved into the Giddi you would move into Umm Khisheiba in force and bottle up everything he's got in the Giddi.

Peres: That's a good reason to convince him to go to 180.

Gur: He is right in what he says, in two senses. One, that we have a road. We have a road that gets to Umm Khisheiba, to that point of the road, the existing road. What the Minister was talking about is that we are planning for quite a long time another road that gets directly to Umm Khisheiba. Therefore, we have a problem because the Wadi is very deep and the last part of it will be very difficult to build. That is the road that the Minister is talking about. The other one we have now.

Sisco: Are you talking about outside this road? This road will go outside the buffer zone?

Rabin: Let's sum it up. We prefer the 180. If you can convince them, fine; otherwise, 716.

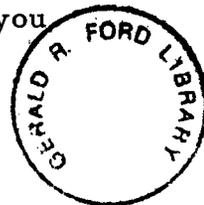
Kissinger: Let's talk about the stations. To recall to you the evolution of this discussion. The Egyptians first brought up this idea to have a station in the north. I had the impression of a strange lack of enthusiasm on the part of the Israeli side for a station in the north. I was repeatedly urged to do my utmost to get them back into the Passes, by many members of the Israeli negotiation team. I, therefore, in all the discussions, tried to steer it back into the Passes. Yesterday, when I presented your options, they were not at all enthused by 180. I then made a very strong pitch for going into the Passes, which at that point they were most unenthusiastic to do, because I remember one of you said to me the night before, "Get them into the Passes. Then we have the whole warning system into the Passes."

Allon: Yes.

Kissinger: If I now go back and tell them... Maybe they will do it happily. In that case...

Peres: We leave it with you.

Kissinger: In that case, I have no problem. But I am not in a good position. I want you to understand. If I come back with 716, which is their third choice to begin with -- and which they didn't want me to present to you



unless after you had rejected the other two, and that's why they presented it on a separate map. If I now tell them that 716 is problematical and you must go to 180...

Peres: But you might say you made a strong point with us for 180 after hearing the Egyptian position.

Kissinger: 180 I brought from you to begin with. That was your figure. To help me understand, if I may, may I ask the Chief of Staff this question: Can they cover more from 716? Why do you think they want 716?

Gur: First of all, from that ridge, the three points are very good -- from the electronical point of view, wonderful points. No discussion about that. And from these points they can cover the whole Sinai very easily. So very good points.

Kissinger: Gamasy showed me there is one gap that he can't cover from any of them.

Gur: Very small, but it doesn't really matter. I can show you the list today I got from our Communications, Intelligence and Air Force; all of them recommend very strongly not to let any of their positions to be here. So that from a military point of view, it is bad here. Now, the other thing that may be under discussion -- if it is good for us if it is close to our line or if it is bad. It is under discussion.

Kissinger: My colleagues and I are of the conviction that that warning post will not survive three hours of a war no matter where it is.

Peres: The same with Umm Khisheiba.

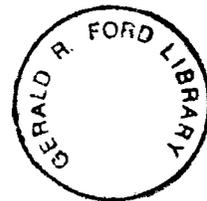
Gur: Umm Khisheiba will be the same. That's right.

Kissinger: They don't have laser bombs.

Peres: We got from your people that the Russians are working very hard on lasers and buying things from the French.

Kissinger: Do the French have it?

Peres: The French and Germans have it in their planes.



Rabin: Not laser bombs, laser range-finders.

Peres: Everybody works on it.

Kissinger: I will do my best, but I hate to tell you this: I made a massive effort to get them into the Passes. Your people may not be happy with this but I thought you would be pleased about that.

Rabin: Let's sum it up: 180, and then 716.

Gur: You can see how big an area it covers from the 180. It is not that we just push them into a place where they will not be able to operate. That's the color that you see all over the main area.

Kissinger: For my education, do they cover more from 180 or 716?

Gur: 716. I told you. 716 is even better than 918. That ridge is dominating the whole area.

Allon: You know what is the choice.

Kissinger: I understand it. I will do my best.

It is much easier for us to sell the American warning station if we can argue that it is all in one area, and we avoid the argument that we are involved all over the Sinai. If we can say it is only in one limited, highly sensitive area, where all the warning stations are where then our ground stations are outposts of the warning stations, I think it will be a tremendous advantage.

