

ACTION
869-X

SECRET/NODIS/CEDAR DOUBLE PLUS (XGDS)

February 22, 1973

MEMORANDUM FOR: DR. KISSINGER
FROM: HAROLD H. SAUNDERS
SUBJECT: Memo for the President on His Talk with
Hafiz Ismail

Attached is a memorandum for you to send the President for his meeting with Ismail.

There are (1) the usual cover memo with talking points and (2) a background memo from you. Secretary Rogers' memo is attached.

RECOMMENDATION: That you send the attached to the President this afternoon.

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

SECRET/NODIS/CEDAR DOUBLE PLUS (XGDS)

MEETING WITH HAFIZ ISMAIL

Friday, February 23, 1973

11:00 a.m. (30 minutes)

The Oval Office

From: Henry A. Kissinger

I. PURPOSE

To receive as the emissary of President Sadat of Egypt his National Security Adviser, Hafiz Ismail, to discuss the prospects for negotiation of an Arab-Israeli peace agreement.

II. BACKGROUND, PARTICIPANTS & PRESS PLAN

- A. Background: Ismail has recently been to Moscow and London to discuss prospects for a Middle East peace and asked for appointments here. This is part of Egypt's current diplomatic effort after a year of relative inactivity to see whether efforts to achieve an Arab-Israeli peace settlement can now be revived. A background memo is at Tab A. Secretary Rogers' memo is at Tab B.
- B. Participants: Mr. Ismail has been urged to keep the meeting small, but he may be under instructions to bring at least one of the following: Dr. Muhammad Hafiz Ghannem, a special adviser to President Sadat is most likely; Abdel Hadi Makhlouf, Ismail's chief of cabinet; Ahmed Khalil, the head of the US Interests Section in Washington. General Scowcroft will sit in on our side.
- C. Press Plan: Press photo opportunity at the outset. The meeting will have been announced beforehand, and Mr. Ziegler will say a few general words about it afterward.

III. TALKING POINTS

- I. Please to convey to President Sadat my respect for his efforts to restore the integrity of his country. I recognize the constructive

steps that he has taken. His decision to ask Soviet troops to leave Egypt last summer was recognized here as a very significant step. I also recognize the importance of President Sadat's statement that Egypt is prepared to make peace with Israel.

2. I would welcome hearing what you (Mr. Ismail) would like to say.
3. As a general point I would like President Sadat to understand that I fully recognize that the US has an interest in peace in the Middle East. I believe that conditions of peace provide the best framework for each nation in the Middle East to progress in its own way, and that is consistent with the interests of the United States. When each nation has an opportunity to pursue its own interests constructively, this will put limits to the influence of outside powers, such as the USSR. I also believe that in conditions of peace the US with its modern technology and management skills can be helpful to each nation in the Middle East. [Note: It is probably tactically best to avoid mention of oil so that no impression will be created that the US is unduly concerned over the "energy crisis."]
4. The US is not committed to any one kind of settlement. We pressed the idea of an interim settlement when President Sadat raised the possibility. This may still represent a sensible part of an overall approach, but we are willing to explore all reasonable ideas on how to proceed.
5. We are, however, quite serious about the necessity to establish some sort of negotiating process. I would like to say a word about what this means to me. First of all, I believe that genuine negotiating process must be established so that it does not humiliate either side and so that it does not cause either side to give up its basic principles in advance. When I went to Peking I made it very clear that I did not expect my talks there to change basic positions on either side, but I did expect that we would be able to address those issues where accommodation was possible now and at least find a way of dealing peacefully with those dif-

ferences that could not be resolved soon. I firmly believe that it is in the interest of peace if adversaries can put themselves in a relationship where making peace can become a process which addresses each issue, starting with those most susceptible of accommodation. This is the process which we feel is essential to break the impasse in the Middle East. We are prepared to help start such a process.

6. I fully recognize the political problem that would be caused for President Sadat if he were to make the concession of entering talks with Israel and then were to appear to have gained nothing in return. That is a problem which we are prepared to help address realistically. What is essential for us at this stage is to know whether the governments of Egypt and Israel are committed to a negotiated solution. Until that decision is made on both sides, it will not be possible to move forward. This means that each side must be prepared to negotiate realistically around certain of its basic principles. No outsider can provide a substitute for the fundamental decision to negotiate. (That decision in Hanoi was the turning point in negotiations on peace in Vietnam.)
7. I will be seeing Prime Minister Meir next week and will discuss these same views with her. What is essential for the US in trying to launch a negotiating process is the conviction that each side is prepared to negotiate realistically. Anything you, Mr. Ismail, can convey on this subject will be useful next week.
8. I want to stress that the US has no interest in an agreement which will either produce the seeds of another war or will for a long time alienate Egypt from the United States. We want good and full relations with Egypt, which we recognize as a major country in the Middle East. We realize that a partial settlement if it stops before a full settlement would not serve that end. In this connection, I would like President Sadat to be aware of our desire for the best possible relationship between us.
9. We believe it is important to maintain the ceasefire as a background for negotiations.

10. I would like you to convey to President Sadat directly my best personal wishes. I have appreciated the opportunities to communicate directly with him by message and through our various representatives. I particularly appreciate the opportunity afforded by your visit, Mr. Ismail, and want President Sadat to know our door continued to be open. We are prepared to explore ways of advancing toward peace in the Middle East provided there is a realistic prospect of serious negotiations.
11. I am very sorry about the loss of life in the shoot-down of the Libyan airliner.

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ACTION

SECRET/NODIS/CEDAR DOUBLE PLUS (XGDS)

MEMORANDUM FOR: THE PRESIDENT

FROM: HENRY A. KISSINGER

SUBJECT: Background for Your Meeting with Egyptian
Emissary Hafiz Ismail

Setting. Ismail is coming to see whether Egypt can anticipate renewed US--particularly Presidential--help in achieving a settlement with Israel. His trip here follows visits to Moscow and London, and Egyptian Foreign Minister Zayyat is travelling to Moscow and Peking. It is difficult to know whether this is just another show of diplomatic activity or whether the Egyptians have indeed done some fresh thinking about their position and are prepared to enter the real give-and-take of negotiation.

Sadat feels that Egypt has made two major concessions to Israel and that Egypt has been let down both times. Egypt has stated publicly that it is prepared to make peace with Israel, and Sadat went out on a limb in 1971 against the counsel of his advisers to propose the idea of an interim agreement providing for partial withdrawal from the Suez Canal. He feels that Israel turned aside both of these initiatives and that, when Israel objected, the US backed down.

Sadat accepted the fact that the US could not involve itself in a major Mid-Eastern diplomatic initiative last year. His probing now is an effort to find out whether the US will now resume a more active role and--hopefully, from Egypt's viewpoint--be prepared to press Israel for concessions.

The Egyptian position now consists of two main points:

1. Sadat is prepared to accept Israel within its pre-war borders provided Israel will respect Egypt's territorial integrity within the same borders. He speaks of not surrendering Egyptian "sovereignty" over any Arab soil, but he seems prepared to bargain over the terms of demilitarizing the Sinai and over different possible modes of international guarantees for a settlement. How much flexibility

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DECLAS - Date impossible to determine.

BYAUTH - Dr. Henry A. Kissinger

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there is in this position and whether it could lead to the basis for negotiations with Israel remains to be tested.

2. Sadat says he is no longer interested in an "interim" settlement. This does not necessarily mean that an arrangement for a short Israeli withdrawal from the Canal so it could be reopened might not be the first phase in a general settlement. It means that Sadat seems no longer willing to reach any agreement with Israel without assurance that he will regain sovereignty over all his territory. The implications of this for the US are that, since Sadat will insist on linking any partial agreement to the key elements of an overall agreement, any effort to achieve an interim agreement may again founder on the key issue of final boundaries.

There are three basic choices for the US in deciding what, if any, new effort should be made toward breaking the Arab-Israeli impasse:

1. We could stand back and let the two sides reflect further on their position. This might be especially attractive in this Israeli election year. Mrs. Meir will argue vigorously for this course so as not to encourage Sadat to think the US will relieve him of responsibility to make the hard decisions that will be required if Egypt is to come to terms with Israel. It is difficult to argue that another few months' delay in moving toward a negotiation would be disastrous for US interests. The principal concern is that the passage of time seems gradually to increase the threat that the Arabs would try to use such US interests as our oil interests as leverage to press us toward greater effort on a settlement. There is also the danger that hostilities would be renewed at some point.

