

DOCUMENT WITHDRAWAL RECORD [NIXON PROJECT]

DOCUMENT NUMBER	DOCUMENT TYPE	SUBJECT/TITLE OR CORRESPONDENTS	DATE	RESTRICTION
1A	cable	Eilts to Scowcroft 2 pgs.	4/24/74	B
MANDATORY REVIEW REQUEST NLN 03-01/3				
SANITIZED per sec. 3.3 (b)(1)(b) E012958 1br. AUG 26 2003				
2	memo	HAK to Acting DCI 2 pgs	n.d.	B
MANDATORY REVIEW REQUEST NLN 03/01/4				
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3A	memo	HAK to the President 3 pgs	n.d.	B
MANDATORY REVIEW REQUEST NLN 03/01/5				
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FILE GROUP TITLE: NSC Files, HAK Office Files, Country Files, MF
 BOX NUMBER: 130

FOLDER TITLE: (3) Saunders Memoranda Sensitive Egypt/Hafez Ismail

RESTRICTION CODES

- A. Release would violate a Federal statute or Agency Policy.
- B. National security classified information.
- C. Pending or approved claim that release would violate an individual's rights.
- D. Release would constitute a clearly unwarranted invasion of privacy or a libel of a living person.
- E. Release would disclose trade secrets or confidential commercial or financial information.
- F. Release would disclose investigatory information compiled for law enforcement purposes.
- G. Withdrawn and return private and personal material.
- H. Withdrawn and returned non-historical material.

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1973

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B. Heads of
Agreement

SECRET (XGDS)

PRINCIPLES OF AGREEMENT

The governments of Egypt and Israel accept the following principles and affirm their intention to conclude a peace agreement between them putting these principles into effect:

1. The objective of the agreement is to establish a state of peace between Egypt and Israel which will provide a basis for the normalization of relations over time. The obligations of each side in a state of peace will be specified in the agreement.

--Israel's position: Will press for formal peace treaty affirming Israel's legitimate right to exist within recognized borders; will demand recognition and normalization of relations at outset of agreement.

--Egypt's position: Will try to limit scope of agreement to ending the formal state of war, stopping short of full normalization of relations. The Egyptians would probably agree to a state of peace which would allow Israel free passage through the Straits of Tiran and the Suez Canal; end the boycott on third-party goods; commit Egypt to prevent hostile operations from Egyptian soil and elsewhere to the extent possible; commit each side to non-inter-vention in each other's internal affairs, e. g. by radio; end Egypt's practice of adding a reservation clause when it signs multilateral agreements, saying they do not apply to Israel. This agreement would not include exchanging ambassadors, trade, or opening borders for routine travel. Those steps would characterize later normalization.

--Negotiating issues: The objective here would be to gain Egyptian agreement to a process of normalization of relations as a stated objective of the signatories. There are two reasons for seeking this commitment: (a) It would help meet the Israeli argument that the Arabs do not want full peace. (b) It would define a long transitional period to an agreed objective during which special security arrangements might be justified.

XGDS - 3
DECLAS - Date Impossible to Determine.
BYAUTH - Dr. Henry A. Kissinger

SECRET (XGDS)

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2. The state of peace will become effective with the signing of the full agreement.

--Israel's position: Signature of agreement should lead immediately to recognition, end of boycott and all acts associated with state of belligerence.

--Egypt's position: Recognition, end of boycott, free transit in Suez Canal will all be contingent upon stages of Israeli withdrawal, not on signature of agreement.

--Negotiating issues: Discussions with the USSR in 1969, of which the Egyptians were aware, reached the point where lawyers were trying to make a distinction between de facto peace (which might come into effect when an agreement is signed) and de jure peace (which would come into effect at the completion of withdrawal). It would be preferable, if possible, to avoid this kind of technical distinction. This might be more possible than in the past if attention is shifted from "withdrawal" to "restoration of sovereignty." There are two possible approaches:

--Return to the position that the state of war ends with signature of the agreement. If the agreement includes concrete obligations in a state of peace and a commitment on borders, the argument could be made that peace is in effect and execution should be subject to periodic reviews as new phases begin.

--A fallback would be to make peace obligations effective when Egypt reasserts its sovereignty in the Sinai by resuming civil authority. Israeli troops meanwhile would have pulled back or regrouped as part of new security arrangements.

3. Egyptian sovereignty will be restored in the Sinai Peninsula.

--Israel's position: Sovereignty must be defined in minimal terms, allowing at most a civilian presence, but not Egyptian military installations or major constraints on remaining Israeli or international forces. In addition, some permanent border changes must occur which will exempt specified areas from Egyptian sovereignty.

--Egypt's position: Sovereignty must be given full scope within all formerly Egyptian territory. The only restrictions on sovereignty will involve demilitarized areas and stationing of international peacekeeping forces at designated areas.

--Negotiating issue: It would be a major decision for the Israelis to accept this principle, but it should be a shade less difficult because the issue is now "restoration of sovereignty" rather than "withdrawal." This permits trying to separate the issues of security and final borders. The objective would be to introduce into Egyptian thinking maximum flexibility about the kinds of transitional security arrangements that a sovereign Egypt might agree to.

This, of course, is the central issue. A basic question is whether to try an alternative formulation that would be based on the assumption that Israel will not accept restoration of Egyptian sovereignty in Sinai, at least not now. The disadvantages of any such formulation are (a) that Egypt would not be satisfied and (b) any weaker formulation becomes another exercise in semantics for papering over the real territorial issue, and a negotiation will quickly deadlock over that issue. However, just for consideration, less categorical formulations might be:

--The agreement will provide a schedule for the [early] restoration of sovereign Egyptian civil authority in the Sinai.

--An objective of the agreement will be to establish a relationship between Egypt and Israel that will lead to restoration of Egyptian sovereignty in the Sinai.

--An objective of the agreement will be to describe transitional arrangements leading toward restoration of Egyptian sovereignty in the Sinai.

4. Withdrawal of Israeli troops from the Sinai Peninsula will be phased over an agreed period.

--Israel's position: Period of phasing must be long (10-20 years); Israel must remain in control of key areas until late in the period; each stage of withdrawal will be dependent upon full observance of agreement in prior period.

--Egypt's position: Period of withdrawal should be short (under one year) and Israeli withdrawal should take place according to a fixed timetable.

--Negotiating issues: The problem is to find a way in which the restoration of Egyptian sovereignty and some of its symbols might be restored relatively promptly while the actual "withdrawal" of Israeli troops performing specified security duties might be phased over a prolonged period. An illustrative plan might identify three categories of Israeli military installations in various parts of Sinai. After three years those in category one would be removed, provided that all parts of the peace agreement were being implemented in good faith by the Egyptians. After seven more years, installations in category two would be abandoned. Finally, after another five years, the remaining installations would be turned over to an international force, including both Egyptian and Israeli contingents. The location of the installations in the three categories could be arranged to leave the Israelis close to the Canal, at Sharm al Shaykh and at the Bir Gafgafa base until the last phase.

5. The Sinai Peninsula will become a buffer between Egypt and Israel, with designated demilitarized regions. Each party, along with international forces, will have specified rights and responsibilities for keeping the peace and guaranteeing the demilitarized areas. The type, level and location of armaments within the Sinai Peninsula will be specified in the agreement.

--Israel's position: Israel will resist the introduction of any Egyptian armed forces across the Canal and will seek to circumscribe the functions of international forces. A prominent role for Israeli military forces will be required.

--Egypt's position: The areas subject to demilitarization should be small, preferably located on both sides of the old international frontier. Egyptian forces must be allowed across the Canal, to be deployed in an area at least up to the passes east of the Canal. Israeli units will only be acceptable as part of a broader peace-keeping force.

--Negotiating issue: The objective would be to provide a nominal international umbrella to satisfy Egyptian requirements, while preserving direct Israeli involvement in enforcing demilitarization and assuring security. Some of the possible means include:

--colocation of Israeli and international forces at the Canal and at Sharm al-Shaykh;

--designation of demilitarized areas, to be monitored by sensors and mixed Egyptian-Israeli patrols under an international cover;

--open skies for reconnaissance by Egypt and Israel over all parts of Sinai;

--establishment of early warning lines on both sides of the Sinai, with Egyptians close to Israel and Israelis near the Canal.

6. The Suez Canal will be open to ships of all nations from the time it is reopened following the signing of a peace agreement.

--Israel's position: As soon as the first ships pass through the Canal following its reopening, Israel must have the right to use the Canal.

--Egypt's position: Israel's right to use the Canal cannot be exercised until Israeli troops have withdrawn and the Palestinian refugees have been offered the choice of resettlement with compensation or repatriation.

--Negotiating issue: Egypt's acceptance of Israel's early use of the Canal will be attained more readily if Israel will simultaneously agree to some principle of compensation or repatriation of the Palestinian refugees. A second issue will be what guarantees can be worked into an agreement to prevent the interruption of legitimate Israeli traffic in the Canal. One possibility would be to extend Israel's right to retain military garrisons in Sinai by the amount of time Israel is prevented from using the Canal after its reopening. Egypt will try to introduce the provisions of the Constantinople Convention of 1888 which allow for the closure of the Canal under some circumstances.

7. The principle of free passage for shipping in the international waterways of the Strait of Tiran is affirmed. To guarantee free passage, an international force with Israeli participation will be stationed at Sharm al-Shaykh.

