

Room to Holloway (D)

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Embassy MOSCOW

PRIORITY

TO: Embassy Bonn

PRIORITY

Embassy Paris

PRIORITY

Embassy London

PRIORITY

USBR BAHAM

PRIORITY

EYES ONLY FOR AMBASSADORS

VERBATIM TEXT:

FYI: Following are your instructions for your meeting with Gromyko which have been discussed and agreed with the British and Germans and a copy for information will be given to the French. You should request now an appointment for early next week.

We regret that we did not get a draft of these instructions to you sooner and that you saw the first draft from the British. You will very shortly receive a personal message in regard to these discussions from me. END FYI

You should seek early meeting with Gromyko and make presentation along following lines:

Your purpose is to engage in a series of discussions with Mr. Gromyko with the subject of finding out whether and in what area a basis for negotiations can be

S/O:EUR:GEN:RJM:llenbrand:mda 11/28/61

The Secretary

S/S - Mr. Bohlen

S/S

SOV - Mr. Anderson

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Declassified  
Authority: 35923  
By: Alan Lipton  
Date: 06-07-2011

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can be found. In your first conversation your main object should be to show the Soviet Government that the US Government and their allies desire to deal with the Berlin question by agreement. Of the three aspects, access, status of Berlin, and larger questions, it is our feeling that in first talk you should concentrate on access and merely listen to Soviet proposals on other two aspects rather than advance proposals of own. In making suitable responses on other two aspects you should use December 10 Working Group Report as guide. You should convey idea that suggestions can be put forward by both sides without commitment and without prejudice to our position of principle. END FYI.

1. Soviet Foreign Minister will have gathered from wording of recent NATO communique, and from fact of continuing consultation among Western leaders, that my Government would wish to review where we stand on Berlin situation. My Government assumes that this is an issue we would both want to settle by

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peaceful means if possible, although great differences in our respective viewpoints admittedly exist.

2. You should say that you have been authorized to go through the various aspects of the problem in order to clarify the attitudes of the two sides. At all these talks ideas and suggestions could be put forward without formal commitment.

3. We recognize that at present time great differences in our respective viewpoints exist. We have on one side well-known Soviet position that peace treaty or treaties with two Germanies are necessary, and that if Western Powers are unwilling to join with them Soviets will proceed unilaterally to sign peace treaty with GDR, alleging that this will have certain drastic effects on position of Western Powers in Berlin. At same time Soviets maintain that necessary solution for Berlin question is establishment of Free City of West Berlin. On other side, we have well-known position of Western Powers concerning peace treaty with unified Germany and that they cannot unilaterally be deprived of their rights in West Berlin and with respect free access thereto. They are committed to defend freedom of West Berliners and have in this connection defined their vital interests in Berlin situation.

You should make it clear that we do not accept the validity in international law of the Soviet contention that they can abolish Western rights in Berlin by a treaty to which the Western Powers are not parties. The Soviets have never attempted to justify this contention except by fallacious comparison with the Japanese Peace Treaty and it is an argument which you could use to force Gromyko on the defensive. It is on this point that the Soviets are threatening the West with physical interference with their position in West Berlin and they ought to be strongly challenged on it.

4. The preferred

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4. The preferred Western position is that Berlin should be considered as a whole. It seems to us illogical and contrary to basic agreement on Berlin that we should be asked to deal with only a part of the city. We would be prepared to consider a number of arrangements affecting the City of Berlin as a whole.

FYI: In event that Gromyko reaffirms previous Soviet position that Eastern sector of Berlin is a non-negotiable subject and refuses to discuss possibility of any all-Berlin solution you should then take following lines. END FYI.

5. Erection of wall through Berlin and subsequent GDR action in sealing off city have made it clear that purpose has been permanent division of city. It is also apparent from Soviet unwillingness to discuss any all-Berlin solution that this is indeed the case. This division of the city in itself has considerably narrowed possible area of negotiation. Question inevitably arises how, in view of Soviet assertion of right to make complete disposition of East Berlin regardless of views of Western allies, they can claim to assert interest in West Berlin. We are being asked to discuss our interests while Soviets claim immunity from any discussion of East Berlin or Eastern Germany.