2. We could renew the efforts to achieve an interim settlement that lost momentum in 1971. The State Department's view [Secretary Rogers' memorandum is attached under Tab B] is that this is our only choice given firm Israeli insistence on making permanent changes in the boundary between Egypt and Israel. State sees no alternative to working toward an interim agreement and leaving the question of final boundaries up in the air for a later negotiation. State is therefore concentrating on trying to find a formula which would (a) commit both sides to negotiate on terms of an overall settlement after an interim

agreement is reached and (b) provide that any such negotiation would begin with no possible solutions precluded at the outset.

3. We could try to work privately toward an understanding on the framework for an overall settlement. This effort could take place on a separate track from the effort to reach an agreement on a first-phase withdrawal from the Suez Canal. It would stand or fall on whether or not it is possible to persuade Israel to think in terms of exercising control at militarily strategic points in the Sinai while restoring sovereignty over most of the Sinai to Egypt rather than insisting on a permanent change in boundaries.

The basic question which must be answered now 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?

This question applies equally to both sides, but it is of particular importance for us not to get very far out in front of Israel or let Egypt believe that we might deliver more than we could persuade Israel to accept. The viability of a concept which depends on restoring Egyptian sovereignty in the Sinai while providing for Israeli military control of key points for some period will depend on whether Israel is willing to give up its aspirations for a permanent change in the Sinai border. On the other hand, it would be pointless to pursue this idea with the Israelis unless we had some feeling that the Egyptians were prepared to think pragmatically about such a settlement.

Thus, our principal objective in talks with Ismail will be to discern whether Egypt would be prepared to discuss all possible overall solutions if Israel would do the same--that is, whether Egypt would be prepared to negotiate without preconditions on either side. Whatever we sense of Ismail's position could be conveyed to Mrs. Meir next week.

The attached talking points from the State Department suggest that you urge Egypt to accept a negotiating process as an essential step on the way to an agreement. More specifically, however, State urges that you press Egypt to consider how to break the current impasse on negotiations on an interim agreement. In doing this, State urges that you make clear

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to Ismail that we do not seek only a "partial" settlement--that we want a final settlement--but that we see an interim agreement as the only way to proceed now. The purpose of this assurance would be to try to persuade Egypt to accept the concept of an agreement as the most practical way to begin.

There is no harm in discussion of how progress might be made toward an interim agreement, but my recommendation is to avoid creating the impression that this is the only course that we are prepared to follow. It seems to me that the main point to be put across to Sadat through Ismail is that the US will be prepared to help pursue either an interim or an overall agreement--or both simultaneously--provided both Egyptians and Israelis are prepared to negotiate realistically. We will be talking to Prime Minister Meir next week and our purpose while Ismail is in the United States will be to discern whether Egypt is prepared to discuss all possible solutions realistically and without preconditions.

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MEMORANDUM

NATIONAL SECURITY COUNCIL

INFORMATION
(Outside System)

Handwritten initials and scribbles in green and purple ink.

SECRET/SENSITIVE (XGDS)

May 23, 1973

MEMORANDUM FOR:

DR. KISSINGER

FROM:

HAROLD H. SAUNDERS *7/8/73*

SUBJECT:

Summary of Your May 20 Conversation with Ismail

At Tab A is a summary of your sessions with Ismail. It covers both the formal talks and what you told me of your private talk. This could be changed easily into a memo for the President, or you could simply forward it with a short cover note dealing with the tactical situation as you see it in relation to the US-USSR summit.

At Tab B is a summary of the main points you mentioned to me that you covered in your private talk with Ismail. These are included in the longer summary, but I thought you might want them broken out for your own records.

Handwritten initials 'HHS' circled in blue ink.

Turn into memo for Pres.

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DECLAS - Date Impossible to Determine.

BYAUTH - Dr. Henry A. Kissinger

SECRET/SENSITIVE (XGDS)

You should include what I said.

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SUMMARY OF CONVERSATION

Henry A. Kissinger - Hafiz Ismail
May 20, 1973

In short, Ismail came to this meeting to probe White House intentions-- not to discuss concrete elements of a possible Egypt-Israel agreement. The result was that the formal talks were less useful than last time, but through private talks significant headway was made in bringing Ismail to understand the reasoning and the domestic political realities behind our proposal to move toward a settlement in a step-by-step approach. It remains very much an open question how Sadat will respond; he has rejected this approach before and may do so again.

These talks took place against the background of an agenda of specific issues left from the February meeting which Ismail had promised to consider. These included:

- As full and concrete a statement as possible of the obligations Egypt and Israel would accept toward each other in a state of peace.
- The relationship of an Egypt-Israel agreement to other aspects of a Palestine settlement. For example: Could a state of peace become effective between Egypt and Israel before Syrian and Jordanian settlements with Israel or a refugee settlement are achieved?
- Concrete ways for assuring Israeli security in the Sinai while restoring Egyptian sovereignty there.

However, it quickly became apparent that Ismail was not prepared to discuss these issues this time. He wanted to discuss US intentions in these talks. These were the main points in his presentation:

- The Egyptian side had the impression from the last talks that Egypt was being asked to come up with a new position that would enable the US to try to move Israel.
- Even with a new Egyptian position, however, the US seemed uncertain whether Israel would withdraw. In the Egyptian view, Israel has shown no sign that it is interested in peace.

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BYAUTH - Dr. Henry A. Kissinger

--Ismail had found continued hesitancy about the role, if any, to be played by the White House. It is not clear that the White House has decided to put its weight behind an effort to achieve a peace settlement.

--The events of March, April and early May had raised further questions in Egyptian minds about US intentions:

--The decision to continue aircraft deliveries to Israel through 1974-75 was "very revealing."

--The decision to provide technological assistance to Israeli military industry was "dangerous" because it would free Israel of US influence.

--US financing (\$50 million) for the settlement in Israel of Jewish emigres from the USSR provides further support for Israel.

--The US equating of the acts of the radical Palestinians with Israel's raid in Beirut was "most unfair."

--Egypt had observed how pressure from the US Congress had forced the Administration against its will to put pressure on the USSR for the emigration of Soviet Jews. This caused Egypt to wonder whether the US could freely play a role in the Middle East.

--It cannot even be excluded that there is US nuclear cooperation with Israel.

--Egypt feels that the most important factor encouraging Israel to stand fast is the fact that the US is committed to defend Israel's conquests until the Arabs concede to Israel's demands. Unless there is a more balanced US approach, it is difficult to see how there can be progress. If the US is prepared to shift its "balance of power" approach of assuring overwhelming Israeli predominance, there could be some positive results.

--Egypt is, therefore, faced with two choices:

--It can accept an "interim agreement" which will "almost certainly " become a final one.

--Or it can move toward a final agreement which would require "enormous concessions" by Egypt.

--If neither approach is acceptable, what is left to Egypt except military action? [Ismail in private conversation said he felt military action would be "too adventurous" now, so he was apparently thinking of the longer term future.]

Given Ismail's unreadiness to talk about the concrete elements of a settlement, it seemed most useful to concentrate discussion with him on the general theory of how we should proceed. This seemed best done in private talks. These points were covered:

--The US is not trying to exploit the Arab-Israeli conflict to achieve some global objective. The US remains prepared to work with Egypt for a just solution.

--The most the US can now foresee persuading Israel to accept is restoration of nominal Egyptian sovereignty in the Sinai with a transitional Israeli security presence at key positions. This might not be the full exercise of sovereignty but it would establish the principle of legal sovereignty.

--It might be 1974 before real progress on an interim agreement could be made and a year after that before there could be progress on an overall agreement.

--On the other hand, it is not the US strategy to keep the Israelis in the Sinai. It is the US policy to try to get a process going in which the US could exercise its influence.

--The US has no interest in bringing about a change in Egypt-Israeli frontiers. The longer the present situation continues, the greater the danger that it will become permanent. Any line through the Sinai would be less natural than the Suez Canal, so there is advantage simply in beginning Israeli movement back. If a negotiating process could be started, the US would stick with it beyond the first-stage

agreement for withdrawal from the Suez Canal. We would make this clear publicly and elicit a comparable public commitment from Israel. It is not excluded that negotiations on a Canal agreement and on an overall agreement could be carried on simultaneously.

--The US view is that an effort should be made soon to work out general principles of agreement that could get talks started. The US needs to avoid the kind of concrete detail that would trigger sharp domestic and Israeli pressures on us at the outset and limit the usefulness of our involvement before we have even begun. The potential of these public pressures is great. It might be useful to work toward such principles with the USSR during the summit.

--Debate in the UN Security Council (beginning June 4) could complicate the process of arriving at some useful understanding with the USSR, if the Egyptians thought some such understanding would be helpful. Ismail said that, if the Security Council debate dragged on to the eve of the US-USSR summit, Egypt would be receptive to a proposal for adjournment.