-- Israel's position: In addition to the Strait of Tiran, Bab al-Mandab at the southern entrance to the Red Sea should be declared international waters. Israel must be allowed to retain its own military presence at Sharm al-Shaykh.

-- Egypt's position: No Israeli forces should be stationed at Sharm al-Shaykh except as part of an international presence, if then. Egypt would prefer leaving Sharm al-Shaykh free of all forces.

-- Negotiating issue: It may be useful to think of internationalizing, at least regionally, the means of guaranteeing free passage. One possibility would be a convention on shipping in the Red Sea and the Gulf of Aqaba that would involve not only Egypt and Israel, but also Jordan, Saudi Arabia, Ethiopia and Yemen. A prime objective would be to gain agreement from all riparians that both the Strait of Tiran and Bab al-Mandab constitute international waterways.

8. Guarantees of the agreement by the major powers will be welcome.

--Israel's position: Only a bilateral security arrangement with the United States will be seen as valuable.

--Egypt's position: Egypt will welcome a four-power or UN guarantee of any settlement.

--Negotiating issue: It should be possible to develop several levels of guarantees, from a general and vague UN or international guarantee to a specific US-Israeli agreement, duly ratified by the Senate.

9. During a period of transition to normal relations, the two governments may agree to special security arrangements.

-- Israel's position: Such arrangements should provide for a sizable Israeli military presence at designated points in Sinai over a prolonged period.

-- Egypt's position: Any such arrangements should be brief in duration and subject to a timetable for withdrawal of all Israeli forces.

-- Negotiating issue: The key element here will be to gain Egyptian acceptance of the idea of a fairly long period during which Israel would retain some military units in critical areas. A second important principle to establish is that Israeli relinquishment of military outposts will not be automatic, but rather that it will depend upon adherence to all elements of the peace agreement. This concession on Egypt's part will be tied to Israel's concession to acknowledge Egyptian sovereignty in Sinai.

C. Security

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May 17, 1972

EGYPT - ISRAEL

A framework for a peace agreement between Egypt and Israel could be developed around the following elements, in addition to the general terms of peace:

- reaffirmation of Egyptian authority over the Sinai and civil authority there
- demilitarization of the Sinai with effective early warning facilities under a UN force with Egyptian and Israeli participation;
- assurance of passage through the Straits of Tiran in the context of Sinai demilitarization.

The instrument for overseeing this arrangement could be a Sinai Demilitarization Commission established by the UN Security Council and headquartered at a place such as al Arish.

--The Commission could have three members: a UN Chairman and one representative each of Egypt and Israel. Its character would be changed only by Security Council vote.

--The Commission could have two functions: (1) It could provide a forum for discussion of violations and referral to the governments of Egypt and Israel for negotiation and to the Security Council if hostilities threatened. (2) It could administer the two observer forces described below.

--The basic agreement might define the conditions under which forces would be redeployed into the Sinai in response to violation.

Under the Sinai Demilitarization Commission, there would be two observer forces one with responsibility for demilitarization in the Sinai; the other with responsibility for maritime passage through the Straits of Tiran.

The Sinai Observer Force, headquartered at a place in the central Sinai like Bir Hassanah, would consist of UN, Egyptian and Israeli personnel in equal numbers under UN command. The mission of the force would be to give Egyptians and Israelis continuing confirmation of adherence to the demilitarization agreement and early warning of violation. To facilitate carrying out this mission the Sinai would be divided into three zones--two early warning zones and a central administrative zone. More concretely, this might be worked out as follows:

--One zone might be defined roughly by a line from al Arish to the Gulf of Aqaba parallel to the international border. This could be more precisely defined to conform to topography. In this zone, Egyptian and UN personnel would man radar, sensor and patrol facilities. A support base would be located as convenient.

--A second zone might be defined roughly by a line running parallel to the Suez Canal through the high ground and passes in the Sinai east of the Canal. In this zone, Israeli and UN personnel would man radar, sensor

and patrol facilities. A support base would be located at Bir Jifjafah where the Israelis now maintain a base and airfield.

--In the central zone would be headquarters, a logistical base and observation posts at key road junctions.

--Egypt and Israel would have the right to fly air surveillance missions over the Sinai on a stated schedule.

The Tiran Observer Force, headquartered at Eilat under UN command, would include Jordanian and Saudi personnel in addition to UN, Egyptian and Israeli personnel since they are also riparians of the Gulf of Aqaba.

The personnel of the Tiran Observer Force would be distributed to reflect the particular concerns of the separate national members. For instance: Egyptians could provide naval patrol in the Red Sea approaches, ship-to-shore communications at Sharm al-Shaikh and civil security at Sharm al-Shaikh; Saudis could man Tiran Island; Jordanian and Israeli observer units could be stationed at the Sharm al-Shaikh airfield. An access road would be maintained from the headquarters in Eilat to Sharm al-Shaikh for use of all members.

A joint Jordan-Israel port authority would be established to facilitate development of the Aqaba-Eilat ports and area. The airfield at Naqb (12 miles west of Eilat) would serve the entire port area, would support the Tiran Observer force, would be maintained by Jordanian and Israeli units. (A boundary rectification might be considered to include this within the port authority area.)

The above arrangements as well as Israeli withdrawal could be implemented in phases and reviewed at stated intervals. After some period, it would be possible to consider reversing national roles on the two early warning lines so that Egyptian personnel would drop back to the line paralleling the Canal and Israeli personnel to the line closer to the Israel border; in that case, the central zone could become the buffer and the focus of early warning equipment.

D. First Meeting

1. March 26

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MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

SECRET (XGDS)

February 21, 1973

MEMORANDUM FOR: DR. KISSINGER

FROM: HAROLD H. SAUNDERS *Hal*

SUBJECT: Background on US-Egyptian Talks
and Your Possible Role

Attached in response to your request are the following:

--At Tab A is a memorandum analyzing the present situation, describing what is likely to be the State Department approach to reactivating Arab-Israeli negotiations and presenting an alternative for your possible involvement. This memo also relates these questions to the Friday visit of Hafiz Ismail.

--At Tab B is a more detailed description of the evolution of US, Egyptian, and Israeli positions on the idea of an interim settlement in 1971. The essence of this is summarized in the memorandum at Tab A, but the fuller memo is included here in case you want to review that background in greater detail.

Other material is also available to you in the form of two other books for background reading:

--One is the larger book which I prepared for you in November. This contains talking and background papers from which alternative approaches could be developed on all the main issues. This is the book in your office now.

--There is also a book which details the US-USSR talks in 1969, lays out the evolution of the US peace initiative in 1970, and provides even more detail on the evolution of the interim agreement talks in 1971. If you want this, I will help Peter identify it so it can be pulled out of your files.

XGDS - 3
DECLAS - Impossible to determine date.
BYAUTH - Dr. Kissinger

SECRET (XGDS)

MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

SECRET (XGDS)

February 21, 1973

MEMORANDUM FOR: DR. KISSINGER

FROM: HAROLD H. SAUNDERS *HHS*

SUBJECT: The State of US-Egyptian Talks and Your Possible Role

The purpose of this memo, in response to your request, is (a) to describe the present state of US-Egyptian talks, (b) to suggest one way you might relate to them and (c) to relate these points to the visit of Hafiz Ismail this Friday.

The State of US-Egyptian Talks

US-Egyptian talks on an interim settlement lost momentum in the summer of 1971 after the Rogers-Sisco visits to Cairo, the Bergus paper, the failure of Sadat to send an emissary to Washington for follow-up talks, and the lack of results from Sisco's July visit to Israel. At that point these were the outstanding issues:

- Sadat wanted an interim agreement linked to an Israeli commitment to full withdrawal under a later agreement. The Israelis rejected any such linkage and insisted on a self-contained agreement on partial withdrawal.
- Sadat wanted Israeli withdrawal east of the mountain passes. Israel spoke of withdrawing only 10-15 kilometers from the Canal.
- Sadat insisted that Egyptian regular military forces cross the Canal. Israel insisted on civilians only, fearing that Soviet forces then in Egypt would cross.
- Israel wanted immediate use of the Canal. Sadat wanted to defer Israeli use until conclusion of a final peace agreement, resulting in full Israeli withdrawal.

XGDS - 3
 DECLAS - Date impossible to determine.
 BYAUTH - Dr. Henry A. Kissinger

SECRET (XGDS)

--The Israelis wanted commitment to an indefinite cease-fire, while the Egyptians wanted limited extension. One had the feeling that this issue might take care of itself if the others began falling into place.

--The nature of supervisory arrangements was recognized as an issue but was not a primary one then.

That is where diplomatic exchanges on the specifics of an interim agreement stand as suspended in mid-1971.

Recently President Sadat publicly and Hafiz Ismail privately have described the following as the present Egyptian position:

--Egypt is no longer interested in an "interim" agreement if by "interim" is meant a settlement leaving the major issue of territory in abeyance. Egyptians are concerned that the re-opening of the Canal and the restoration of normal life in the cities along the west bank will create a buffer against renewed military confrontation while removing the inconvenience and danger that give the powers outside the area an interest. In London Tuesday Ismail said Egypt "totally rejects" an interim agreement under US auspices.

--Egypt is prepared to make peace with Israel and respect its territorial integrity within pre-war borders, but Egypt expects Israel to do the same toward Egypt's borders.