Rabin: I don't know if you heard Mike Mansfield's statement.

Kissinger: Did he oppose it?

Rabin: He came out against it.

Kissinger: I told you it would be difficult.

Rabin: Also Jackson.

Kissinger: Jackson came out against it?



Peres: He gave a good reason -- that it will bring the Russians to the Golan Heights.

Kissinger: The only way it could bring the Russians in the Golan is by agreement by Israel and Syria. For him, the big anti-Russian, to give the Russians an excuse is totally irresponsible.

Mansfield I understand; it's perfectly consistent with his views. But Jackson, publicly... That means that we'll have trouble.

Dinitz: In a Jewish rally he said it.

Kissinger: We will need united Jewish support.

Dinitz: You'll have it.

Kissinger: And the Jewish people must have some pride in this agreement.

Sisco: There is no way you can divide support for the warning stations from support for the agreement.

Kissinger: The American people have to believe it was a contribution to peace. It would help us with the Mansfield and Jackson problem to have the stations together.

Mansfield we can easily handle. But for a man who has the reputation as sponsor of the Jackson Amendment... A lot of people who are not too well disposed to Israel, like Robert Byrd, who was reluctant to come out -- now they have Jackson to hide behind.

A big fight in Congress will hurt us also with the Arabs. Because the Arabs already told us in Egypt that the Israelis will trap us into making the agreement and then they will use the Congress. When I told them that it won't go into effect until the Congress has acted, they said, "it's going to be an Israeli manoeuvre. That way they can't be blamed."

Rabin: I cannot deny that some Israelis, the Opposition, will try their best, but not by us.

Peres: We didn't compliment you on the Beta Zone, which I think you did a great job. I want also to compliment ourselves. I don't think that you are impressed enough that we are making a major effort to sail ahead in the face of plenty of difficulties, some of them real, some of them political.



Kissinger: Right now I am worried about Jackson.

Peres: You must take our approach, which I recommend highly, as a very sincere one. We are not playing politics. We have difficulties. We have worries. We have bad memories.

Kissinger: I didn't say this against you. There's been no criticism of your motives.

Rabin: I didn't say a word vis-a-vis the United States. I didn't mention the American presence. I am talking in the context of relations between Egypt and Israel.

Kissinger: Sometimes I object to some of the tactics and some of the views. There is no question whatever that you have made during this period a massive effort, under enormous difficulties, and your motives are beyond question. I am trying to say the significance of a Jackson opposition will be one that will give within the Congress legitimacy to many people who otherwise would be afraid to put their heads above the parapet. And it may be interpreted in the Arab world that it is an Israeli manoeuvre because they won't believe that Jackson would do it without Israeli support.

Rabin: Mr. Secretary, we have got now in Israel 330 leaders of the American Jewish communities, the biggest contributors.

Kissinger: Here now?

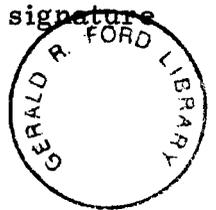
Rabin: Yes. The Minister of Defense talked to them last night. I will be talking to them, and I am going to also to explain why the American presence is needed.

Kissinger: Say something to them also, if your conscience permits, that the Americans whom you have dealt with or the American administration, has not necessarily worked in every respect against the interests of Israel. So that they don't feel that they have to attack the administration in order to protect Israel, especially in relation to the agreement.

Peres: We will say it is our choice. It is our choice.

Kissinger: It is up to you. I didn't know they were here.

Dinitz: I just want to raise a point that you mentioned before, a point that we forgot to take care of in the agreement. In Article IX, the Secretary mentioned it, but he forgot to put it in the agreement: "enter into force upon signature of the protocol"...



Sisco: We will fix it.

Peres: Another point, which we have to understand. I don't know how long it will take the implementation, but there will be an interval. We shall have the annual renewal at least for three times -- two times after the first. But we shall have to cover the six months, and this, I believe, you suggested to the Egyptians, that they will extend in October.

Rabin: Not in October; on the signature for six months.

Peres: October or signature, whenever they want.