The issue now is whether Sadat can accept this kind of approach. Ismail frankly said he could not commit himself; he would have to talk with Sadat. There is a good chance that Sadat will not feel able to go along. Ismail said he would send word of Sadat's reaction in the next couple of weeks.

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SUMMARY OF PRIVATE CONVERSATION

The following are points summarized by Dr. Kissinger as having been discussed between him and Hafiz Ismail in a private talk following lunch at their session on May 20, 1973:

1. Dr. Kissinger thought, "paradoxically," that more progress had been made in the private talks this time than in the talks on February 25-26. Last time, he felt that Ismail had listened with an open mind and had agreed to consider new ideas that Dr. Kissinger had advanced, but he did not appear to have realized fully the implications of what Dr. Kissinger was proposing. This time, Ismail seemed to "take aboard" more of the implications of the approach that Dr. Kissinger was discussing. Particularly, he seemed to have greater understanding of the step-by-step approach to an Egypt-Israel agreement--the political reasons for it on the US side and the pace at which it might proceed. Ismail even said that he surmised from Dr. Kissinger's comments that there might not be an interim agreement until 1974 and little progress on an overall agreement before 1975. Dr. Kissinger said that he felt there had been little point at this meeting in getting into the details of a possible agreement between Egypt and Israel before there was full understanding on the theory of how the US and Egyptian sides were going to proceed.

2. In response to a question from Mr. Saunders, Dr. Kissinger acknowledged that Ismail must have understood the official USG rationale for an interim settlement before, but maybe he needed to hear directly from the White House an assurance that the White House would stick with the process after an interim agreement and not walk away from it, leaving the interim agreement as a final one.

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

SECRET/SENSITIVE (XGDS)

3. Mr. Ismail had asked Dr. Kissinger what he thought was the most Egypt could get from Israel. Dr. Kissinger had said that he thought the most that he could foresee now Israel's giving was nominal Egyptian sovereignty in the Sinai with Israeli security positions at key points.

4. Ismail said that he could not give any commitments now; he would have to talk to Sadat. He would send word back to Dr. Kissinger within the next ten days or so, in time for the US-USSR summit. Dr. Kissinger after the meeting with Ismail acknowledged that the principal problem is with President Sadat; he may very well decide that he does not wish to engage in this process and send word that such is the case.

5. Mr. Ismail got a clearer understanding of the inter-relationship among the various diplomatic problems the US faces--particularly right now the inter-relationship between the US-USSR summit and the UN Security Council debate scheduled to begin June 4. Mr. Ismail promised that, if the debate at the UNSC went on for a couple of weeks, Egypt would be prepared to accept a proposal for adjournment before the US-USSR summit begins on June 18. Egypt did not want to make too much trouble for the US in the Security Council. Mr. Ismail seemed to grasp better than before the complexities of the US domestic situation in dealing with this problem--one of the reasons why a step-by-step approach seems more feasible to the US than a single jump to a final settlement.

6. Mr. Ismail said that Egypt would be willing to sign an agreement with Israel before Jordan or Syria. Dr. Kissinger, commenting afterward, said he was doubtful that they would make full peace effective before those other agreements were signed, however.

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Ismail to Kissinger--2215 (EDT) October 20, 1973.

"... The Egyptian Government sets out the following stand with respect to the present conflict:

- (A) A ceasefire on the present lines,
- (B) convening a peace conference with the object of reaching a fundamental settlement,
- (C) a guarantee by the United States and the Soviet Union of the ceasefire and the withdrawal of Israeli troops.

"Mr. Ismail believes that the presence of Dr. Kissinger in Moscow now will be helpful in reaching an agreement on the above mentioned lines."

Kissinger to Ismail--October 21, 1973.

"I deeply appreciate your message of October 20.... We have reached agreement with General Secretary Brezhnev that our Governments will introduce a joint Security Council resolution.... On this basis, I believe we can look toward a settlement satisfactory to all parties. To this end, we have agreed with the Soviet Government that the US together with the USSR will be prepared to use their good offices and participate as required to facilitate a fundamental settlement.... I can assure you that as the fighting ceases, the US will use its influence to secure a lasting peace in the Middle East on a basis just for all parties."

Ismail to Kissinger--October 23, 1973.

"Very urgent. We have very strongly drawn your attention to the dangers of a ceasefire and therefore have demanded guarantees for the fulfillment by both parties of their obligations once they accept the ceasefire.

"It is our understanding according to reports received from the Soviet Union that the US Government have accepted to guarantee the ceasefire which will create the conditions necessary for the commencement of peace talks...."

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DECLAS - Date Impossible to Determine.

BYAUTH - Dr. Henry A. Kissinger

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Sadat to Nixon--2115 Cairo time, October 23, 1973

"... I am formally asking you to intervene effectively even if that necessitates the use of forces in order to guarantee the full implementation of the ceasefire resolution in accordance with the joint US-USSR agreement.

"We were asked to comply with the ceasefire resolution with the full understanding of the effectiveness of the joint guarantees.... The Egyptian Government will consider the U.S. Government fully responsible for what is happening at present, in spite of your guarantees and of the Security Council Resolution co-sponsored by the USA and the USSR, as well as of our acceptance of the Resolution on that basis.

"... What is happening now, in the light of your guarantees, does not induce confidence in any other future guarantees."

Nixon to Sadat--October 23, 1973

"I appreciate your recent message and the frankness with which you spoke. Let me be equally frank. All we guaranteed--no matter what you may have been told from other sources--was to engage fully and constructively in promoting a political process designed to make possible a political settlement.

"Nevertheless, as evidence of our earnest desire to promote a lasting settlement... I have instructed Secretary Kissinger to make urgent representations to the Government of Israel requesting its full compliance with Security Council Resolution 338...."

Sadat to Nixon--1400 EDT, October 26, 1973

"... The two superpowers bear a major responsibility in seeing that the Security Council resolutions are being fully and promptly implemented...."

MEMORANDUM

NATIONAL SECURITY COUNCIL

TOP SECRET/SENSITIVE (XGDS)

April 13, 1973

MEMORANDUM FOR: DR. KISSINGER

FROM: HAROLD H. SAUNDERS

SUBJECT: Memorandum Recording Your
Conversation with Ismail

At Tab A as you requested is a record of your conversations with Mr. Ismail for you to show to Joe Sisco. It is a full record but without procedural details like the following:

--References to procedures used in establishing and following through on direct communication between you and Mr. Ismail.

--Reference to the relationship between your channel and Egypt's normal contact with the State Department. [FYI, the transcript did not show at any point your saying that the Egyptians should disregard the State Department.]

--Discussion of exactly what role the US should play between Egypt and Israel through this special channel. There is one paragraph in which Ismail described in very general terms a three-part process beginning with agreement on general principles, filling in provisions and then moving on to implementation. This will cover his general view of what needs to be done and provides the framework within which you agreed that negotiation of an interim settlement with the State Department could be useful as an opening phase in this process.

--Details of exactly what you and he might say to your respective Soviet contacts about your particular conversation.

--Discussion of what went wrong in 1971.

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BYAUTH - Dr. Henry A. Kissinger

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--Detailed discussion of demilitarization and possible long term transitional security arrangements in the Sinai, except for one sentence in the form of a question by you which raises the possibility of such arrangements.

In this connection, you should be aware of the State Department Memorandum at Tab B saying that Secretary Rogers has asked Ted Eliot to request that he be provided with copies of the memoranda concerning the President's and your conversations with Hafiz Ismail. I simply request your guidance on the handling of this State Department request. The attached memo could meet the request as far as your talk is concerned and a record of the President's conversation would presumably be quite general.



DEPARTMENT OF STATE

Washington, D.C. 20520

CONFIDENTIAL

April 11, 1973

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Memoranda of Conversations with
Hafez Ismail

The Secretary has asked me to request that he be provided with copies of the memoranda concerning the President's and your conversations with Hafez Ismail.

A handwritten signature in cursive script, appearing to read "Theodore L. Eliot, Jr.", written in dark ink.

Theodore L. Eliot, Jr.
Executive Secretary

CONFIDENTIAL
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TOP SECRET/SENSITIVE

February 26, 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Conversations Between Dr. Henry Kissinger
 and Mr. Muhammad Hafiz Ismail

Dr. Kissinger opened the meeting by proposing a very frank exchange. He said he had no proposals to make but hoped that each side could tell the other as candidly as possible what it thinks and feels. The US wants most seriously to have a solution to the logjam in the Middle East, but there is no sense in the US promising anything that it cannot deliver. Thus, the purpose of the discussion is to talk in a general way about what the problems are and what approaches might be used to resolve them.