--Procedures for making peace need not be an obstacle if the substance is right. UN Resolution 242 is one guide for a settlement but there may be others.

--Egypt is ready to accept international guarantees, including presence at Sharm al-Shaikh and demilitarized zones, but Egypt could not accept Israeli sovereignty over one inch of Egyptian territory.

--There have been some recent indications that Egyptians are making a distinction between resolving the issues which grew out of the 1967 war and those Palestinian issues which date back to 1948-49. Foreign Minister Zayyat recently said the latter are for the Palestinians to solve.

A Framework: The Broad Choices

Just for the sake of sharpening the issues, it is worth stopping briefly to note the two broad areas of choice before us as we consider ways of reactivating efforts to advance Arab-Israeli peace negotiations:

1. Substance of a general approach.

--The State Department approach continues to favor (1) concentrating on an Egypt-Israel settlement, leaving a Jordan-Israel settlement till later and (2) trying to start Egypt-Israel negotiations on an interim agreement, establishing a commitment to negotiate later on an overall settlement but not addressing any of the fundamental issues like boundaries now.

--The alternative would be (1) to deal with a Jordan-Israel agreement simultaneously with Egypt-Israel negotiations, recognizing that the US role would be quite different and (2) to address the issue of territory, at least in terms of general principles, at the outset in private talks with the Israelis, and eventually with the Egyptians. The latter point could be handled on a separate track from proximity talks, supplementing them. There are elements of both approaches that are not necessarily mutually exclusive.

2. Style.

--The State approach has normally been to begin consultations with the Israelis and Egyptians on the basis of a formal demarche and a fully developed formula from which the two sides would begin negotiations. Although that formula may be presented with expression of readiness to consult fully, this approach can have the appearance of trying to force something of our making on Israel.

--The alternative is to make a more general but still substantive approach, speaking at first in terms of fundamental points but not having a fully worked out formula which we are pressing on all major issues. The initial approach would be less formal and dramatic. The purpose would be to preserve an atmosphere of collaboration, to minimize the appearance of pressure, to encourage the Israelis to develop a formula, and yet to make clear the points we feel must be addressed.

The suggestion developed for your thought in the fuller discussion below is that State proceed more or less openly on an interim agreement with lower-key style while you develop a simultaneous private track on the broader issues if and when the conditions seem right. When a decision is made on this, the Jordanian question could be pursued separately.

The Basic Question: Is Egyptian-Israeli Negotiation Possible?

The basic question is whether either Israelis or Egyptians are prepared to negotiate seriously. Specifically, is either prepared to move back from present negotiating positions in response to significant concessions from the other side?

While the question applies equally to both sides, it is important for us to answer it with regard to Israel before we commit ourselves to Egypt to involve ourselves in a negotiating process. It is important to know where Israel stands not because we want Israel to make all the concessions but because it would be unrealistic to get very far out in front of Israel and to let Egypt believe that we can deliver more than we can persuade Israel to accept. It will not help to begin any effort with another crisis of confidence between us such as the one that followed Rogers' December 1969 speech.

To put Israel first is not to dismiss the Egyptian side of the question. Nothing would be so helpful as background for Mrs. Meir's visit (February 27-March 2 in Washington; March 1 with the President) as evidence that Egypt is prepared to negotiate in the expectation of real give-and-take. Mrs. Meir will come with a strong argument against any new diplomatic activity until Egypt demonstrates its readiness to negotiate seriously. On the one hand, we will not want to appear to have fallen for phony Egyptian bait; on the other, the more Ismail shows Egyptian seriousness of purpose, the more we would have reason to discuss negotiations with Israel.

Thus the most useful result of Ismail's visit would be an indication that Egypt would be prepared to discuss all possible overall solutions at least privately if Israel would do the same--negotiate with no preconditions on either side.

Another aspect of this question--discussed further below--is how far the Soviets might now be prepared to go in pressing Egypt. Again, it seems best to establish first what is possible on the Israeli side because the Israelis will object to Soviet involvement.

What Are the Substantive Areas for Concentration?

What seems to be the substantive areas where discussion on an Egypt-Israel settlement would be most likely to yield progress?

One question, of course, is whether we should continue to concentrate exclusively on an Egypt-Israel settlement, leaving a Jordan-Israel settlement in abeyance as to the State Department is inclined to do. Because of the immediacy of Ismail's visit, I shall leave this question aside for the moment, although I believe there would be advantage in encouraging parallel but separate movement on both tracks.

On the Egypt-Israel front, there seem to be two schools of thought:

1. The State Department is concentrating on finding a formula that could get talks started on an interim agreement. The formula they are currently considering is along the following lines [in paraphrase]:

Israel and Egypt would agree to begin indirect negotiations without preconditions on an interim agreement looking toward a peace agreement in accordance with Resolution 242. Both sides would agree to begin negotiations on an overall agreement once execution of an interim agreement starts. No negotiating procedure will be barred [i. e., negotiations could be direct]. Each side will begin these negotiations recognizing the right of the other to negotiate from the particular interpretation of Resolution 242 it holds but also recognizing that Resolution 242 neither endorsed nor precluded withdrawal to pre-war boundaries.

The disadvantage with this approach is that Sadat has rejected an approach which does not provide some assurance that Israel and the US are committed to steps beyond partial withdrawal from the Canal which would lead to full withdrawal. He is afraid of playing his Canal and peace cards and being left without what he really wants in return. If he is desperate for some movement--as he apparently was in 1971 when he broached the interim agreement idea--the State formula might interest him, but the chances are that he will want more.

In addition, the chances are that negotiations on a partial withdrawal will again founder unless the two sides know what its broader context will be.

2. The alternative would be to address some of the fundamental issues of an overall settlement simultaneously. This could be done on a quite separate track. With public knowledge, State could manage discussions of a first-stage withdrawal. In private, you might address at least the framework for an overall settlement. The purpose of the private talks would not necessarily be to reach a definitive understanding in advance of negotiations between Egypt and Israel. The purpose would be to establish that both sides are prepared to move into a negotiating mode on the key issues--that both are prepared to consider seriously discussing solutions that are less than their present negotiating positions suggest. This approach has the two virtues of (a) making a major substantive contribution and (b) making use of State Department energies for detailed negotiations and to draw public attention.

Thus, whereas the State Department would concentrate on finding a diplomatic formula to permit both sides to begin negotiating on an interim agreement, the alternative approach would require that attention be given to concepts for a final settlement. Two related ideas seem to offer the greatest possibility for exploration:

--The first is to shift the focus from Israeli "withdrawal" to "restoration of Egyptian sovereignty" in the Sinai. This is not just semantics. It would require a significant and perhaps impossible Israeli decision not to change borders significantly (except for Gaza and perhaps a little around Eilat) but would at the same time permit an important decision by an Egypt sovereign in the Sinai to permit stationing of Israeli security forces at agreed points in the Sinai over agreed and extended periods.

--The second idea follows at this point: The peacemaking process should be phased over a long period, perhaps as long as twenty-five years. The number of Israeli posts in the Sinai might be reduced at stated intervals, and international cover might be provided at points like Sharm al-Shaikh. The phasing would provide a framework for development of other elements of an Egyptian-Israeli relationship so that Israel could test whether a peaceful relationship is possible.

You will recall that these two ideas underlay the papers we drew up together before the Moscow summit last May. In addition, they are developed in the larger book written for you in November.

Dealing with Hafez Ismail

One point is fundamental: The State Department through Sisco's agreement with Rabin on February 2, 1972, is committed not to discuss specific proposals with Egypt before consulting with Israel. State recognizes this and sees the talks with Ismail as a listening session and as an opportunity to probe what new elements of flexibility there might be in Egyptian thinking about an interim agreement.

Your choice is between two courses:

1. Give Ismail a friendly hearing, say the right things about wanting a settlement but not offer any concrete hope of further US involvement now. This is the course the Israelis would probably prefer. They believe the Egyptians should be left alone to reach the conclusion that they will have to pay a price for a settlement.
2. Give Ismail reason to report to Sadat that greater White House involvement would be possible if Egypt were willing to negotiate seriously. On the assumption that the Israelis might get wind of any concrete proposal, anything that is hinted along these lines should be consistent with what we know to be Israeli thinking. One way of approaching the issue is to say that we need to know what we will have to work with before we talk with Mrs. Meir. One could be fairly direct privately in saying that we would need to be assured that discussion could include such issues as arrangements for stationing Israeli troops at key points over extended periods by agreement with a sovereign agreement, ways of assuring demilitarization and other such issues. The key question--perhaps better left unspoken until after talks with Israel--is whether Egypt would agree to have Israeli troops on Egyptian soil if Egyptian sovereignty were reconfirmed in most of the Sinai.

The Egyptians, of course, may not choose to negotiate on grounds other than their full demands, but then there is little possibility of a negotiated settlement now. Even if the Egyptians make that choice, the Israelis will still have a fundamental decision to make on their readiness to

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October 28, 1969

PROPOSED JOINT US-USSR WORKING PAPER
FUNDAMENTAL PRINCIPLES

Israel and the UAR,

In consideration of their obligations under the Charter of the United Nations,

Confirming their obligations under Security Council Resolution 242 of November 22, 1967 and expressing their readiness to implement it in good faith in all of its provisions,

Recognizing the inadmissibility of the acquisition of territory by means of war,

Recognizing also the need to establish a just and lasting peace in the Middle East under the terms of which each State in this area can live in security,

Agree that their representatives under the auspices of Ambassador Jarring will follow the procedures the parties utilized at Rhodes in 1949 to work out without delay, starting on the basis of the following provisions, a final and reciprocally binding accord on ways of implementing Security Council Resolution 242 of November 22, 1967 to establish a just and lasting peace.