Kissinger: That's technically impossible. I think, frankly, the best thing to do is to extend it to October 24 for three months and then go into what we discussed in June, that there would be one six-month extension. When we met in June, we said there we will work for an extension of six months in July and then the annual thing would go into effect.

Peres: May I say something on that point? Supposing you want us to start before, which we are aware, but we have to start in an area where the UN doesn't exist. So this is unimportant, because in Abu Rudeis there is no UN. While when it comes to the Passes and the buffer zone, this will take more than three or four or five months.

Rabin: Six months.

Peres: So my point is that they have under the present agreement to extend the UNEF for six months since the places where we are going to be in are places where you now have the UNEF. You see the point?

Kissinger: I don't know how that works technically.

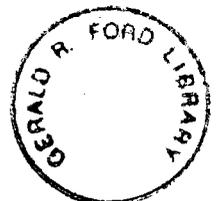
Peres: Because the UNEF is confined to the buffer zone, not to Abu Rudeis.

Kissinger: Let me discuss it with Fahmy.

Rabin: I will tell you what is the problem. We will have a period of transition.

Kissinger: I understand.

Rabin: There will be problems of how to work and the question of the land connection, then to reestablish everything.



Kissinger: If you push it too hard, they will say, "let's start the first annual thing on signature."

Peres: But we are starting in Abu Rudeis where we don't have UN.

Rabin: May I suggest an argument to the Egyptians -- that they do it upon signature for a period of six months, for one reason: "that you would be in a position if Israel fails to withdraw, that you wouldn't be in a position that the mandate is extended for a year."

Kissinger: Let me try it. When was it signed?

Sisco: It comes up in October, October 24th.

Rabin: Why do I say so? That therefore he can justify, "I extend it now for six months to test Israel's total withdrawal plan. And only then I will extend it for one year."

[Sisco confers with the Secretary.]

Kissinger: What Joe raised was the question -- which works in your favor -- that the UN could take the position that they have to get a new mandate to get into that zone.

Sisco: I wouldn't say a new mandate. I'd say "extend the mandate."

Rabin: It is for their interest also. If they extend to one year and if they will not agree with everything that the Israelis have done...

Sisco: I think we have to talk about it. It is very complicated.

Rabin: Why do I say so? In El Ahram they are referring to the fact that the execution publicly will last six months.

Kissinger: That's what I told them yesterday.

Dinitz: The first time!

Rabin: It will start immediately and will be prolonged for six months. Since it came up, it will be easier to say to them: "We want to keep the heat on the Israelis. If we will extend now for one year, who knows what the Israelis will do?"



Peres: Can we go to the monitoring issue?

Rabin: American presence.

Kissinger: American presence. And may I suggest that it would help me enormously if I could tell Sadat anything at all that he is going to have very quickly after the agreement is implemented. Or if I could even tell him that I have your assurance that something will happen very quickly. In other words, that he doesn't have to wait until the end of two or three months before anything happens.

Rabin: I can't say that we have worked on it.

Kissinger: You don't have to tell me now what.

Rabin: I don't want to say something which I will find later on...

Allon: I would find out whether we could do something south of the buffer zone immediately.

Kissinger: In making your plans, please, the maximum that you can do in the first four weeks. Something he can visit, or Gamasy can visit something.

Rabin: I will tell you what is the problem: I think what will be most important is to show advance of these forces. Now, we will face a problem also with the UN.

Kissinger: If I can give you my judgment, it is: he is willing to hold still in the central part.

Rabin: Let's assume that he would like to push here, what will we do with the UN?

Kissinger: Just push them further south.

Rabin: Where.

Kissinger: Into the Egyptian zone.

Allon: Which is not yet Egyptian. They will be our guests.

Kissinger: I don't know what the solution is or if the best is to work the other way around, from the south-north.



Rabin: It is more complicated. We have got a civilian problem, what to do with the people of Abu Rudeis. I thought that an Egyptian movement forward, army movement forward, is easier to us once we will find a solution to the UN problem, the UNEF problem.

Dinitz: You mean to the Beta Line.

Rabin: To the Beta Line, etcetera.

Kissinger: Then, for example, if you say what should you do with the UN, you could push them into that two kilometers. I am thinking out loud. You could let the Egyptians go to the old Beta Line in some sector and move the UN into that new sliver. You see what I mean?