Mr. Ismail thanked Dr. Kissinger for his very sincere offer to have serious discussions about the question and about how solutions might be devised. He noted that the discussions do not start from scratch. There have been Four Power talks, Two Power talks and a number of contacts between our two governments as well as policy statements made by the US government over the past four years.

Mr. Ismail said that he would speak only for Egypt, but he said frankly that Egypt could not think in terms of a separate Egyptian settlement unless it is in the context of a general framework of a Middle East settlement.

Mr. Ismail reaffirmed that Egypt is not a satellite of any nation. Egypt had asked the Soviets to leave for the sake of Egypt's independence and for the sake of lessening the possibility of a US-USSR confrontation. Egypt knows that the US wants peace in the Middle East and that without US help there can be no peace in the Middle East. Egypt feels that progress requires a certain measure of shift in American policy toward the countries in the area. Egypt sees the present US policy of main-

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taining a balance of power as working in the interests of continued occupation of Arab land and in opposition to any genuine effort to reach peace. This is the same position, he noted, which he had elaborated during his lunch at the State Department.

Mr. Ismail said he might take a moment to address the question, "How do we see the Middle East in ten years time?" It is important to have an objective -- a sense of direction. As Egypt sees it, the Middle East will in five to ten years, he hopes, include a number of political units, strong, healthy, independent, cooperating among themselves, freed from external influences as much as possible, and free to cooperate with foreign political units outside the area. Egypt wants an independent Middle East. Egypt has lived for years with Jewish communities and they have offered something to the Egyptian way of life. Therefore, Egyptians can see a day when all countries in the area may have a common understanding.

Reaching such a state of understanding will be difficult, however, because of high emotions in the area and because of external influence. Also, as long as Israel does not recognize itself as a Middle Eastern country, how can Egypt so recognize it?

Now, if the foregoing statement defines a broad objective that all parties could reach for, Egypt sees the starting point as a settlement of the present armed conflict in the area. This would lay a good basis for the development of normalization in the area, so this must be our immediate objective -- to get a settlement based on all the resolutions of the United Nations, and based on existing international agreements related to the area such as the 1888 Constantinople Convention on the Suez Canal.

Those UN resolutions as interpreted by the Big Powers, he said, recognize two things: the international borders and the human rights of the Palestinians. Those are the two pillars of a settlement. Because of the history of international involvement in the creation of Israel, the big powers must now say how they envisaged the new state which has been created. They must state not only that but also guarantee in the future that this present (Israel) does not overflow its limits.

Egypt thinks the problem lends itself to a settlement in several stages in an overall framework. Progress might be made on different fronts within each sector, but Egypt also believes that those phases and stages must be interrelated so they can lead to a defined goal. A settlement must include Egypt, Jordan and Syria. Probably Lebanon must come in later on. It must be a final settlement, and it must be just. It must be immediate.

Egypt believes the most logical approach to the problem is to reduce the problem to its exact size: the conflict between the communities living within Palestine. That conflict has overflowed its borders, and we should bring it back to its original size and find how Jews and Palestinian Arabs can live together within Palestine -- or live apart, whichever they choose. If and when they agree, they can negotiate a political settlement. To help reach that objective, we have to eliminate the other aspects of the conflict outside Palestine and to achieve complete disengagement on the Arab-Israeli front. Mr. Ismail said he did not want to get into how the Palestinian problem should be solved. He would say that if it were not possible for Palestinians and Israelis to work out a way of having a democratic state including both of them, then maybe they may agree on ways to divide the country.

On the Egyptian side, he said, the objective of an agreement would be to bring about a state of peace and an end to the state of war. The major problem is the question of sovereignty -- the recognition of Egypt's international borders and the control of its own land. Egypt can take into consideration the legitimate concerns of Israel about security. If a formula can be found that recognizes complete Egyptian sovereignty and meets the legitimate concerns of Israel with respect to its security, Egyptians realize that the main knot will be broken on the Egyptian-Israeli front. Then the question of staging could be worked out.

Finally, Mr. Ismail spoke of the need to move promptly. Disengagement will have to be quick because Egypt is not prepared to accept the withdrawal that is going to hang on for years. Egypt sees a disengagement that can be realized before the end of this year. Israeli elections should not be a cause for further delay. The whole situation in the area is dangerous.

Dr. Kissinger expressed appreciation for Mr. Ismail's presentation and wanted to ask some questions about it. He asked whether he was correct in summarizing one of Mr. Ismail's points by saying that there are really two basic settlements: One is the settlement among all the countries in the area, including Israel, with respect to the military issues produced by the 1967 war. On this issue, Egypt defines the essential element as a return to the mandated borders of Palestine.

Mr. Ismail interrupted to refine his comment by saying that this referred principally to the Egyptian front. He would not speak for Jordan or Syria; as for Gaza, Egypt felt that Gaza should have the right of self-determination under UN auspices within the lines of 1949.

Dr. Kissinger returned to his effort to understand the broader framework of Mr. Ismail's presentation. He characterized the second element in a settlement, as Mr. Ismail had described it as a settlement between the Palestinians and Israel about the future of mandated Palestine.

Dr. Kissinger then asked who would speak for the Palestinians, and Mr. Ismail replied that Egypt would not raise any obstacles for King Hussein in settling this question.

Dr. Kissinger, still attempting to clarify the basic concept Mr. Ismail had presented, suggested there are two problems: First, how does one get peace in the Middle East? Second, how does one get peace in the Hashemite Kingdom? Is Mr. Ismail saying that a settlement between Egypt and Israel will produce progress towards peace but not final peace until the Palestine problem is solved? Mr. Ismail agreed.

Dr. Kissinger said it is one thing to say that a negotiation -- for instance between Egypt and Israel -- will produce peace. It is another thing to say that one negotiation will produce something between a cease-fire and peace, which is then dependent on yet another negotiation.

Dr. Kissinger asked what would be the precise result of the Egypt-Israel negotiation other than that Israel would withdraw. Mr. Ismail replied that a commitment to full withdrawal could be accompanied by certain

peace commitments on the part of Egypt toward Israel. It would mean an end to the state of war, but not full peace. Such steps as exchanging ambassadors or trade agreements would be excluded at that point. Included would be free passage in international waterways, non-intervention in each other's affairs, restriction on any subversive activities against Israel. There could also be security measures of an international character such as observers or an international force in one or two strategic points. Egypt has accepted these things. Full normalization of relations is something that Egypt wants but that takes time.

In response to Dr. Kissinger's question, Mr. Ismail said that the difference between conditions in 1966 and those that would be created by this agreement would include passage in the Suez Canal, an end of the boycott on third-party goods, an end to Egypt's reservation clause on international agreements -- that kind of recognition of Israel. Egypt already acknowledges the existence of Israel. He quoted from Resolution 242 and Egypt's acceptance of it. The only issue is the question of normalization of relations -- not recognition. He was quite firm in denying that there was any vagueness in Egypt's position on this point.

Dr. Kissinger turned to another question: He asked Mr. Ismail what he felt the US could do at this point since Mr. Ismail had earlier stated that he felt the big powers should say how they envisage the boundaries of Israel.

Mr. Ismail responded that the reason talks have not succeeded to date is that agreement could not be reached on an interpretation of Resolution 242. He felt that, as a first step, something like the Dean Rusk formula of 1968 needed to be worked out. The US would have to exercise its influence to reach agreement with Israel on a common interpretation of 242.

Not until an established basis for a settlement is reached that defines the heads of a possible agreement will it be possible to decide on whether progress should be made through proximity talks or some other kind of negotiating device. Egypt's problem in the past has been that the US has presented specific points to Egypt, Egypt has re-adjusted its position and in the process made a concession here

and there and then Israel has accepted those concessions and started a new bargaining process.

Dr. Kissinger acknowledged the Egyptian dilemma. On the one hand, it is important for Egypt to convince Israel that it is serious; on the other hand, he could understand Egypt's not wanting to give away any concessions without an understanding on the ultimate results.

Mr. Ismail returned to his point that the fundamental issue is to know whether Israel is willing to have a final, complete settlement. He said that Egypt could not negotiate as long as Israel is on Egyptian land; if Israel withdraws, Egypt will negotiate about anything. Dr. Kissinger asked whether Egypt would negotiate if Israel "withdrew" or if Israel "agreed to withdraw". Mr. Ismail responded hesitantly but indicated that Egypt might consider negotiating if Israel were "committed to something".

Dr. Kissinger returned to the fundamental problem for the US -- that US persuasiveness with Israel depends very heavily on the positions that Egypt advances. It depends on the degree to which there can be even greater concreteness or changes in the Arab position, especially the Egyptian position.