Point 1

The parties, in reaching a final accord (contained in a final document or documents) on a package settlement on the basis of these Fundamental Principles, would determine a timetable and procedures for withdrawal of Israeli armed forces from UAR territory occupied during the conflict of 1967 to boundaries to be delineated in accordance with Point 3 as well as an agreed plan for interrelated fulfillment of all other provisions of Security Council Resolution 242.

Point 2

The state of war and belligerency between Israel and the UAR would be terminated and a formal state of peace would be established between them, and both parties would refrain from acts inconsistent with the state of peace and the cessation of the state of war.

In particular:

1. No aggressive action by the armed and other forces -- land, sea, or air -- of either party would be undertaken or threatened against the people or the armed forces of the other.

2. Both parties would undertake to do all in their power to ensure that acts of hostility and belligerency whether by government agencies, personnel, or private persons or organizations will not originate from and are not committed from within their respective territory.

3. Both parties would refrain from intervening directly or indirectly in each other's domestic affairs for any political, economic, or other reasons.

4. Both parties would confirm that in their relations with each other, they will be guided by the principles contained in Article 2, paragraphs 3 and 4 of the UN Charter.

Point 3

The parties would agree on the location of the secure and recognized boundary between them, which would be shown on a map or maps approved by the parties which would become part of the final accord. In the context of peace, including inter alia agreement between the parties on the establishment of demilitarized zones, on practical security arrangements in the Sharm al-Shaykh area for guaranteeing freedom of navigation through the Strait of Tiran, and on practical security arrangements and final disposition of Gaza, the former international boundary between Egypt and the mandated territory of

Palestine would become the secure and recognized boundary between Israel and the UAR.

Point 4

For the purpose of ensuring the territorial inviolability of the parties and guaranteeing the security of the recognized boundary, the parties, following the procedures set forth in the last preambular paragraph of this document, would work out an agreement on:

(a) Zones to be demilitarized and procedures for ensuring their demilitarization;

(b) Practical security arrangements in the Sharm al-Shaykh area to assure freedom of navigation through the Strait of Tiran; and

(c) Practical security arrangements for and final disposition of Gaza.

Point 5

The parties would agree and the Security Council would reaffirm:

(a) That the Strait of Tiran is an international waterway; and

(b) That the principle of free navigation for vessels of all countries, including Israel, applies to the Strait of Tiran and the Gulf of Aqaba.

Point 6

The UAR would affirm that, in its exercise of sovereignty over the Suez Canal, the ships of all nations, including Israel, will have the right of freedom of navigation without discrimination or interference.

Point 7

The parties would agree to abide by the terms of a just settlement of the refugee problem as agreed upon in the final accord between Jordan and Israel, and to participate as Ambassador Jarring may deem desirable in working out the terms of said settlement.

It would be understood that the accord between the UAR and Israel would be paralleled by an accord between Jordan and Israel, which would include agreement on a just solution of the refugee problem. Implementation of both accords would begin only after agreement had been achieved on the entire package.

Point 8

The UAR and Israel would mutually agree to respect and acknowledge each other's sovereignty, territorial integrity, inviolability and political

independence and each other's right to live in peace within secure and recognized borders free from threats or acts of force.

Point 9

The final accord would be recorded in a document which is to be signed by the parties and immediately deposited with the UN. After the parties have deposited such a document, the Secretary General of the UN would be requested by the parties immediately to inform the Security Council and all UN Member States to that effect.

From the moment of deposit, the document would become binding on the parties and irrevocable, and implementation and observance by the parties of the provisions of the accord would begin. In the implementation of the final accord, it would be understood by the parties that their respective obligations would be reciprocal and interdependent. The final accord would provide that a material breach of that accord by one of the parties shall entitle the other to invoke the breach as a ground for suspending its performance in whole or in part until the breach shall be cured.

Point 10

Both parties would agree that the final accord would be submitted to the Security Council for its endorsement.

* * * * *

It would be understood that France, the United Kingdom, the United States and the Union of Soviet Socialist Republics would submit and support an appropriate Security Council resolution and pledge that they would concert their future efforts to help the parties abide by all of the provisions of the final accord or accords.

SECRET (XGDS)

Sept. 73
page 1

CHRONOLOGY
US MIDDLE EAST POLICY

1969

- January-February President in NSC reviewed Mid East policy and decided US should take active role in trying to move toward Arab-Israeli settlement.
- March 18-April 22 Sisco and Dobrynin held nine exploratory discussions on the basis of a settlement. Only formal document was US working paper presented in Four Power Talks March 24.
- May 6-June 17 US paragraphs on key issues put forward (authorized April 25 NSC meeting). USSR -- after consultation with Cairo including sending Gromyko there June 10 -- replied with a counter-proposal on June 17.
- July 15-August 25 Sisco-Vinogradov talks in Moscow, July 15-17. Sisco presented US document revised in light of USSR's counter-proposal of June 17. Semyenov commented in four meetings with Beam July 31-August 25. US stuck with formula that the pre-war border "is not necessarily excluded", that final status of Gaza and security arrangements at Sharm al-Shaikh should be negotiated.
- September 22-30 Rogers-Gromyko and Sisco-Dobrynin follow-up talks in New York. No new documents on either side. US side thought Gromyko accepted Rhodes formula talks.
- October 28 Sisco gave Dobrynin a new US formulation going finally to what had been our fallback position on territories, i. e. that Israel should withdraw to pre-war borders provided adequate security arrangements could be made at Sharm al-Shaikh, in the Sinai and in Gaza.
- December 9 Rogers' speech putting October 28 formulation on public record.
- December 23 Dobrynin gave Rogers Soviet rejection of US October 28 formulation.

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1970

Late January Soviet SAM buildup in Egypt approved, presumably during Nasser visit to Moscow.

February-March High level of deliveries to Egypt of SA-2, SA-3, fighter aircraft with Soviet pilots and ground crews, new artillery, communications networks, Soviet advisors.

March 11-mid June Soviets tried to re-open dialogue. US went ahead with peace initiative instead of picking up dialogue with USSR, even though Soviets did offer marginally helpful points on the timing of peace and controls of fedayeen.

April Soviet pilots detected flying patrols in Egypt.

June 10-18 NSC meeting and discussions culminated in approval of new peace initiative to restore the ceasefire and start talks.

June 19 Peace initiative launched through diplomatic channels.

June 25 Rogers' announcement of the initiative to "stop shooting and start talking."

July 4 Israelis informed that US providing a package of electronic gear to help in attacks on SAMs. Equipment used by Israelis July 18.

July 22 "Unconditional" Egyptian "oral" acceptance of peace initiative and less categorical written response sent by Riad to Rogers.

July 24 ~~President~~ sent letter to Mrs. Meir urging Israeli acceptance.

July 26 Jordan accepted.

July 31 Israeli Cabinet decision to respond "affirmatively" announced. President announced that "all three governments" had accepted the US proposal.

August 6 Written Israeli response changed the language of US proposal.

August 7 Statement by U Thant announcing that all three parties agreed to resumption of Jarring mission, using US language. [Mrs. Meir shocked at US handling of Israeli

SECRET

acceptance. This resolved August 12.] Ceasefire into effect.

August 8-9 Israel charged Egyptian violation of standstill agreement.

August 10 First US U-2 flight.

August 14 \$7 million US electronics package for Israel approved.

August 22 Egyptians and Soviets informed we have "incontrovertible evidence of clear-cut violations" of the standstill.

September 3 Strong demarches in Moscow and Cairo on violations.

September 6 Israeli Cabinet decided it "unable" to participate in Jarring talks as long as standstill not fully implemented.

[September 6 Jordan crisis began with wave of hijackings.]

September 18 President Nixon met Prime Minister Meir, assured Israeli requests will receive "sympathetic consideration."

September 28 President Nasser died.

October 15 \$90million arms package for Israel, including anti-missile equipment, transport and reconnaissance aircraft. President approved recommendation for \$500million in financial assistance to Israel for FY 1971.

November 5 Ceasefire extended three months.

December 28 Israeli Cabinet decided to return to Jarring talks.

1971

January 6 Jarring began consultations with visit to Israel. While documents being exchanged, US received informal feelers from Egypt on idea of partial withdrawal from Suez Canal.

February 4 Sadat speech extended ceasefire one month and surfaced idea of partial settlement.

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February 8 Jarring memo to Israel and Egypt suggesting basis for negotiation.

February 9 Mrs. Meir in speech kept open interim settlement idea.

February 14 Egypt replied positively to Jarring.

February 26 Israel replied negatively to Jarring: "Israeli will not withdraw to pre-June 5, 1967, lines."

March 5 Sadat said he would not extend ceasefire. With that, ceasefire entered period of de facto extension. Attention shifted to interim agreement. Jarring talks went into suspense.

March 6 Sisco gave Rabin some "preliminary ideas" for getting talks started on an interim agreement.

April 19, 22 Israelis and Egyptians gave reactions to US proposals.

