

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Charge:

Classification

Control: 423

ACTION TO: SECSTATE, WASHINGTON 2991

Date: Dec 9, 1961
1 AM

REPD INFO: Amembassy, BONN 339
USEER, BERLIN 189
Amembassy, LONDON 533
Amembassy, MOSCOW 172

DEPARTMENT OF STATE
 Retain class'n Change / classify to _____
 With concurrence of STAT / ADR, DEV, PR
 Declassify In part and excise as shown
EO 12356, Sec. 1.3 (a) _____
FPC/HDR by 4 / 27 / 95
Withdrawal No. 2-13

PASS DEFENSE FOR NITZE

FROM KOHLER.

Morning December 8 Senior Officials Meeting continued

discussion substantive paper (BQD 55). Laloy noted bracketed language Part II, foot note (b) page 4 should be retained and Carstens reiterated FRG did not wish make declaration to Soviets on non-production ABC weapons.

Laloy stated French submitting draft cover report for working group which could be considered afternoon session and suggested move into discussion Part III without attempting drafting changes until after consideration cover report. He then commented that language page 5 beginning "any understanding on access should not" was general and sought ~~xxxx~~ elucidate meaning.

Kohler stated if international autobahn authority achieved, there is no problem. Meaning language is that if present civil access arrangements continue, this is fine but no arrangement should be made which prevented three powers from assuming responsibility for civil access. It clear Soviets will try limit any

STATE DEPT DECLASSIFICATION REVIEW

Exempted, EO 12958, 25X _____
 Declassify after _____
 Declassify only with concurrence of _____
 Declassify Change/Classify to _____
Classified by K. L. BROWN Date: 11/3/00
Other Agency Action: _____

SECRET

Classification

access
REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

SS 20

A
MIN
STOESSEL
EF 5
PF 5

FINLETTER
DURBROW

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Classification

Control: 423

Charge:

Date:

PAGE -2-

access arrangement to allied garrisons, but we had to maintain one means free and uncontrolled access. Language ~~shall~~ intended set minimum condition beyond which West could not go. Carstens agreed. Laloy said he agreed with principle but legal basis allied access rights for civil population not as ~~sound~~ sound as air access ~~at~~ legal basis. ~~Shuckburgh~~ Shuckburgh suggested certain rephrasing to point up preservation allied right re civil access.

Carstens commented that FRG believes ultimate responsibility for civil access rests with three allies and link between IZT and access in 1960 agreement designed strengthen position but with explicit FRG reservation that allied responsibility in no way precluded or removed thereby. In reply questions he said West German going Berlin merely presented identification card to East Germans although if he went to city in zone he had to get permit.

Laloy commented in case separate treaty, East Germans could institute passport and visa system. Kohler agreed this likely and effort might be made raise IZT negotiations and dealings to government level. This would raise serious problem requiring study by FRG as in principle it desirable civil travel be dealt with on local basis rather than with Soviets. Laloy added if

separate

SECRET

Classification

REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Charge:

Classification

Control: 423

PAGE -3-

Date:

separate treaty signed pressure would also be on Western European countries to make trade arrangements on ministerial level. When Carstens replied that when treaty concluded, there would be similar problem for allied military traffic, Laloy noted this would be case if no prior understanding reached with Soviets but peace treaty could be instrument making distinction between allied military and civil access. Carstens argued that it was important therefore in negotiations keep in mind need protect civil as well as allied access. ~~XXXX~~ Shuckburgh commented that there can be ^{for} no prior arrangement unless there guarantees/~~or~~ civil and military access but he did not like concept allied "responsibility" for civil access.

When Laloy asked if there agreement on international access authority paper (BQD-37) Carstens advanced FRG reservation on Board Governors, indicating preference for director general. Kohler pointed out if Soviets agreed to authority, they would press for lowest common denominator "weak" director general while with Board Governors concept and East-West standoff, we could count on Austria, Sweden, Switzerland keep authority on even keel. Carstens replied ^{no} ~~we~~/need go into details now but FRG objected East German membership and fact bloc representation

SECRET

Classification

could
REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Classification

Control: 423

Charge:

PAGE -4-

Date:

~~XXXXXX~~

could impose brakes on authority. If Soviets accepted authority concept, they might accept good director general. Laloy thought Soviets would ask "enormous" price for authority and concept had three bad features:

1. GDR would be introduced on same basis other bloc states;
2. Having East and West Berlin participate in agreement acknowledged "split" of Berlin and advanced "free city" idea; and
3. Doubt Soviets would accept "majority" vote.

Project was attractive, doubted Soviets would buy it, it has problems and details should be studied.

Kohler stated project has been studied and problems considered. Very acceptance proposal would detract from GDR status which may make acceptance doubtful. But proposal reasonable and contains gesture to Soviets and improves west position if "break" comes on access. Carstens reiterated view proposal should be made to Soviets on "broad" lines and if Soviets seem interested, could then go into details.

Laloy then raised question how prior four power understanding on access would be enforced on GDR. Gromyko had implied it might be

SECRET

Classification

REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Classification

Control: 423

Charge:

PAGE -5-

Date:

be incorporated into separate treaty but if we signed agreement and it became part of treaty which we refused recognize, three powers would be in strange position.

Kohler said we must answer question how far we wish get involved in treaty but it would be up to Soviets to ^{superimpose} ~~superimpose~~ agreement on GDR. Carstens agreed stating Gromyko said treaty would "reflect" understanding. How Bloc fulfills its obligations to West internally is its problem. Laloy responded implications had be studied further and if letter like Bolz-Zorin was means "superimposing" understanding, this would be ideal.

Carstens thought first paragraph c) page 3 came too close to acquiescence on separate treaty and Laloy asked how three powers give guarantee on ~~non~~ non use force for reunification and border rectification. Kohler replied it should be informal four power declaration, initialled by Foreign Ministers or incorporated in four power communique or statement ~~of~~ which ~~FRG~~ ^{FRG} could take note ~~in~~ public statement. ~~Carstens~~ Carstens also stated FRG could make statement broadened cover Oder-Neisse but ^{formulae} objected to British formula in brackets FRG has several ~~formulae~~ to suggest.

On

SECRET

Classification

REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

TELEGRAM

Foreign Service of the
United States of America

OUTGOING

SECRET

Classification

Charge:

Control: 423

PAGE -6-

Date:

On unilateral NATO-Warsaw Pact non-aggression declaration, Laloy said Soviets looking for "contrast" between ~~FRG~~ and ~~GDR~~ ^{NATO Warsaw Pact} and asked if this explored with Soviets. Kohler replied negatively but noted ^{BQD} ~~FRG~~-64 illustrative on this matter and way could be found make declaration without recognition GDR. Carstens said FRG could accept parallel declarations but not repeat not treaty as latter would recognize GDR and give wrong impression real political situation.

On formulae re "respect GDR authority" Carstens pressed for formula restricted to rules and regulations re access and com-
^{with}patible/free access. FRG did not wish formula implying Western respect
~~formula~~ for "cruel" rules and regulations Ulbricht regime in other fields.

Shuckburgh argued Lord Home very interested in ^{formula} ~~formulae~~ which may be key element in negotiations. Laloy argued it not matter formula but substance as Gromyko wants GDR sovereignty accepted. Kohler pointed out formulae ^{merely} /suggestive, that "recognition sovereignty" had be avoided, and that nature understanding reached with Soviets might dictate language. It agreed Carstens would suggest FRG formulae afternoon meeting.

GAVIN

EUR:GER:IFFercival: exl SECRET

Authenticated by: Foy D. Kohler

Classification

REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"