[At this point there was a break in the conversation.]

Mr. Ismail resumed the conversation by reiterating his feeling that the US can exercise its influence with Israel. He described again the problem Egypt faced in the past when, Egyptians felt, Egypt had agreed to certain points which had then been taken to Israel, and when the Israelis objected the US backed down. When Israel objected to any proposal, the whole exercise broke down, he said.

Turning again to the question of an Egypt-Israel solution within the general context of a Middle East settlement, he felt there are two basic questions: (1) sovereignty to be reconciled with the legitimate and reasonable concerns of Israel with respect to security; (2) because of Egypt's moral attachment to the people in Gaza, Egypt feels those people should have the right of self-determination under the auspices of the UN. This point could be part of an Egypt-Israel agreement or

a separate agreement. Egypt recognizes that, as the Gazans think about their future, the problem could become linked with developments in the Jordanian sector. Also, there are the 1948 refugees in Gaza; there would have to be some obligation expressed that the refugee problem would be solved according to the UN resolutions. He felt that the UN would probably be the organization to look after the solution of that problem, but Egypt does have some obligation to see the principle expressed.

As far as Jordan is concerned, King Hussein can make his own arrangements on borders. Egypt may object to any breach in the principle of total Israeli withdrawal, but whatever Hussein decides to do is up to him. Jerusalem, however, is quite a different question; Egypt's basic position is that the Arab part of Jerusalem is Arab, and there is no wavering on that. Whether Hussein is in a position to offer self-determination to the West Bank might be considered an internal question for him, a question he will have to settle with the Palestinians. Egypt has no fixed views.

The question of Syria is much more serious from the Egyptian viewpoint because Syria is a partner in the confederation with Egypt. It is important to Egypt that Syria get a settlement based on principles similar to those in an Egyptian settlement.

More generally, Mr. Ismail continued, these are the Egyptian views on the inter-relationship between the different settlements: Egypt would like to see its problem settled before the end of the year. Tentatively, if Egypt were to reach some understanding on the principles of an agreement between Egypt and Israel, then perhaps discussions on Jordanian and Syrian settlements could take place. That means they might be a step behind in any settlement process. He emphasized, however, that these were very tentative personal thoughts.

Returning to the Egypt-Israel agreement, he thought the first task to be achieved was agreement on the general principles of a settlement, as he had mentioned earlier. Then, it would be necessary to work out detailed provisions to put those general principles into effect. Finally, there would be a period for the implementation of the provisions in the agreement. Egypt hoped for some movement

before the first of September, when there would be a referendum about Egypt's union with Libya. In any early phase, there could be such gestures as the release of prisoners or of Palestinians who are interned for no reason.

Mr. Ismail, returning to another point from earlier in conversation, said he felt that the end of the state of war would come with final withdrawal of Israel from Egyptian territory. Egypt would acknowledge respect for the sovereignty, political independence and territorial integrity of Israel and the right to live in peace. Egypt would acknowledge all those commitments with the final withdrawal. These obligations would also mean an Egyptian obligation to see that Egyptian soil is not a base for acts by any organization against the people or property of Israel.

Dr. Kissinger, returning to Mr. Ismail's view of the process of reaching a settlement, asked how some steps like opening the Canal might fit in to that process. Mr. Ismail indicated that it could be an "opening phase" to indicate a starting of the process.

Dr. Kissinger then confirmed his understanding of the commitments that Egypt would be prepared to make to Israel in a state of peace. Mr. Ismail recalled not only those that he had earlier referred to and those in Resolution 242 but also those commitments to peace which had been given to Ambassador Jarring.

Dr. Kissinger asked whether Mr. Ismail cared to elaborate further on Egypt's views on Gaza. Mr. Ismail replied that Egypt would like to see the Gaza population under UN supervision. He felt that would exclude the military occupation of Gaza by Israel so that there would be a genuine opportunity for the population to exercise its right of self-determination freely. A certain amount of time would be required for it to be ready for self-determination. During that period, Egypt might provide civil administration, but one could see how the situation develops. The three major points are Israeli withdrawal, UN supervision, and exercise of the right of self-determination. Israel would have to withdraw from Gaza before an Israel-Egyptian settlement is possible.

Dr. Kissinger said that he had not been clear in listening to Mr. Ismail's comments about the relationship of Jordan-Israel settlement to a

Palestinian settlement. Would Egypt consider whatever settlement King Hussein makes with Israel as a settlement of the Palestinian question? For instance, supposing hypothetically that settlements were reached between Israel and Syria, Israel and Jordan, and Israel and Egypt, would Egypt then consider the Palestinian issue settled even if King Hussein is unable to reach a completely satisfactory agreement with the Palestinians within Jordan? Is it possible that the failure of Jordan to resolve its internal arrangements with the Palestinians to the satisfaction of other Arab governments would block final recognition and peace with Israel?

Dr. Kissinger, turning back to Mr. Ismail's earlier comments about US efforts to change Israel's position, noted that Mr. Ismail's talks in Washington would not have taken place had the US not been willing to explore seriously an active role in trying to move the Middle East situation toward a peace settlement. However, the US still has the problem of proving that there has been significant movement in the Egyptian position. Whatever the US may do, it must be in a position to answer the question: What is Israel getting out of a proposed agreement? Israel would find it very difficult to change its present position.

Dr. Kissinger, picking up on the comment about the interim settlement, asked Mr. Ismail again for Egypt's present position on it. Mr. Ismail responded that he felt that more precise linkage than had been proposed so far was required between an interim and a final settlement. Dr. Kissinger asked whether it would be possible to start proximity talks between Israel and Egypt with the idea that talks about a final settlement would begin as soon as the execution of the interim agreement begins. Mr. Ismail said that he had rejected, in his talks in the State Department, any idea that he had heard so far, but he would be prepared to discuss any reasonable proposal. It would certainly be possible theoretically for movement on an interim settlement to serve as an opening phase in an overall agreement. Dr. Kissinger said that there is no question that it would be easier to have an interim agreement first. Mr. Ismail said that it would also be important to have some movement toward agreement on the fundamental principles of an overall settlement, as he had mentioned earlier.

Dr. Kissinger noted that one of the issues the two had not had a chance to discuss is the relationship between Egyptian sovereignty and Israeli

security which the President had mentioned. He asked Mr. Ismail what his idea of security is. Mr. Ismail replied that in principle there should be no strategic advantage for either side. He alluded to demilitarization on both sides of the borders. Dr. Kissinger noted the difficulty of even a symbolic extension of a demilitarized zone on the Israeli side of the border.

Mr. Ismail continued that demilitarized zones could be observed by an international force of some sort. It is also possible that an international force could be stationed in certain areas of strategic importance. There would also be a question of guarantees given by the big powers in the UN Security Council. Dr. Kissinger said he felt that this question of providing for security, along with the recognition of the legitimacy of Israel, would be the two areas of greatest difficulty in dealing with Israel.

Mr. Ismail said that if negotiations were going on, one could think flexibly about different ideas or application of principles. It is impossible to say in the abstract where the demilitarized zones should be and how wide they should be. There would certainly have to be some sort of special Egyptian military force -- he alluded to the "frontier troops" which Egypt used before 1967 -- in the Sinai, perhaps with machine guns and mortars and helicopters.

Dr. Kissinger noted that there are many ways of looking at demilitarization. One way is in the totally abstract sense. Another is in the sense of restricted armaments. He felt this is one advantage of discussing the issue of sovereignty. There might be some way of separating the question of sovereignty from the question of military withdrawal. If Egyptian sovereignty were restored, then Egyptian frontier police and guard functions might well be resumed as a part of that step. Dr. Kissinger said that his only reason for raising the question in this way was to see whether there was some possible approach which would separate the question of borders from the security issue for a limited period of time. If by any remote chance Egypt were able to achieve legal recognition of sovereignty up to the '67 borders, then whatever negotiations took place on the question of security measures would be in a quite different context. Might it be possible for special security arrangements to exist between the end of the state of war and the establishment of full peace when they might be eliminated? He reiterated, however, that he had absolutely no evidence that Israel was prepared to consider going back to its pre-war boundaries.

Dr. Kissinger asked Mr. Ismail if he would elaborate on Egypt's position on the 1949 refugees. Mr. Ismail said that there might be a commitment on the part of Israel respecting the UN resolutions on the refugees. The UN might be called on to conduct a process for fixing the wishes of the refugees -- those who want repatriation and those who prefer compensation. The UNRWA might be a useful vehicle in that respect. But he said he had no fixed idea about how it might be done except to say generally that it might best be done by the UN.