Peres: Let's put it this way: if we shall find an arrangement with the UN...

Rabin: We will try to find an arrangement. You would like to make it more specific.

Kissinger: In that southern sector, immediately, which means perhaps two weeks. But the quicker you can let something significant happen there, the more of a stake they have.

Allon: After signing the protocol?

Kissinger: After signing. Assuming you agree to a two, two-and-one-half to three month transfer, don't wait for the end of that three-month period before something happens. He will construe that as blackmail.

Rabin: All right.

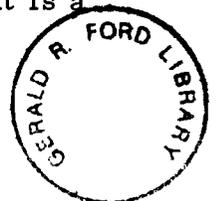
Kissinger: But I have no idea how to do it.

Rabin: As a matter of principle, we accept.

Kissinger: That's all I need to tell him tonight.

Rabin: How to work it out, where exactly -- we have to work it out. We can do it by tomorrow.

Kissinger: I prefer not to tell him tonight, but I prefer to tell him that I discussed with you the importance of something happening very quickly after the agreement, and that you are studying it sympathetically but it is a technical problem which you are trying to work on.



Sisco: When the Israelis and the Egyptians talk in trying to work the protocol, that's the place.

Kissinger: Fine.

Rabin: In principle we agree.

Kissinger: Now, you want to go to the monitoring.

Rabin: Yes.

Peres: I must tell you that the suggestion we got from you was a real shock.

Sisco: What was a real shock?

Peres: Your draft of the agreement of monitoring. A real shock.

Sisco: Let's hear why.

Kissinger: I thought you were complaining about the other agreement.

Peres: Both; terribly bad.

[the following joined the meeting]

For Israel: Prof. Barak, Attorney General  
Prof. Yuval Ne'eman, Senior Adviser to Minister Peres  
General Ephraim Poran, Military Secretary to the Prime Minister  
General Shmnel Tamir, Head of the Planning Department  
Mr. Meir Rosenne, Legal Adviser  
Mr. Eli Mizrachi, Director, Prime Minister's Bureau and  
Military Secretary to the Prime Minister  
Col. Aryeh Bar-On, ADC to Minister Peres  
Col. David Katz, ADC to General Gur

For the U.S.: Monroe Leigh, Legal Adviser to the Department of State  
Robert B. Oakley, NSC Staff

Peres: Let's, first of all, go to the basic concept, why we were interested in the American presence and this is to assure two or three points: (A), duration and (B), the Passes.



The Passes are the most precious strategic position in the Sinai Peninsula. And the duration -- while we are having some problem with the UNEF, we prefer at least the American presence will ensure the duration until it will be superseded by another agreement. I must say that these two important points are either missing or are in a very bad shape in your definitions. [Referring to US draft at Tab C.]

Let me go, first of all, to the problem of the duration.

Kissinger: Incidentally, you understand that not even the concept of this agreement has as yet been discussed with the Egyptians.

Peres: We do understand it and we understand it is going to be a three-party agreement.

Sisco: They don't know this yet and it is a document that will have to be submitted formally for approval to our Congress.

Kissinger: We agree with you that this is the way it should be handled, that we will support this with the Egyptians. But we have up to now had to spend our time getting their agreement to the concept and we didn't want to confuse the issue by going into the legal basis. There may be counterproposals from the Egyptians.

Peres: We understand and we assume that whatever won't be pro-Israel, the Israelis won't add. I just want to understand what are the basic conditions: One, the presence must be there in its own right, and disconnected from the UN. Two, it will remain for the duration of agreement, which means until it will be superseded by another agreement. Three, that neither of the parties single-handed can reject or stop the American presence. Four, there will be a positive American statement that your intention is to remain there for the duration. Yet we understood that you wouldn't give up the right of veto, but the right of veto would not be included in the agreement.

Rabin: That we cannot veto you.

Peres: We cannot veto you, but you won't say in the agreement that whenever you wish, you may go. Because this cuts the meaning of duration into pieces. All this doesn't exist, to the best of our judgment. And I shall start with the most important article in this document [Tab C], which is Article 8: "This agreement shall enter into force upon exchange of written notices of acceptance by each Party and shall remain in force for an indefinite period." What we suggest is: "for the duration of the agreement, until it will be superseded by another one."





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