May 5-9 Rogers-Sisco talks in Cairo and Jerusalem on interim settlement. Main issues were linkage with overall settlement, duration of ceasefire, zone of withdrawal, supervisory arrangements, Egyptian presence east of Canal, use of Canal.

May 23 "Bergus paper" in Cairo suggested Egyptian position on interim settlement, including a first extension of Egyptian control beyond the passes.

June 4 Egyptians presented paper reflecting position in "Bergus paper."

July Sisco to Jerusalem. No progress.

October 4 Rogers outlined main issues in UNGA speech.

With this, overt US diplomacy lost its momentum with the exception of discussion at the May 1972 Summit in Moscow; the visits in February-March, 1973, of Meir, Hussein and Ismail; and the Washington Brezhnev-Nixon Summit.

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There is a two-track U.S. diplomatic effort of a mutually reinforcing character which might prove feasible and get a serious negotiating process started between Egypt and Israel. One track would involve negotiations dealing with an interim Suez Canal agreement, conducted quietly and in an exploratory fashion through diplomatic channels, but whose existence and general nature would inevitably become known in time to the media.

A second parallel track, undertaken simultaneously with the first track, would be completely secret U.S. contacts with the Israelis and subsequently with the Egyptians whose purpose would be to get a direct Egyptian-Israeli negotiating process started on the detailed terms of a final rather than an interim Egyptian-Israeli settlement. These two tracks are described briefly in this paper.

TRACK ONE

Israel agreed last February to engage in so-called proximity talks on an interim Canal agreement with Egypt under the aegis only of the United States and without pre-conditions. Egypt insists that Israel make a prior commitment to what amounts to total Israeli withdrawal to the pre-June 1967 Egyptian-Israeli armistice lines before undertaking such proximity talks. We have told the Egyptians time and again such a prior commitment will not be given by Israel nor would we press Israel to do so. At the same time, Israel recognizes, as we do, that Sadat does not want to agree to any interim solution which becomes a new, indefinite status quo leaving Israel in occupation of substantial parts of Egyptian territory. A formula which makes clear that an interim agreement would not be an end in itself, that there would be an obligation on both Egypt and Israel to engage in further negotiations on the remainder of the settlement, and that neither side places a prior condition as to what final line emerges from the negotiations can be devised and is worth exploring with Israel in the first instance and subsequently with Egypt. It has about a 50-50 chance at best of breaking the impasse on interim Suez Canal agreement talks.

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TRACK TWO

The principal obstacle to success in Track One, if pursued in isolation, is that Sadat will probably want a more precise linkage with the commitments and terms for a final settlement than Israel will be willing to agree to. While Sadat might in the end settle for something less than an explicit commitment to total Israeli withdrawal from Sinai in a formula dealing with interim agreement talks, he is likely to insist on withdrawal language which would go further than Israel is prepared to accept in the context of an interim agreement.

Undertaking a parallel completely secret second track would offer more hope that some progress could be made or at least help keep the problem manageable. U.S. contacts could be established here with the Israelis in the first instance and subsequently with the Egyptians, their purpose being to culminate in direct, unpublicized Egyptian-Israeli contacts on the detailed terms of a final rather than an interim Egyptian-Israeli settlement. In broad outline, this second secret track would take as its point of departure the October 28, 1969 Working Paper for an Egyptian-Israeli settlement developed in the 1969 U.S.-Soviet Middle East talks. The basic premise of that paper was that: (1) there should be no changes, in a final settlement, in the old Palestine-Egypt international border (which coincided with the pre-June 5, 1967 Armistice Line except in the Gaza sector), but (2) the questions of demilitarization, security arrangements at Sharm al-Shaykh, and security arrangements and the final disposition of Gaza should be left to negotiations between the parties. The difficulties with that premise were that: (1) Egypt suspected the gaps to be negotiated left a loophole for Israel to claim permanent rights equivalent to sovereignty in Sinai at Sharm al-Shaykh and in Gaza; and (2) Israel suspected they left a loophole for easing Israel out of Sharm al-Shaykh in favor of international forces and major power guarantees.

To overcome these difficulties, the U.S. could put forward secretly proposals designed to fill the gaps in the October 28, 1969 Working Paper. In doing so, we would start from the basic premise of the October 28, 1969 paper -- that

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the principal issue between Egypt and Israel (unlike between Jordan and Israel) is one of security and not of territorial sovereignty.

Specifically, this would require our putting forth a proposition whereby: (1) Israel would accept the international border as the final border, thus in effect renouncing territorial claims against Egypt, (2) Egypt would accept demilitarization of all Sinai except for limited, symbolic police-security forces on the east bank of the Suez Canal, plus a long-term (e.g., 25-year*) Israeli presence at Sharm al-Shaykh and in a corridor from Sharm al-Shaykh to Eilat, and (3) both Egypt and Israel would agree to Israeli administration and occupation of Gaza pending a referendum on its ultimate sovereign status. While Israel would have problems with such a proposal, particularly in this Israeli election year, it would nevertheless contain a number of attractive features. It would be reassuring to Israel in the sense that it would make explicit the principle of a long-term Israeli presence at Sharm al-Shaykh. This should help overcome a principal Israeli security concern about accepting language in an interim agreement linking the interim and final settlements -- namely, that such language would provide the basis for later pressures to evacuate Sharm al-Shaykh entirely. It would have the added attraction to Israel of promising a forum for direct Israeli-Egyptian negotiations. While this proposal would not be acceptable to Egypt at the outset, it would have difficulty rejecting such a proposal out of hand. And the fact that the Track Two negotiations were secret, and had a good chance of remaining so under cover of the more visible interim agreement talks, would be appealing to Sadat.

Procedurally, it would be necessary for us to explore fully the substance and scenario for the foregoing two-track approach with Israel before any approach to Cairo. The goal would be to obtain a two-track proposal which we could put to Egypt as an Israeli proposal (stress an Israeli proposal), offering (1) talks under U.S. auspices on an interim Suez Canal agreement, based on a formula along the lines described in Track One; talks which would be substantively discreet but would inevitably become procedurally visible; and (2) secret, direct talks on an overall Egyptian-Israeli settlement -- also under U.S. auspices -- which would go forward

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for negotiating purposes, we could start with 99 years

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simultaneously in Washington on the basis of an Israeli proposal to fill in the gaps in our October 28, 1969 paper. Such a second secret track proposal is attached.

The advantages of adding the second secret track are fourfold:

(1) It would assure Israel that it was not being asked to compromise on the practical security issues of fundamental concern to Israel -- a demilitarized Sinai and assured long-term control over Sharm al-Shaykh and access thereto;

(2) It would assure Egypt ab initio that it was not being asked to negotiate the question of sovereignty over historically Egyptian (as opposed to Palestinian) territory; it would thus give Israel the substance and Egypt the cosmetics of what each needs;

(3) It would provide a face-saver vis-a-vis Egypt, Jordan and the Palestinians by not prejudging the sovereignty issue with respect to the Gaza sector of former Palestine;

(4) The Track One talks would provide a visible negotiating cover, under a formula both sides could if they wished contrive ways to defend, for genuinely secret negotiations on the issues of an Egyptian-Israeli final settlement.

Launching this two-track approach is feasible. For maximum effectiveness, the two tracks should be launched simultaneously, only with Israel at the outset. Only if Israel agrees would we subsequently try it out secretly on Egypt.

The time is ripe. On the Egyptian side, the indications are moderately positive. The proposals on an overall Egyptian-Israeli settlement outlined here would have been non-starters with Nasser in 1969, but there is reason to believe they would at a minimum not be turned down at the outset by Sadat in 1973, given the evolution of events in the area and in Egypt in particular over the past three years. Sadat's options are limited, he is hurting, and he wants to survive. Sadat needs and expects a new move, and this one would have enough new in it to have a good chance of engaging him.

On the Israeli side, the principal problem will be to convince Israel that there is need for any initiative at this time. It believes more time living with the status quo will bring both Sadat and Hussein to make more concessions than they are now prepared to make. Furthermore, Israel is concerned that progress on the Egyptian aspect will generate premature pressures to move on a Jordanian settlement, and there is an underlying doubt in Israel that either Egypt or Jordan is really ready to make a settlement and make it stick. Finally, there is an understandable reluctance in the Israeli leadership to open up divisive issues in an election year, which settlement negotiations would be bound to do. On the other hand, Israel expects new U.S. efforts, and this one would fall sufficiently short of Israel's worst fears, and give it sufficient assurances of territorial security on the Egyptian front without prejudicing specifically its position on a Jordanian and Syrian territorial settlement, that Israel might go along in response to a sufficiently hard sell. Our greatest present asset with the Israelis is their confidence in President Nixon. If it were clear he seriously wanted progress this year and fully supported the two-track proposals, and if he foreshadowed them in general terms when Mrs. Meir comes March 1, Israel would give them careful consideration.

The President has been understandably preoccupied with other matters -- China, the USSR, Vietnam during the past year. History will record for President Nixon that these are achievements for which future generations will be grateful and from which millions will benefit. The era of negotiation and peace is marred by the Arab-Israeli dispute. Some progress is possible, though a complete solution -- if ever -- is far away. Finally, it is self-evident that whatever is done by the U.S. on the Middle East must be done by all concerned together so that each knows clearly what we are trying to achieve and everyone is exerting maximum effort in the direction the President wishes.