At the conclusion of the meeting, Dr. Kissinger again expressed his appreciation for Mr. Ismail's coming. He noted that the US would now have to consider whether it is possible to find a framework in which movement toward peace could take place. It was agreed that Mr. Ismail would inform the Soviets in general terms of his Washington discussions. Dr. Kissinger said the US recognized that Egypt would continue to conduct its relations with the USSR in accordance with its own interests.


Mr. Ismail expressed his appreciation for the discussions he had had here.

NATIONAL SECURITY COUNCIL

May 11, 1973

Henry:

Here is the Summary I
mentioned to you this morning.



Hal

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This document has been reviewed pursuant to Executive Order 13526 and has been determined to be declassified

MEMORANDUM

NATIONAL SECURITY COUNCIL

TOP SECRET/SENSITIVE(XGDS)

February 26, 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Conversations Between Dr. Henry Kissinger
 and Mr. Muhammad Hafiz Ismail

Dr. Kissinger opened the meeting by proposing a very frank exchange. He said he had no proposals to make but hoped that each side could tell the other as candidly as possible what it thinks and feels. The US wants most seriously to have a solution to the logjam in the Middle East, but there is no sense in the US promising anything that it cannot deliver. Thus, the purpose of the discussion is to talk in a general way about what the problems are and what approaches might be used to resolve them.

Mr. Ismail thanked Dr. Kissinger for his very sincere offer to have serious discussions about the question and about how solutions might be devised. He noted that the discussions do not start from scratch. There have been Four Power talks, Two Power talks and a number of contacts between our two governments as well as policy statements made by the US government over the past four years.

Mr. Ismail said that he would speak only for Egypt, but he said frankly that Egypt could not think in terms of a separate Egyptian settlement unless it is in the context of a general framework of a Middle East settlement.

Mr. Ismail reaffirmed that Egypt is not a satellite of any nation. Egypt had asked the Soviets to leave for the sake of Egypt's independence and for the sake of lessening the possibility of a US-USSR confrontation. Egypt knows that the US wants peace in the Middle East and that without US help there can be no peace in the Middle East. Egypt feels that progress requires a certain measure of shift in American policy toward the countries in the area. Egypt sees the present US policy of main-

XGDS - 3

TOP SECRET/SENSITIVE(XGDS)

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

taining a balance of power as working in the interests of continued occupation of Arab land and in opposition to any genuine effort to reach peace. This is the same position, he noted, which he had elaborated during his lunch at the State Department.

Mr. Ismail said he might take a moment to address the question, "How do we see the Middle East in ten years time?" It is important to have an objective -- a sense of direction. As Egypt sees it, the Middle East will in five to ten years, he hopes, include a number of political units, strong, healthy, independent, cooperating among themselves, freed from external influences as much as possible, and free to cooperate with foreign political units outside the area. Egypt wants an independent Middle East. Egypt has lived for years with Jewish communities and they have offered something to the Egyptian way of life. Therefore, Egyptians can see a day when all countries in the area may have a common understanding.

Reaching such a state of understanding will be difficult, however, because of high emotions in the area and because of external influence. Also, as long as Israel does not recognize itself as a Middle Eastern country, how can Egypt so recognize it?

Now, if the foregoing statement defines a broad objective that all parties could reach for, Egypt sees the starting point as a settlement of the present armed conflict in the area. This would lay a good basis for the development of normalization in the area, so this must be our immediate objective -- to get a settlement based on all the resolutions of the United Nations, and based on existing international agreements related to the area such as the 1888 Constantinople Convention on the Suez Canal.

Those UN resolutions as interpreted by the Big Powers, he said, recognize two things: the international borders and the human rights of the Palestinians. Those are the two pillars of a settlement. Because of the history of international involvement in the creation of Israel, the big powers must now say how they envisaged the new state which has been created. They must state not only that but also guarantee in the future that this presence (Israel) does not overflow its limits.

Egypt thinks the problem lends itself to a settlement in several stages in an overall framework. Progress might be made on different fronts within each sector, but Egypt also believes that those phases and stages must be interrelated so they can lead to a defined goal. A settlement must include Egypt, Jordan and Syria. Probably Lebanon must come in later on. It must be a final settlement, and it must be just. It must be immediate.

Egypt believes the most logical approach to the problem is to reduce the problem to its exact size: the conflict between the communities living within Palestine. That conflict has overflowed its borders, and we should bring it back to its original size and find how Jews and Palestinian Arabs can live together within Palestine -- or live apart, whichever they choose. If and when they agree, they can negotiate a political settlement. To help reach that objective, we have to eliminate the other aspects of the conflict outside Palestine and to achieve complete disengagement on the Arab-Israeli front. Mr. Ismail said he did not want to get into how the Palestinian problem should be solved. He would say that if it were not possible for Palestinians and Israelis to work out a way of having a democratic state including both of them, then maybe they may agree on ways to divide the country.

On the Egyptian side, he said, the objective of an agreement would be to bring about a state of peace and an end to the state of war. The major problem is the question of sovereignty -- the recognition of Egypt's international borders and the control of its own land. Egypt can take into consideration the legitimate concerns of Israel about security. If a formula can be found that recognizes complete Egyptian sovereignty and meets the legitimate concerns of Israel with respect to its security, Egyptians realize that the main knot will be broken on the Egyptian-Israeli front. Then the question of staging could be worked out.

Finally, Mr. Ismail spoke of the need to move promptly. Disengagement will have to be quick because Egypt is not prepared to accept the withdrawal that is going to hang on for years. Egypt sees a disengagement that can be realized before the end of this year. Israeli elections should not be a cause for further delay. The whole situation in the area is dangerous.

Dr. Kissinger expressed appreciation for Mr. Ismail's presentation and wanted to ask some questions about it. He asked whether he was correct in summarizing one of Mr. Ismail's points by saying that there are really two basic settlements: One is the settlement among all the countries in the area, including Israel, with respect to the military issues produced by the 1967 war. On this issue, Egypt defines the essential element as a return to the mandated borders of Palestine.

Mr. Ismail interrupted to refine his comment by saying that this referred principally to the Egyptian front. He would not speak for Jordan or Syria; as for Gaza, Egypt felt that Gaza should have the right of self-determination under UN auspices within the lines of 1949.

Dr. Kissinger returned to his effort to understand the broader framework of Mr. Ismail's presentation. He characterized the second element in a settlement, as Mr. Ismail had described it as a settlement between the Palestinians and Israel about the future of mandated Palestine.

Dr. Kissinger then asked who would speak for the Palestinians, and Mr. Ismail replied that Egypt would not raise any obstacles for King Hussein in settling this question.

Dr. Kissinger, still attempting to clarify the basic concept Mr. Ismail had presented, suggested there are two problems: First, how does one get peace in the Middle East? Second, how does one get peace in the Hashemite Kingdom? Is Mr. Ismail saying that a settlement between Egypt and Israel will produce progress towards peace but not final peace until the Palestine problem is solved? Mr. Ismail agreed.

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In response to Dr. Kissinger's question, Mr. Ismail said that the difference between conditions in 1966 and those that would be created by this agreement would include passage in the Suez Canal, an end of the boycott on third-party goods, an end to Egypt's reservation clause on international agreements -- that kind of recognition of Israel. Egypt already acknowledges the existence of Israel. He quoted from Resolution 242 and Egypt's acceptance of it. The only issue is the question of normalization of relations -- not recognition. He was quite firm in denying that there was any vagueness in Egypt's position on this point.

Dr. Kissinger turned to another question: He asked Mr. Ismail what he felt the US could do at this point since Mr. Ismail had earlier stated that he felt the big powers should say how they envisage the boundaries of Israel.

Mr. Ismail responded that the reason talks have not succeeded to date is that agreement could not be reached on an interpretation of Resolution 242. He felt that, as a first step, something like the Dean Rusk formula of 1968 needed to be worked out. The US would have to exercise its influence to reach agreement with Israel on a common interpretation of 242.

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[At this point there was a break in the conversation.]

Mr. Ismail resumed the conversation by reiterating his feeling that the US can exercise its influence with Israel. He described again the problem Egypt faced in the past when, Egyptians felt, Egypt had agreed to certain points which had then been taken to Israel, and when the Israelis objected the US backed down. When Israel objected to any proposal, the whole exercise broke down, he said.

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a separate agreement. Egypt recognizes that, as the Gazans think about their future, the problem could become linked with developments in the Jordanian sector. Also, there are the 1948 refugees in Gaza; there would have to be some obligation expressed that the refugee problem would be solved according to the UN resolutions. He felt that the UN would probably be the organization to look after the solution of that problem, but Egypt does have some obligation to see the principle expressed.

