

Originally Processed With FOIA(s):
2009-0275-S

FOIA Number:
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OA/ID Number: 85037
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Folder Title:
Kissinger, Henry

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HENRY A. KISSINGER

AMCA Has Seen

July 28, 1989

Dear Brent:

Here is the memcon I talked to you about.

Warm regards,

Henry/jm

Henry A. Kissinger

The Honorable
Brent Scowcroft
Assistant to the President
for National Security Affairs
The White House
Washington, DC 20500

Enclosure

Dictated
but not read

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TELEFAX (212) 753-7248

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Bush Presidential Library Photocopy

To: Files

From: Alan Stoga

Date: July 24, 1989

Re: Meeting with Syrian Vice President Khaddam

Dr. Kissinger and Alan Stoga met with Vice President Khaddam on July 8 at the Alvear Palace Hotel in Buenos Aires.

Khaddam asked when Kissinger would visit Damascus. HAK indicated he wanted to and would try to schedule a trip; Khaddam emphasized that President Assad would welcome a visit.

The conversation turned to the current situation on the West Bank and between Israel and the Palestinians. In response to a question, Kissinger said that President Bush and Secretary Baker wanted a settlement along the lines of the public proposals which have been made. He added that an autonomous West Bank state might not be viable either politically or economically and could introduce an element of instability.

Khaddam responded that Syria wants peace to "continue" and that a situation "without war is better than an agreement which will not last." He went on to say that the circumstances which are evolving are more dangerous than before and suggested that the avoidance of further deterioration requires better contact between the U.S. and Syria. Khaddam was dismissive of Arafat as a negotiating partner, arguing that he lacks power, cannot deliver, and does not keep promises.

Khaddam then complained that the U.S. had failed to follow through last year on an arrangement reached between the two countries with regard to the presidency in Lebanon. Kissinger asked if Khaddam felt the U.S. had misled Syria or simply had been unable to make good on its commitment. Khaddam replied that he assumed it was the latter.

Khaddam went on to agree that it was not in Syria's interest that any single indigenous force dominate Lebanon. He criticized U.S. support for Aoun who, he said, has no power.

Khaddam argued that it is important for the U.S. to take Syria's views into consideration. Khaddam said Syria wants better relations with the U.S. Such relations, both agreed, are central to managing the situation in Lebanon and to laying the basis for any wide-reaching agreement with Israel. Khaddam said that "practical arrangements" with Israel are possible.

Kissinger raised the issue of terrorism. In response to specific questions, Khaddam said that Abu Nidal has no office in Damascus and that Jabril is not a terrorist. He blamed Arafat.

for spreading "inaccurate" information about Jabril, but said that Syria was prepared to look at any U.S. information to the contrary. In general, according to Khaddam, there is no Syrian based terrorism.

Lebanon, he admitted, is a different story. Since no one controls Lebanon, no one can contain the terrorism which emanates from there. This, he argued, is yet another reason for U.S.-Syrian cooperation over Lebanon.

Specifically with respect to U.S. hostages in Lebanon, Khaddam said that Syrian troops have not attempted to free them because the hostages might be killed. The U.S., he said, does not want to take that risk.

In summary, with respect to Israel and the West Bank/Gaza, Khaddam said the Syrians want to improve the status quo rather than see a "bad agreement" negotiated--and only a flawed agreement is presently possible. If the current situation could be improved, then a broad agreement would eventually be possible.

Khaddam concluded by emphasizing that Syria is prepared and eager for serious talks with the U.S. about Lebanon as well as the general Middle East situation.

AS/JE

HENRY A. KISSINGER

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Henry Kissinger

The Path to Peaceful Coexistence in the Middle East

In a few days, President Bush and Prime Minister Yitzhak Rabin will be meeting at a moment of rare opportunity for progress toward peace in the Middle East.

U.S. diplomacy has created the negotiating framework. The collapse of Soviet power and the defeat of Iraq have reduced, if not eliminated, a confrontational option for radical Arab states. The moderate Arab governments, especially in the gulf, have been disillusioned by the Palestinian conduct during the Kuwait crisis. They are no longer so ready as heretofore to support extreme demands; in their heart of hearts, they may even see some benefits in a regional military counterweight to extremist regimes. And the Israeli elections have produced a leader capable of making the necessary decisions.