6. Following additional fact relevant. Soviets have permitted series of unilateral actions in and about Berlin which have changed facts of situation to detriment of Western position. In this connection might be cited unacceptable GDR requirements for showing of identification by official allied personnel at sector-sector boundaries, harassment by VOPOs of Allied vehicles in East Berlin and continual threat of further restrictive measures. In addition erection by GDR of baffles near Autobahn checkpoints, rerouting of trains, and threats contained in statements by GDR leaders and in so-called note directed at legitimate US military traffic on Autobahn, appears to threaten further action

action against vital allied access rights. Each one of these restrictive actions and threats to allied rights does not help create necessary atmosphere for negotiation.

7. Soviets seem to maintain that Western Powers must start from assumption that existing arrangements will end in West Berlin and that, unless this accepted, agreement is impossible. This amounts basically to demand that we give up our position while Soviets maintain and improve essentials of their position. This is clearly unacceptable. Western Powers have never negotiated with Soviets on occupation rights but on exercise and implementation of their rights. They cannot accept that basis for negotiations must be their prior willingness to renounce such rights.

8. If, therefore, there is to be any progress towards mutually tolerable agreement, neither side can claim in advance that essential condition to such agreement must be full acceptance of <sup>negotiating</sup> its/position. This is incompatible with concept of free negotiations between equal states. Systematic effort must be made to find points on which there is some possibility of progress. Situation is undoubtedly a serious one. Question confronting us is whether basis can be found for negotiations in usual sense, or in event of serious and continuing disagreement, whether factual situation can be handled without war which would be devastating to both sides.

9. Out of earlier discussions with Soviet Foreign Minister there emerged, if not substance of a possible arrangement on Berlin, at least possible outlines of a procedural formula or framework within which possibility of such an arrangement could be further explored. At same time <sup>Soviet</sup> Foreign Minister seemed to understand that Western Powers could not recognize so-called GDR either de jure or de facto. He also seemed to recognize, therefore, that basic arrangements must be between Soviets and Western Powers and not

not between latter and GDR. Secretary of State, however, stressed that Western Powers have certain vital interests in Berlin which must be respected. On other hand, Soviet Foreign Minister placed emphasis on end of occupation and creation new status in Berlin. Question arises whether against the background of these substantive positions any acceptable arrangement can be reached.

10. It might be noted that a number of positions which Soviet Foreign Minister put forward in New York and Washington talks, or which have subsequently been expressed in Soviet statements, have raised questions in minds of our Allies as they have in ours. We have noted suggestion ~~We would like to see a Four Power Arrangement and set forth the~~ that Soviets might be willing to ~~enter into~~ <sup>enter into</sup> a Four Power Arrangement and set forth the ~~essentials of an understanding on Berlin and~~ <sup>essentials of an understanding on Berlin and</sup> access thereto which might be reached in Four Power negotiations ~~without GDR participation~~ <sup>without GDR participation</sup>. We would be willing to consider this as a possible procedure, but more important than procedure would be content of such a prior Four Power understanding. As Soviet Foreign Minister knows, we have defined with some precision our vital interests in Berlin situation, and we must know with some precision how any intended arrangements which would affect exercise of these vital interests would be spelled out.

11. A key point in this context is question of Berlin access. Therefore, suggest that first talk be devoted to this. This is point at which danger seems to threaten and on which unilateral action by one side could have far-reaching results. For this reason it would be interesting to know precisely how Soviet Foreign Minister envisages access arrangements. In spelling out our views you may draw on appropriate portions of Annex III to December 10 Working Group Report.

We understand that the Soviet Government wishes to introduce some changes in the present

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present position with regard to access. In response to the Soviet request, we are prepared to consider propositions. Naturally the result must not lead to a deterioration in the Western position, and since it is the Soviets who wish the changes the burden of proof that the changes accord with the Western interests rests with them. We have been considering what Soviet proposition on access would be acceptable to us. You might put forward the suggestion that we would readily accept the proposition at paragraph 8 of Annex III to December 10 Working Group Report. You should point out to the advantages that this would have for reassuring Western opinion and for avoiding possible friction and misunderstanding with the East German authorities. You could portray the addition of air access functions to a possible international authority as an "improvement" which could benefit both sides. To show that we take this scheme seriously you may illustrate it with details from the Draft Charter of the International Access Authority for Berlin (HQD-37 (revised) of November 30). In further spelling out of our views you may draw on appropriate portions of Annex III to December 10 Working Group Report. If Mr. Gromyko should intimate that there are other questions in regard to Berlin, you should, bearing in mind Annex III, tell him that these could be considered depending largely upon what access arrangements the Soviet Government is prepared to make. Consequently it is up to the Soviet Government to indicate whether the propositions in paragraph 8 of Annex III are broadly acceptable.

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