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By CH NARA Date 2/1/05

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MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

Outside System

SECRET/NODIS (XGDS)

October 29, 1973

MEMORANDUM FOR: SECRETARY KISSINGER
FROM: HAROLD H. SAUNDERS
SUBJECT: Your Meeting with Ismail Fahmi

The main purpose of your talk with Ismail Fahmi is to hear the opening Egyptian position and procedural proposals for peace negotiations. Although we would not want to advance substantive proposals of our own now, it would be useful to state your general views on what may be possible in negotiation. This talk will provide the starting point for your talks in Cairo.

The Egyptian Position

We do not know what Fahmi will bring. The main points in the Egyptian position as stated October 10 were:

- A ceasefire and withdrawal of Israeli forces in a specific period to the pre-June 5, 1967, line under UN supervision. [Sadat in his speech on October 16 said "ceasefire on the basis of the immediate withdrawal of the Israeli forces from all the occupied territories under international supervision to the pre-June 5, 1967, lines."]
- Freedom of navigation in the Strait of Tiran, to be guaranteed by a UN presence at Sharm al-Shaikh for a specific period. [Sadat on October 16 said Egypt is ready "to begin clearing the Suez Canal and to open it for world navigation..."]
- Upon complete Israeli withdrawal, the state of belligerency would come to an end.
- Gaza, after Israeli withdrawal, would be under UN supervision pending the exercise by its population of the right to self-determination.

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

SECRET/NODIS (XGDS)

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SECRET/NODIS (XGDS)

- 2 -

--Within a specific period of termination of the state of belligerency, a peace conference would be convened under UN auspices with participation of all interested parties, including Palestinians and major powers. This conference would essentially deal with the reaffirmation of the questions related to sovereignty, security and freedom of navigation. [Sadat on October 16 said: "We are prepared, as soon as the withdrawal from all these territories is completed, to attend an international peace conference at the United Nations.... I will also try my best to convince the Palestinian people's representative about this...."]

In other messages, the Egyptians made these more general statements:

- Peace cannot be realized while Egyptian territories are occupied.
- There are two key Egyptian principles--that Egypt cannot make any concessions of land or sovereignty.
- Egypt is willing to talk about an international presence, or even an American presence, in the Sinai, at Sharm al-Shaikh or wherever, for a period until Egyptian and Israeli confidence increases.
- "There has never been any talk about placing the territories evacuated by Israel under international or any other 'control.' This would infringe on Egypt's sovereignty."

If the position Fahmi brings is based on what the Egyptians have already said, then the following may be principal points of difficulty:

- The sequence of events leading to a peace conference. While it may have changed, the earlier Egyptian position suggests that the sequence would be (1) ceasefire, (2) total Israeli withdrawal, (3) end of state of belligerency, (4) peace conference within a specific period of termination of the state of belligerency. Note: Egyptian acceptance of Resolution 338 theoretically advances the peace conference in this sequence, but the Egyptians may well insist that the agenda address withdrawal first and the issues of the final peace only after that.

SECRET/NODIS (XGDS)

SECRET/NODIS (XGDS)

- 3 -

--Participation. The Egyptian position raises the question of Palestinian representation at the peace conference. Note: This is a subject that we should discuss first with King Hussein.

--Peace is still contingent on the completion of total Israeli withdrawal.

The following may be points that could be used positively:

--Navigation. Sadat has said Egypt is ready to clear the Suez Canal for world navigation. Note: If some concrete Egyptian concession is needed in the early stages of negotiation to parallel an Israeli pullback, this could be one.

--Security. The door seems open to at least an international presence in the Sinai.

The Problem

The immediate tactical problems are (1) to get Egypt to the peace conference and (2) to enlist Sadat's help in persuading Faisal to relax the oil boycott.

Beyond those problems, it is worth looking at what will be required to establish some momentum for the peace negotiations. Looking ahead at least in a general way helps to focus attention on what needs to be said now.

The difficulty in establishing momentum for the peace negotiations will be to break the overall problem--even on the Egyptian front alone--into segments:

--Presumably the talks will deadlock quickly as each side tables its maximum position on a final settlement. Israel will seek boundary changes, and Egypt will not agree to a peace in which it loses land. The issue will be whether there is a first step that can be agreed that will give the negotiations some momentum without requiring commitment to final arrangements. The dilemma to be solved will be the familiar one of what concessions Egypt can make that will be concrete enough to compensate for Israeli evacuation of good military positions. You will not want to get into this with Fahmi, but the views we develop on this subject may suggest some of the points you may make in Cairo.

SECRET/NODIS (XGDS)

SECRET/NODIS (XGDS)

--If a reasonable first step can be identified to start the process of withdrawal, then it will be necessary to move to final arrangements which themselves could be spread through stages over some specified period.

--Finally, there is the relationship between the settlement of issues on the Egyptian front and settlements involving Syria, Jordan and the Palestinians.

A US Position with Fahmi

It is not clear to me--perhaps it will not be until we hear Fahmi--at what point we start. The Egyptian position could be that Egypt will not attend a peace conference until the Israelis go back to the October 22 line. Or it could be that they will say they will not attend until there is some assurance that the US will support the view that Israel should withdraw to pre-1967 lines. Allowing for adjustment to meet these issues, it will be useful to make certain general points to him:

--We will continue to do what we can to help stabilize the ceasefire. We do not condone any moves since the passage of Resolution 338. However, engaging in a major argument over where the ceasefire lines should be can only serve the interests of those who would delay negotiations that can lead to withdrawal and peace.

--Explain to him as you have to others your sense of the diplomatic process required to enable each side step-by-step to move through the exchange of concessions that will be required. The main point is simply your statement that the Egyptians cannot expect you to give them on the first day of negotiations what can only be achieved through patient negotiation.

--Discuss the need to find ways to segment the negotiations. This means that the peace conference cannot be expected to resolve all issues at once. The idea of a phased settlement has been part of Egyptian thinking for some time. We hope they could develop it further to meet the needs of the present situation.

--The convening of a peace conference is a step of major significance. To realize that significance, it is important now that both sides introduce negotiable positions. In any case, this for the first time gives the US a framework within which to use its influence. If in that context Egypt can put forward workable proposals, this will be a major factor in enhancing the US ability to work effectively.

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SECRET/NODIS (XGDS)

- 5 -

--The US, as we have repeated on numerous occasions, is prepared to play an active role in the negotiations. But we cannot produce a miracle. Positions of all parties must provide the basis for a real negotiation.

--In Cairo, you would like to reach agreement on how to proceed in the peace negotiations, particularly on our general approach. We do not expect to put forward an American plan.

--There is one other point that needs to be made. The Egyptians have an interest in urging the oil producers to relax their boycott, perhaps using the beginning of negotiations as an occasion. The US cannot sustain the kind of role required in the negotiations under threat of prolonged boycott.

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