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Dr. Kissinger noted that one of the issues the two had not had a chance to discuss is the relationship between Egyptian sovereignty and Israeli

security which the President had mentioned. He asked Mr. Ismail what his idea of security is. Mr. Ismail replied that in principle there should be no strategic advantage for either side. He alluded to demilitarization on both sides of the borders. Dr. Kissinger noted the difficulty of even a symbolic extension of a demilitarized zone on the Israeli side of the border.

Mr. Ismail continued that demilitarized zones could be observed by an international force of some sort. It is also possible that an international force could be stationed in certain areas of strategic importance. There would also be a question of guarantees given by the big powers in the UN Security Council. Dr. Kissinger said he felt that this question of providing for security, along with the recognition of the legitimacy of Israel, would be the two areas of greatest difficulty in dealing with Israel.

Mr. Ismail said that if negotiations were going on, one could think flexibly about different ideas or application of principles. It is impossible to say in the abstract where the demilitarized zones should be and how wide they should be. There would certainly have to be some sort of special Egyptian military force -- he alluded to the "frontier troops" which Egypt used before 1967 -- in the Sinai, perhaps with machine guns and mortars and helicopters.

Dr. Kissinger noted that there are many ways of looking at demilitarization. One way is in the totally abstract sense. Another is in the sense of restricted armaments. He felt this is one advantage of discussing the issue of sovereignty. There might be some way of separating the question of sovereignty from the question of military withdrawal. If Egyptian sovereignty were restored, then Egyptian frontier police and guard functions might well be resumed as a part of that step. Dr. Kissinger said that his only reason for raising the question in this way was to see whether there was some possible approach which would separate the question of borders from the security issue for a limited period of time. If by any remote chance Egypt were able to achieve legal recognition of sovereignty up to the '67 borders, then whatever negotiations took place on the question of security measures would be in a quite different context. Might it be possible for special security arrangements to exist between the end of the state of war and the establishment of full peace when they might be eliminated? He reiterated, however, that he had absolutely no evidence that Israel was prepared to consider going back to its pre-war boundaries.

Dr. Kissinger asked Mr. Ismail if he would elaborate on Egypt's position on the 1949 refugees. Mr. Ismail said that there might be a commitment on the part of Israel respecting the UN resolutions on the refugees. The UN might be called on to conduct a process for fixing the wishes of the refugees -- those who want repatriation and those who prefer compensation. The UNRWA might be a useful vehicle in that respect. But he said he had no fixed idea about how it might be done except to say generally that it might best be done by the UN.

At the conclusion of the meeting, Dr. Kissinger again expressed his appreciation for Mr. Ismail's coming. He noted that the US would now have to consider whether it is possible to find a framework in which movement toward peace could take place. It was agreed that Mr. Ismail would inform the Soviets in general terms of his Washington discussions. Dr. Kissinger said the US recognized that Egypt would continue to conduct its relations with the USSR in accordance with its own interests.

Mr. Ismail expressed his appreciation for the discussions he had had here.



DEPARTMENT OF STATE

Washington, D.C. 20520

CONFIDENTIAL

April 11, 1973

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

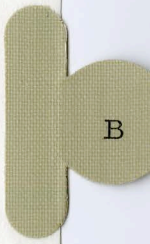
Subject: Memoranda of Conversations with
Hafez Ismail

The Secretary has asked me to request that he be provided with copies of the memoranda concerning the President's and your conversations with Hafez Ismail.

A handwritten signature in cursive script, appearing to read "Theodore L. Eliot, Jr.", written in dark ink.

Theodore L. Eliot, Jr.
Executive Secretary

CONFIDENTIAL
GDS



B

MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION
(Outside System)

SECRET (XGDS)

May 10, 1973

MEMORANDUM FOR: DR. KISSINGER
FROM: HAROLD H. SAUNDERS
SUBJECT: Second Meeting with Ismail

Recapitulation

At the end of the last meeting, it was agreed that the Egyptians would give special attention to the following issues which will presumably be the first subjects for discussion at this second meeting. How these might be discussed is dealt with later in this memo.

--Definition and timing of the state of peace. The Egyptians had a fairly full list of exactly what would constitute their obligations in a state of peace. You asked that they give attention to making this as full and attractive as possible. The more difficult question is when the state of peace would come into effect. Ismail commented privately that he would have his lawyers look at whether one could make a distinction between a de facto and a de jure state of peace, the first coming into effect when the agreement is signed and the second when withdrawal is completed.

--Timing of recognition. The issue is how to meet Israel's need for recognition as a legal entity as early as possible. Ismail in the first meeting linked this tentatively to the resolution of other Arab-Israeli issues such as the refugee problem, Gaza, and settlements on the Syrian and Jordanian fronts. In a message since, he has said that the question of Israel's legitimacy is linked to settlement of the Palestine issue and to Israel's relationship to the world Zionist movement and to foreign states.

--Transitional security arrangements between Israel and Egypt. This has been addressed by Ismail in conventional terms as the question of how to assure a demilitarized zone between Egypt and Israel. You suggested a broader concept which would involve the question of whether a sovereign Egypt would agree to special security

XGDS - 3

DECLAS - Impossible to Determine Date.

SECRET (XGDS)

BYAUTH - Dr. Henry A. Kissinger

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arrangements through a long transitional period between the end of a state of war and the normalization of relations.

-- Egypt would consider who would talk to the Syrians at what stage. The US parallel to this procedural issue was to recommend when Israel would be brought into these discussions.

The following issues should be included in any recapitulation of the last meeting, but they would seem to require less detailed attention at this second meeting:

-- The three-stage process (heads of agreement, provisions of agreement, execution) which Ismail described probably needs little more elaboration at this point.

-- The timing of this process might warrant some discussion. Ismail stressed the urgency of agreement in 1973 but carrying through his process might take more time. At the same time, Sadat is talking about resuming hostilities. That will not give quiet diplomacy time to work.

-- Ismail describes the long-term objective as seeing developed a Middle East of strong, healthy, cooperative, independent states. He spoke of a peace settlement that could be the basis for normalization of relations, although normalization would take a long time. It would seem worth while to concentrate on this notion of normalization, but it is probably not desirable to press too hard on that now.

-- It was generally agreed that the Arab-Israeli problem could be addressed by stages and by sectors with progress on the Egypt-Israel front staying a step ahead of progress on the Israel-Jordan or Israel-Syria fronts. The issue at the moment, however, is to see what can be done on the Egypt-Israel front.

-- An agreement on a first stage of withdrawal from the Suez Canal along the lines of the interim agreement concept could run concurrently with discussions of an overall agreement.

If there is progress at the second meeting on the issues outlined in the first paragraph above, then in addition to any further work on those, it might be desirable to suggest subjects for consideration at a third meeting.

SECRET (XGDS)

These will mainly emerge from the discussion, but one that seems already to suggest itself is this: Could Israel and Egypt agree on some general procedures for resolving the Palestinian issues and could Egypt then accept that as a basis for its action?

The record of the first meeting is at Tab D.

Egyptian Reflection and Reaction Following First Meeting

Egyptian reflections on the issues raised at the first meeting have been contained in three Sadat statements and one substantive comment by Ismail. [Summaries are at Tab E.] As public statements, the Sadat comments do not have to be read at face value, but there is some value in noting how he seems to have digested and played some of the concepts from the first meeting. Following are the main points which Sadat has made insofar as they relate to Egypt-Israel negotiation:

--On the present US strategy as it appears to him:

--The US objective in trying to maintain the ceasefire is to allow Israel to strengthen its presence in the occupied areas, to force Egypt to make concessions, and to weaken Arab solidarity.

--The US is waging psychological warfare against the Egyptians trying to force an Egyptian surrender. Releasing news of new aircraft shipments on the heels of Ismail's visit to Washington was an indication of this.

--The Soviets should not be dissuaded from raising the Middle East at the Summit. The peaceful solution which the US has been talking about is "a deception and a mirage."

--On US tactics for getting talks started:

--The US position that Egypt must recognize Israel's legitimacy at the beginning of a peacemaking process would require a concession of Egypt "just to reactivate the issue, not to solve it." Ismail's visit to Washington indicated one thing: That Egypt must make concessions so that the process can get moving rather than be solved.

--On specific elements of the US position:

--President Nixon took a positive position when he told Ismail that the problem was one of how to reconcile "complete" Egyptian sovereignty over Egyptian territory and the requirements of Israeli security. It remains a difficult question how this can be done.