Attachment:

Proposal

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SECRET/SENSITIVE

FORMULA WE WOULD SEEK TO ENCOURAGE ISRAEL
TO ADVANCE TO EGYPT AS AN ISRAELI PROPOSAL

Egypt and Israel agree to enter secret negotiations under the auspices of the United States Government with a view to concluding a peace treaty between them for the implementation of Security Council Resolution 242 in all its parts. To this end, they agree that their negotiations will proceed from and be based inter alia upon the following principles:

1. Termination of all threats, acts, claims and states of hostility or belligerency by either of them or from the territory of either of them against the nationals or territory of the other, and establishment of a formal state of peace between them recognizing and respecting each other's sovereignty, political independence and territorial integrity.

2. Recognition of the former international boundary between Egypt and the British Mandate of Palestine as the final, recognized and secure border between the sovereign states of Israel and Egypt.

3. Demilitarization of the Sinai Peninsula except for:

(a) Egyptian police-security forces in a limited zone on the east bank of the Suez Canal in numbers and in a depth sufficient to maintain the security of the Canal;

(b) Israeli security forces at Sharm al-Shaykh and in a contiguous land link from Eilat to Sharm al-Shaykh in numbers and in a depth sufficient to guarantee the security of Israeli maritime passage through the Straits of Tiran and in the Gulf of Aqaba, such forces to have a guaranteed right to remain in said area for a period of 99 years or until arrangements for their earlier withdrawal are mutually agreed between Egypt and Israel.

4. Continued Israeli occupation and administration of the Gaza Strip pending a referendum of its inhabitants to determine its ultimate status.

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Upon notification to each other through the United States Government of acceptance of the foregoing principles as the basis for their negotiations, Egypt and Israel will designate representatives to meet together under U.S. auspices in Washington for the purpose of pursuing negotiations to achieve a just and lasting peace agreement between them in accordance with Security Council Resolution 242.

Egypt and Israel agree to maintain absolute secrecy regarding both the existence and the substance of these negotiations and each acknowledges the unqualified right of the other to deny their participation if the negotiations become known to others.

October 26, 1971

~~TOP SECRET~~
Tab B

EVOLUTION OF POSITIONS ON INTERIM SETTLEMENT

Discussions since January of an interim settlement on the Suez Canal have gradually isolated six main issues which were identified in Secretary Rogers' speech to the UN General Assembly on October 4:

- the relationship between an interim agreement and an overall settlement;
- duration of a ceasefire extension;
- the zone of withdrawal;
- the nature of supervisory arrangements;
- the nature of Egyptian presence east of the Suez Canal;
- use of the canal.

In January and February, the statements on all sides were tentative and general. It was not until March, April and May that more precise positions on each of these issues began to emerge. The following were the principal distillations of positions through this period:

- January initial Egyptian feelers.
- February 4, 9: Sadat, Meir speeches.
- March 6: Sisco's personal ideas given to Rabin.
- April 19, 22: Israeli paper and Sadat oral "counter" in conversation with Bergus and Sterner. (Sadat was reacting only to press reports.)
- May 5-9: Rogers-Sisco talks in Cairo, Jerusalem.
- May 23: "Bergus paper"
- June 4: Egyptian position paper.
- July: Sisco thoughts in Jerusalem.
- October 4: Secretary Rogers' UNGA speech.

On the pages that follow are: (a) a section immediately following on the evolution of Egyptian, Israeli and US positions on each of the six main issues through this period; (b) then a section on the procedural role the US has played; (c) analysis of what has gone wrong; (d) a final page summarizing these analytical comments.

ISSUE #1

LINKAGE BETWEEN INTERIM AND OVERALL SETTLEMENTS

January -- Informal Egyptian Feeler

Egypt: Idea of interim move broached in context of achieving some progress towards peace before ceasefire expired February 5. Such step would improve the atmosphere for peace talks and open the way for other actions such as clearing the canal, exchange of prisoners.

February 4, 9 -- Sadat, Meir Speeches

Egypt: Sadat: "We demand that a partial withdrawal ... be realized as a first stage of a timetable which will be prepared later to implement the other provisions of the Security Council resolution We believe that by this initiative we will be moving Envoy Jarring's efforts from ambiguous words into definite measures."

Israel: Meir: "In return for the withdrawal of the Israel Defense Forces, Egypt does not promise to implement the main clause in the Security Council resolution, which is the achievement of a peace agreement and of secure and agreed borders Opening the canal could be an expression of the desire and aim to attain peace. However, President Sadat's proposal as presented in his speech tried to achieve a strategic advantage ... without actual progress towards peace It seems strange to propose the withdrawal of our forces from the canal outside a framework of agreed arrangements for the absolute termination of the war."

March 6 -- Sisco "Preliminary Ideas"

US: "Israel and the UAR, having accepted SC Resolution 242 and expressed their willingness to carry it out in all its parts and in order to facilitate the task of the special representative of the UNSYG to promote agreement in accordance with the principles and provisions of that resolution, agree as an interim

measure to "[accept the specific terms laid out in the US paper]." Both sides "agree to intensify their efforts" to achieve the settlement called for in Resolution 242 "and this interim agreement will be considered as a first step to this end."

April 19, 22 -- Israeli Paper and Sadat "Counter"

Israel: "With a view to facilitating the attainment of a durable peace" Also, "The line which the IDF will hold . . . is not considered final. When agreement on a final boundary is reached in the framework of the peace settlement, the IDF will withdraw to it." This special agreement "shall not in any way affect the agreement of the parties to pursue negotiations" under Jarring. This agreement would imply no Israeli commitment to future Israeli withdrawal to the international frontier.

Egypt: Need to create necessary atmosphere to facilitate progress toward a comprehensive settlement.

May 5-9 -- Rogers-Sisco Trip

Rogers-Fawzi:

US: Overall objective is a peace agreement consistent with the principles of Resolution 242. The resolution does not specify one border or another. The US position was spelled out in the US document of October 1969. "Differences between the US and Egypt on territory are minor compared with differences between the US and Israel on this point." Interim agreement would not be an end in itself but would increase chances for overall agreement. "If the Egyptians tried in the interim agreement to solve the final difference on territory with the Israelis, there would never be an interim agreement."

Israel: Unchanged.

Egypt: Unchanged.

May 23 -- "Bergus Paper"

US: "The UAR is prepared, as a first stage in the implementation of SC Resolution 242 in all of its parts and provisions, to enter into an interim arrangement with Israel." Both sides will pursue negotiations under Jarring expeditiously.

June 4 -- Egyptian Paper

Egypt: Both sides undertake to pursue expeditiously under Jarring negotiations looking toward "the final peace agreement envisaged in SC Resolution 242 and the memorandum submitted by [Jarring] on February 8, 1971." Israel would undertake withdrawal to the former international frontier. The UAR is prepared "as a first stage" to accept a partial withdrawal arranged under Jarring.

July -- Sisco in Jerusalem

US: Both sides undertake to pursue negotiations under Jarring looking toward the final agreement under SC Resolution 242.

October 4 -- Rogers' UNGA Speech

US: Neither side can expect to achieve in an interim settlement the terms and conditions of an overall settlement.

October 26, 1971

ISSUE #2

DURATION OF CEASEFIRE

January -- Informal Egyptian Feeler

Egypt: If proposed pullback took place [before February 5] Egypt would drop a time limitation on the ceasefire. The two sides could negotiate via Jarring "for six months or a year or however long it might take" without pressure or threats.

February 4, 9 -- Sadat, Meir Speeches

Egypt: Ceasefire extended 30 days in context of making progress in Jarring talks; not dealt with in context of interim settlement.

Israel: A thirty-day extension is tantamount to a threat to renew war on March 7.

March 6 -- Sisco's "Preliminary Ideas"

US: Both sides continue to observe ceasefire. Both sides reserve the right: "(a) to restore the status quo existing on the date this agreement becomes effective if either side fails to carry out its undertakings hereunder; and (b) to reconsider at the end of one year their commitment to observe the SC ceasefire resolutions in the light of the progress then achieved toward agreement on carrying out Resolution 242 in all its parts."

April 19, 22 -- Israeli Paper and Sadat's "Counter"

Israel: Both sides to "observe the ceasefire without limitation of time," precise language to be formulated in negotiation.

Egypt: If Israel would agree in principle to "complete the first phase," then work on the canal would start and he would proclaim a six months' ceasefire. [He would restore diplomatic relations with the US.] In conversation, Sadat intimated he might go to nine months.

May 5-9: Rogers-Sisco Trip

US: Rogers-Meir. "Israel and the UAR will continue to refrain from firing or other hostile acts across the ceasefire line while pursuing the negotiations under ... Jarring, looking toward agreement between the parties on a just and lasting peace."

Israel: Dayan injected the idea that if the ceasefire were unlimited or extended, the area of withdrawal might be greater.

Egypt: Sadat "seemed interested" in Dayan's idea that the duration of the ceasefire would affect the zone of withdrawal.

May 23 -- "Bergus Paper"

US: Six-month ceasefire with UAR willing to entertain requests from Jarring for limited extensions.

June 4 -- Egyptian Paper

Egypt: Six-month ceasefire.

July -- Sisco in Jerusalem

US: Duration indefinite. Both sides would commit themselves to continue to refrain from firing while at the same time continuing their negotiations. They would agree to renew this understanding in 18 months.