--Sadat hopes the US will revert to his interpretation of the "Rogers Plan" but instead sees a new US position emerging that substitutes the concept of sovereignty for withdrawal. This is a step backward from what he has hoped for but might seem better than an indefinite continuation of the status quo. "Washington is talking about nominal Egyptian sovereignty over Sinai." Giving Israel any right on Egyptian land in any form or under the guise of superficial sovereignty is unacceptable. Egypt will not be "lured by the title of superficial sovereignty while tricks are being played underneath." Egypt's sovereignty over its territory must be total.

--Discussion of "secure borders" is a cover for Israel's taking the land which it feels will secure its borders.

--On the Egyptian position:

--The two key points in the position which Ismail brought to Washington were that Egypt would not cede an inch of land and would not bargain with the rights of the Palestinian people.

--Sadat talks quite openly (as Ismail did) about willingness to make peace with Israel--about "a complete solution and a vision of the future for the area for decades to come." This is on the assumption that full--not just nominal--Egyptian sovereignty is restored in the Sinai.

--Egypt does not accept any partial solution.

--On Sharm al-Sheikh, he is willing to consider "any formula" which the international community thinks desirable, except Israeli occupation.

--It is necessary for the Egyptians to prepare for a military liberation of their territory.

Privately, Ismail has made the following more detailed comments:

--The position presented by the Egyptian side in the first talks was sufficiently concrete for the USG to take a final decision with respect to its involvement in getting talks started.

--Security measures must not give advantage to one side. [The concern seems to be that Egypt's forces in the Sinai not be neutralized while Israeli forces retain wide freedom of maneuver in the Sinai.]

--Security arrangements should be "transitional" and "international."

--The state of war will be terminated with the final withdrawal of Israeli troops from Egyptian territory. This, along with the peace commitments in any agreement and big power or UN guarantees, would add weight to whatever security measures are agreed.

--The question of Israel's legitimacy depends on realization of the legitimate rights of the Palestinians. The question of legitimacy does not seem properly related to security considerations. Ismail's point is unclear: He sees some relationship between thinking of legitimacy among security considerations and the continuation of Israeli ties with the World Zionist movement and Israel's special relations with many foreign countries. This should be discussed further.

Issues To Be Developed In This Meeting

The following is a discussion of some of the issues which will be dealt with in detail in this meeting. The purpose here is to identify points on which it might be useful to press the Egyptians in order to expand our working framework. For working purposes a draft of possible Heads of Agreement is at Tab B.

1. Sovereignty.

--Sadat has quite openly said that our present notion of sovereignty is only "nominal sovereignty." He sees it as a cloak under which Israeli control of the Sinai would be perpetuated.

--The US suggestion is to distinguish between restoration of sovereignty and the transitional security arrangements which a sovereign nation may agree to on its own soil or elsewhere. One way to handle this might be to talk about concrete steps that would be involved in "restoring sovereignty." These would include restoration of civil authority and police functions which might be accomplished quickly. These would be accompanied by some withdrawal and regrouping of Israeli troops to conform to new security arrangements which would involve Israeli troops under an international umbrella and which might go on for some time.

--The key question is whether Egypt, if its sovereignty in the Sinai were restored, would agree to an Israeli military presence at key points under an international umbrella through a (long) transitional period. This question leads to the questions dealt with below on the concept of a "transitional period" and the kinds of security arrangements one might envision.

2. Effective Date of Peace Obligations. Our problem here is to make the Egyptian commitment to concrete obligations effective as early as possible in the peacemaking process. This has been the subject of extensive debate in the US-USSR talks. The compromise offered by the Russians in 1970 was that the state of peace would come into effect after the first phase of withdrawal is completed. Ismail indicated at the last meeting that the Soviets had gone beyond the Egyptian position.

--Ismail at the last meeting was still talking about making a legal distinction between de facto and de jure peace.

--For US purposes there are two other possibilities to be considered:

--The preferable one for us would be to say that the state of war ends with the signature of the agreement (rather than with any part of its execution). This has been the US position all along, and the Egyptians have not bought it. But we might repeat the argument that the parties must know that they are indeed at peace before they begin making concrete concessions on the ground. One could simply use the concept in Resolution 242 [copy at Tab F] which Egypt accepts that the establishment of peace should include the application of two principles: "withdrawal" and "termination

of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force." If both sides accepted those principles and gave them concreteness in a signed agreement, peace would be in effect. Then we might press the distinction between the state of peace and the normalization of relations.

--A fallback position could be developed from the idea that restoration of Egyptian sovereignty in the Sinai is the key step. One might define the point at which the Egyptians had resumed civil authority and police functions throughout the Sinai and make that the point at which the full agreement comes into effect. Under that concept, Israeli troops in parallel steps would have pulled back or regrouped under an international umbrella.

--Key questions include: (a) Can we establish the concept that the juridical state of peace and its obligations comes into effect when the agreement is signed while normalization of relations is a separate and much longer process? (b) Could we establish the idea that the beginning of each new phase of implementation is a point of review and it is this review process which constitutes the effective check on execution and not some delay in making the state of peace effective?

3. Recognition. The issue is at what point Israel's legitimacy becomes accepted.

--Ismail has said that the issue of Israel's legitimacy is linked with the settlement of the Palestine problem. In the last meeting he separately defined that settlement as Israel's conclusion of agreements with Jordan and Syria and Jordan's conclusion of an agreement with the Palestinians along with a refugee settlement. Presumably, he would also include a Gaza settlement.

--It may be wise to steer away from too theoretical a discussion of legitimacy. If Egypt is willing to negotiate and sign a peace agreement with Israel recognizing Israel's sovereignty, integrity

and independence, that in itself should constitute a recognition of Israel's legitimate existence. The broader issue is whether execution of an Israel-Egypt agreement is contingent on settlements with Jordan and Syria and an agreement on the Palestinian issues. One way to handle this might be to have Egypt and Israel reach agreement on general principles of a Palestinian settlement; Ismail tossed out this idea at the last meeting. These might include such simple statements as: (a) the political aspects of the Palestine problem should be worked out primarily among Israel, Jordan and the Palestinians; (b) a refugee settlement would be based on the principle of some settlement of Palestinians in Israel and compensation for those refugees who choose to settle elsewhere with the arrangements to be worked out under UN or other specified auspices.

4. Security.

--Ismail has stated the principle that security arrangements like demilitarization should not work to the disadvantage of either side. On the other hand, a fact of life for the past fifteen years has been that the Sinai has essentially served as a buffer between the Israeli and Egyptian heartlands. Ismail himself at the last meeting spoke of "frontier forces" in the Sinai.

--The US has stated its view that demilitarization should not be attempted on the Israeli side of the border. This might be a time to introduce the concept of mutual early warning systems on each side of the Sinai to preserve the notion that each side would be protected from attack. There is a more detailed paper on how this might be developed at Tab C.

General Points for Discussion

1. The threat of hostilities. As you know Sadat has pulled out a number of stops to try to make everyone believe that he plans to resume fighting whatever the outcome. It might be worth pointing out at least in conversation what the consequences of this would be:

--The very process of diplomacy Sadat talks about starting by going to war would be set back. It would weaken rather than strengthen our ability to help toward a settlement.

--The US and USSR can avoid the conflict as they did in 1967.

2. The US objective. The US objective is peace, not just a perpetuation of the present situation. Peace requires compromise, and defining possible areas for compromise is one of the purposes of these talks.

Background Papers

At the following tabs are these background papers for your use in preparing for the talks:

Tab A: Talking points, concentrating on an introductory statement.

Tab B: Possible Heads of Agreement, just as a point of reference for you not to be given to the Egyptians.

Tab C: A paper which you have seen before on possible security arrangements in the Sinai. The purpose is to give the Egyptians a feeling of mutual protection, not just catering to Israeli security.

Tab D: The record of the first meeting with a summary of main points on top.

Tab E: Egyptian statements since the first meeting.

1. Sadat speech, March 26.
2. Sadat interview, Newsweek, April 9
3. Sadat speech, May 1.
4. Ismail: private message.

Tab F: Resolution 242 for reference.

Tab G: US-USSR papers exchanged before last summit, for reference.

Checklist for Monday

2/26/73

Substance

More concrete discussion of:

- Egyptian Sovereignty + Israeli security
- Phases / stages
- Relation of Egyptian settlement to other settlements (Jordan, Syria, Palestinians)
 - political vs. military
 - timing
- Gaza settlement specifically
- Basic elements of Egyptian position (that settlement should be overall, final, just, & immediate)

Procedure

- What can be disclosed about these talks to other parties (Israel, USSR, other Arabs)
- Relation of these talks to possible bilateral US-Soviet talks
- Relation of these talks to US-Israeli talks
- Disclosure of this meeting
- Time + place of next meetings
- Set of ~~the~~ questions for him to take back
- US will send observations on Israeli position after their visit