October 4 -- Rogers' UNGA Speech

US: A permanent end to belligerency is part of a final peace agreement. "But such a commitment is not realizable in the context of an interim agreement. Neither would a ceasefire of a short duration be realistic."

ISSUE #3

ZONE OF WITHDRAWAL

January -- Informal Egyptian Feeler

Israel: Dayan had spoken earlier of mutual withdrawal a limited distance from the Canal.

Egypt: Israel first withdraw some 40 kilometers to (not beyond) Mitla Pass. Egypt would follow immediately with a "thinning out" of its ground troops to a distance of 40 kilometers also from the Canal, though leaving their air defense units and installations within the 40 kilometer zone. Egyptian and Israeli aircraft would stay an agreed distance, e. g. 10 kilometers, from the Canal.

February 4, 9 -- Sadat, Meir Speeches

Egypt: Not specific -- "partial withdrawal of Israeli forces on the eastern bank of the Suez Canal."

Israel: Did not address on east bank. On west bank, mention of "proposals aimed at leading to normalization of civilian life in that area." Reference to "mutual de-escalation of the military confrontations."

March 6 -- Sisco's "Preliminary Ideas"

US: Israel will withdraw "to positions approximately 40 kilometers east of the Suez Canal ceasefire line."

April 19, 22 -- Israeli Paper and Sadat Counter

Israel: "The IDF will be stationed east of the canal at some distance to be specified Israeli civilian maintenance teams only will remain in the Israel defense structures along the canal."

Egypt: Israeli withdrawal of 10-17 kilometers would mean nothing. Even US suggestion of 40 kilometers would not work. Sadat would drop his earlier suggestion that Israel withdraw behind el Arish but he must have the three passes [Mitla, 27 kilometers from the canal; Jiddi and Sidr al Heitan about 60 km.] Sadat drew a line from Bir al Abd on the Mediterranean to the southernmost tip of the Sinai, noting that this left Sharm al-Shaikh in Israeli hands. [Comment: Sadat said his military wanted el Mazar and he talked them back to Bir al Abd. In mid-October, Sadat gave the Shah a map with a line starting from el Mazar.]

May 5-9 -- Rogers-Sisco Trip

US: Sisco-Dayan. Would it be possible to try out a 10-kilometer withdrawal while the canal is being cleared and withdrawal to a further line, e.g. the passes, once the canal is in operation?

Israel: Meir-Rogers: "Withdrawal is possible, though the area would not be very big." Dayan-Rogers: The April 19 paper is based on the concept of a 10-kilometer withdrawal. The zone of Israeli withdrawal might be wider if the ceasefire were extended. Meir-Rogers: The passes are too far back.

Egypt: Sadat "seemed interested" in idea that duration of ceasefire could affect the zone of withdrawal. Sadat still talking about a 50-kilometer buffer zone. Riad paper referred to Israeli withdrawal to a line from el Arish to Ras Mohamed (southern tip of Sinai).

May 23 -- "Bergus Paper"

US: "Upon completion of the interim arrangement, Israel will withdraw... to a line running from A to B. Israel will further undertake to complete its withdrawal from Egyptian territory to the agreed and secure boundary established in the final peace agreement.... As Israeli forces withdraw, Egyptian administration and control will be restored in that area of the Sinai peninsula running from the Suez Canal to a line running from

X to Y (east of the three passes)." [On May 18, Sisco had authorized Bergus to say that Israeli withdrawal east of the passes is not precluded.]

June 4 -- Egyptian Paper

Egypt: Israel will withdraw to a line running from A to B. Egyptian administration and control restored to a line running from X to Y east of the three passes.

July -- Sisco in Jerusalem

US: Two-stage withdrawal: (a) 10 kilometers while canal being cleared; Egyptian civilians cross into zone of 5 kilometers; (b) to vicinity of the passes when canal begins operation; Egyptian military presence of 750 men with light arms to 10 kilometers.

October 4 -- Rogers' UNGA Speech

US: There can be some withdrawal.

ISSUE #4

SUPERVISORY ARRANGEMENTS

January -- Informal Egyptian Feeler

Egypt: Not mentioned.

February 4, 9 -- Sadat, Meir Speeches

Egypt: Not mentioned.

Israel: Not mentioned.

March 6 -- Sisco's "Preliminary Ideas"

US: Overall responsibility for supervision "will be vested in an interim commission under the command of the UNTSO Chief of Staff, which shall include representatives of Israel and the UAR."

April 19, 22 -- Israeli Paper and Sadat "Counter"

Israel: "...will be worked out."

Egypt: No-man's-land between Egyptian and Israeli forces could be filled by UN or Four Power forces.

May 5-9 -- Rogers-Sisco Trip

US: Augmented UNTSO perhaps involving a few Americans.

Israel: Meir and Allon suggest joint Egyptian-Israeli arrangements. Skeptical about UNTSO.

Egypt: Sadat-Sisco. Egyptian-Israeli joint supervisory teams not ruled out provided they are under UN umbrella.

May 23 -- "Bergus Paper"

US: "Military forces or observers established by the appropriate organ of the UN."

June 4 -- Egyptian Paper

Egypt: UN force.

July -- Sisco in Jerusalem

US: UN force with Israeli and Egyptian liaison contingents.

October 4 -- Rogers' UNGA Speech

US: Altering and strengthening the supervisory mechanisms which have existed in the area for the past two decades.

ISSUE #5

EGYPTIAN PRESENCE EAST OF CANAL

January -- Informal Egyptian Feeler

Egypt: Talked only of pullback of Egyptian ground forces 40 kilometers west of Canal.

February 4, 9 -- Sadat, Meir Speeches

Egypt: Sadat spoke only of partial withdrawal of Israeli forces, nothing of Egyptian forces one way or another.

Israel: Not addressed.

March 6 -- Sisco's "Preliminary Ideas"

US: "No military or para-military forces of any kind will be introduced into the area east of the canal ceasefire line from which Israeli military forces are withdrawn. Civilian administrative functions in that area, including those necessary for the maintenance of law and order and the re-opening and operation of the canal, will be performed to a depth of ten kilometers east of the canal by civilian personnel of the UAR."

April 19, 22 --- Israeli Paper and Sadat "Counter"

Israel: "Egyptian civilian technicians necessary for the clearing, reopening and operation of the canal will cross [to] the east of the canal No UAR or any other military and/or irregular military personnel or forces shall cross the canal or be introduced into the area east of the canal from which Israeli forces are withdrawn. The UAR will thin out its forces west of the canal as specified in the agreement." No bridges to be built. No military vessels to be anchored in canal or lakes.

Egypt: Egyptian forces must cross the canal, but there could be a no-man's-land between Israeli and Egyptian forces filled by UN or Four Power forces. Sadat suggested Egyptian troops up to north-south line from Bir al Abd to southern tip of the Sinai and then a 30-50 km. no-man's-land.

May 5-9 -- Rogers-Sisco Trip

US: Rogers-Fawzi. US could not accept the idea of Egyptian forces crossing the canal in such numbers as to create a military threat to Israel.

Rogers-Meir. UAR thin-out on west bank is a "non-starter."

Israel: Meir-Rogers. UAR military presence on the east bank cannot be considered. Dayan-Sisco. Concept of limiting types of weapons should be brought into the discussion.

Egypt: Sadat offered personal idea of a limited number of Egyptian troops crossing the canal with a specified limited amount and type of arms with a 50-kilometer buffer zone with limited arms on Israeli side.

May 23 -- "Bergus Paper"

US: "Israel and the UAR may agree to restrictions and limitations on numbers of troops and types of armament each side will maintain in the zone running from the Suez Canal to the line XY and from the line AB to the international frontier between Egypt and Israel."

June 4 -- Egyptian Paper

Egypt: Israel and Egypt may agree to restrictions and limitations on numbers of troops and types of armament each side will maintain in the zone from the canal to line XY and from the line AB to the former international frontier.

July -- Sisco in Jerusalem

US: Two stages ending with 750 Egyptian military with light arms.

October 4 -- Rogers' UNGA Speech

US: There can be a compromise on an Egyptian military presence east of the canal.

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ISSUE #6

USE OF CANAL

January -- Informal Egyptian Feeler

Egypt: Subject not mentioned. Only thought was that Canal clearing could begin.

February 4, 9 -- Sadat, Meir Speeches

Egypt: If partial withdrawal of Israeli forces is "realized within this period, we will be prepared to begin immediately to clean the Suez Canal course and reopen it for international navigation to serve the world economy."

Israel: Sadat has not made it clear "that navigation will be free and that, within the framework of the service that is to be rendered to the world economy, Israel's right to free navigation in the Canal will also be honored." Israel is "whole heartedly prepared to lend its support to the opening of the Canal to free international shipping for all states, including Israel." Israel has long made clear its "readiness to negotiate with Egypt with regard to arrangements for operating the Suez Canal."

March 6 -- Sisco's "Preliminary Ideas"

US: UAR would agree to reopen "for use by all nations, including Israel, within six months "of the effective date of the interim agreement. Israel would agree "not to exercise its right of free passage, pending agreement on an overall settlement in accordance with SC Resolution 242."

April 19 -- Israeli Paper

Israel: "Use by ships and cargoes of all nations, including Israel." The "implementaton of Israel's part of the agreement shall be concerted with the actual opening of the Suez Canal --- not only with its clearing."

May 5-9 -- Rogers-Sisco Trip

Israel: Concerned that Sadat was talking about opening, not just about clearing the canal.

Egypt: Unchanged.

May 23 -- "Bergus Paper"

US: UAR will undertake to clear, open and operate the canal "for the ships of all nations except for those nations claiming or actually exercising belligerency against the UAR." The UAR would undertake in the interim agreement to allow Israeli passage "as soon as the final peace agreement is reached and Israeli withdrawal is completed."

June 4 -- Egyptian Paper

Egypt: All nations under Constantinople Convention of 1888. Israeli ships and cargoes will not pass until the final peace agreement is reached and Israeli withdrawal completed.

July -- Sisco in Jerusalem

US: Alternatives: (a) no Israeli warships until final settlement; (b) Israel not exercise its right pending final settlement; (c) Israeli ships will pass through only after final settlement.

October 4 -- Rogers UNGA Speech

US: Israel has the right of passage. What is at issue is the timing for exercise of this right.

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EVOLUTION OF US PROCEDURAL ROLE

Summary. The US role was initially described as one of passing messages. Rabin specifically advised on February 8 that the US refrain from substantive discussion with Cairo. But on May 23, the US representative provided "informal thoughts" in notes which became the basis of an Egyptian position paper. Sisco went to Jerusalem in July with a variety of US formulations to try out. Secretary Rogers in his UN speech stated views on the six major issues.

--February 8: Sisco reported to Rabin Sadat's concern that there had been no US reaction to his proposal for partial withdrawal and reopening the canal. Rabin replied that if the US is interested in serious Israeli consideration, it should refrain from being engaged in any substantive discussion of the UAR proposal on its own with the Egyptians. Sisco replied that we had so refrained until now and talks between the US and Egypt on this issue indicating that the US was other than a go-between, he would recommend that the Israeli government not be engaged in this matter. He said it would ruin any possibility that the government of Israel could take it seriously.

--March 6: Sisco presented to Rabin some "preliminary ideas" to be discussed only with Israel. He asked Israeli judgment whether these ideas would be useful as an Israeli or a US proposal.

--April 19: Mrs. Meir, rather than responding to Sisco's ideas, gave Ambassador Barbour a paper on Israel's own position. She said she would expect a US reaction before the Israeli proposal was communicated to Egypt.

--April 20: In talking with Israeli Deputy Prime Minister Allon, Secretary Rogers cautioned that some of Israel's ideas would be virtual non-starters in Cairo and said the US would reply shortly with requested clarifications of the US position before Israel's proposal was transmitted to Cairo.

--April 21: Ambassadors Bush and Beam were instructed to brief U Thant and Jarring on the state of play. The main features of the Israeli proposal were outlined.

--April 22: Ambassador Barbour was instructed to reply to the Israeli request for clarifications and to say that we are ready to give Egypt the Israeli document unchanged.

--April 22: Bergus and Sterner saw President Sadat who outlined his own proposal for an interim settlement and said he wanted to discuss concrete things with Secretary Rogers during his visit. Sterner said Secretary Rogers would welcome Sadat's getting down to specifics. Sadat was reacting to press reports of the Israeli proposal. This raised a question as to whether the Israeli paper should be delivered since in effect Sadat had already prepared his own counter-proposal.

--April 23: Gazit in the Israeli foreign office gave our DCM a request that the US "not deliver any document to the UAR" pending further discussion of the US position.

--May 4-5: Secretary Rogers told Riad that the US had neither a paper from Israel to present nor a particular plan of its own. He then stated the impression from talks with Israel that there are a number of general areas on which there is a common concept: First, reopening the canal. Second, some measure of Israeli withdrawal. Third, extension of the ceasefire while these arrangements are put into affect. Fourth, the canal's reopening and partial withdrawal should not be ends in themselves.

--May 7: After agreeing that Sisco might go back to Cairo, Mrs. Meir reiterated that the US should give the UAR no paper in Israel's name and should make no mention of any Israeli decision regarding withdrawal or the distance of withdrawal. According to reports, Sisco described the general Israeli viewpoint orally in Cairo.

--May 23: Bergus left an informal paper with an Egyptian foreign office official which constituted suggestions for an Egyptian position on the interim agreement.

--October 4: Secretary Rogers' UNGA speech contained very general views on each issue which in some cases in Israeli eyes undercut Israel on basic issues.

ANALYSIS

1. State Department has taken the position with both sides that they should not try to achieve in an interim settlement what are really settlements to be achieved only in a final peace agreement. Egypt, for instance, should not try to gain Israeli commitment to total withdrawal now, and Israel should not seek a formal end of belligerency or full passage through the Suez Canal as part of an interim settlement.

--At the same time State, in reiterating that an interim settlement should be a step toward a final agreement, has repeated publicly (Secretary Rogers to the UNGA) and privately (Secretary Rogers in Cairo) that the US position is that a final peace agreement must require Israeli withdrawal to the pre-war Egyptian-Israeli international border. The clear implication to Egypt has been that, even if its final territorial goals are not written into the interim agreement, going along with the US on an interim settlement would be a step toward regaining all of Sinai. Israel has been explicit that its agreement to an interim arrangement should not be taken as its commitment to withdraw later to the international border.

--Thus while State's formal position is correct, i. e. do not seek final solutions in an interim agreement, both Israel and Egypt have been gratuitously led to believe that the US views an interim agreement as a step toward Israeli withdrawal to the pre-war border.

2. The US interest lies in indefinite extension of the ceasefire. This requires persuading the UAR that its interests will not be served by renewing the "war of attrition," which can too easily escalate. It is understood that Egypt retains the capacity to take military action when it feels that would achieve some result. But until Egyptian military action poses a real threat to Israel, the threat of an expiring limited ceasefire is meaningless and destabilizing.

--Yet State, while pointing out that both a permanent ceasefire and a short extension are unrealistic, has reluctantly gone along with Egypt in its formulations by inserting some specific terminal point or point of review. State has tried to "split the difference" rather than sticking to the US interest in an indefinite extension.

--In a more general way State has encouraged the idea of an arbitrary deadline by saying repeatedly that 1971 is the "year of decision."

3. The original idea of an interim settlement was a mutual pullback of forces from the Suez Canal. This was true of Dayan's proposals last fall, and it was true of the initial Egyptian feelers in January. The US interest lay in preserving this modest character because only modest objectives were achievable.

--State, however, adopted the Egyptian position of Israeli withdrawal to -- and eventually east of -- the Sinai passes rather than trying to reduce Egyptian aspirations. Sadat for his own reasons escalated his demands, and the interim settlement immediately achieved the character of half a final settlement. This was against a background of Israeli statements that it would withdraw only 10 kilometers and would hold the passes.

4. The initial Egyptian feeler described Egyptian troops pulling back west of the canal, and the first US "preliminary ideas" advanced in March stated that "no military or para-military forces" would cross the canal.

--Yet in Jerusalem in July Mr. Sisco presented a possible position including 750 Egyptian soldiers with light arms across the canal.

--Secretary Rogers on October 4 said there can be "compromise" on an Egyptian military presence east of the canal. To the Israelis, "compromise" means that there will be some military presence.

5. Rabin at the outset advised Sisco that the US should remain a simple go-between and not become involved in discussing substantive issues with the Egyptians. The Israelis readily admit that they would like the US to be their advocate in effect by not putting any weight behind Egyptian positions. Nevertheless, US conduct in this role would affect Israel's receptiveness.

--Yet State began putting forward its own ideas in March, held substantive discussions in Cairo in May and publicly stated a viewpoint in October. A US representative, with or without authority, even left notes with an Egyptian official which became the basis of the major Egyptian position paper of June 4.

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SUMMARY COMMENT

1. Whereas the essence of an interim settlement is to avoid issues of a final settlement which cannot be resolved now, State has led Egypt in fact if not in formal position to see an interim settlement as a half-step toward Israeli withdrawal to the pre-war international border. While maintaining in Israel that an interim settlement would not commit Israel to final borders, State has in Cairo and publicly reasserted US support for Israeli withdrawal to the pre-war borders.
2. Whereas the US interest lies in an indefinite extension of the ceasefire, State has acquiesced in maintaining a limit on the extension. While proposing an indefinite ceasefire in Israel, State in a general way has contributed to an atmosphere of arbitrary deadline by speaking repeatedly of 1971 as the "year of decision."
3. Whereas the success of an interim agreement lies in keeping the zone of Israeli withdrawal narrow enough to preserve Israeli military access to the canal, State adopted the Egyptian position of Israeli withdrawal to -- and eventually beyond -- the Sinai passes rather than trying to reduce Egyptian aspirations. Knowing that Israel would not give up the passes, State specifically authorized the Egyptians to be told that Israeli withdrawal east of the passes would not be precluded.
4. Whereas Israel insists that there be no Egyptian troops across the canal, Secretary Rogers on October 4 publicly stated that there could be "compromise" on this issue, meaning that some Egyptian troops could cross. While State initially presented its view of an interim settlement in terms of no Egyptian troops across the canal, in July Mr. Sisco in Jerusalem began talking of "750 with light arms."
5. Whereas Israel urged the US to remain a simple go-between and to refrain from entering the substantive discussion in Cairo, a US representative eventually drafted notes that became the basis of an Egyptian position paper and Secretary Rogers discussed the possibility of compromise on specific issues before the UN General Assembly.