Rabin's predecessor—Yitzhak Shamir—had raised important security concerns, especially with respect to final borders. But Shamir's hostility to any territorial concessions whatever ran counter to the basic premise of the peace process, which has been to trade land for peace. These procrastinating tactics guaranteed constant frictions with America, Israel's only reliable friend. In the end, Israel became the prisoner of a peace process to which it refused to contribute.

Rabin is in a strong position to break this deadlock. A distinguished military leader, he understands Israel's essential security requirements. His people know that the man who was the hard-line defense minister during the intifada will navigate between facile rhetoric about peace and intransigence in the guise of theology.

Israel has no better analytical mind than Yitzhak Rabin. If any of his interlocutors are counting on influencing him by charm or legalistic skill, they are heading for disillusionment. Small talk is not his forte; personal charm not his specialty. Redundancy taxes his patience; the commonplace does not capture his attention. He is as tenacious as he is intelligent. In 1975, during Rabin's first term as prime minister, he once gave me a list of 12 Israeli points for Egyptian President Anwar Sadat's consideration. The Egyptians accepted 10 of them, leaving only two items that seemed to me relatively minor. When I took this "accomplishment" to Jerusalem, Rabin's reaction was deadpan: "Why have you let us down?" I am not sure to this day whether Rabin was pulling my leg or putting me on notice. Probably he was doing both.

American and Arab leaders are not likely to find Rabin a jolly companion on their journey through the thickets of Middle East diplomacy. But Rabin is relentless in separating the chaff from what is essential. These qualities will now stand him in good stead, for the protagonists need to disenthral themselves from the attitudes that have produced the impasse.

For nearly a half-century, Palestinians have hitched their policy to the hope that in the end they would be able to generate a combination of international and Arab pressures to destroy the state of Israel. For international pressures, they counted largely on the Soviet Union, with some help from Western Europe; for Arab pressures, they relied at various times

For almost 50 years, Israel has had nothing to lose and much to gain from procrastination.

on Egypt, Syria or Iraq. And since the Palestinians have had a veto over Arab peace plans—they were, after all, the most aggrieved Arab party—these plans have shared preconditions Israel could fulfill only by giving up its essence.

Faced with these attitudes, Israel adopted procrastination as the best strategy. Israel's first prime minister, David Ben-Gurion, noted in his diary a remark by Israeli diplomat Abba Eban: "An armistice is sufficient for us. If we chase after peace, the Arabs will demand of us a price—borders or refugees or both."

The way the peace process evolved seemed to confirm this judgment. In 1947 Israel's Arab neighbors went to war rather than accept the Jewish state. In the '50s and '60s, some of them began to move toward accepting the '47 frontiers but not those that existed. For example, in 1954 Egyptian President Gamel Abdel Nasser demanded that Israel retire to the frontier of the U.N. partition plan of 1947—that is, reduce Israel, as it then was, to about 40 percent of its size and leave Jerusalem an internationalized city surrounded by Arab territory. Similarly, Anthony Eden, speaking also for the United States, recommended a compromise between the 1947 frontier and that which existed (which we now describe as the '67 frontiers). In the '70s and '80s, the United States and some moderate Arab regimes, though not the PLO, accepted the '67 frontiers, but once again balked at those that existed.

In the face of these constantly improving offers, Israel had nothing to lose and much to gain from procrastination. It emphasized procedure, especially direct talks at the head-of-government level. But there was no interlocutor available for the Palestinian side, an Arab summit having assigned that role to the PLO, with which Israel refused to negotiate. Israel also developed an exalted definition of the word "peace," endowing it with an apocalyptic and comprehensive quality incapable of being achieved in a single negotiation. All this has doomed negotiations about Palestine.

Both sides have new incentives to modify their attitudes. For the foreseeable future, no major foreign country is in a position to arm an attack on Israel or to support a policy of confrontation diplomatically. No Arab country is strong enough to start a war with Israel and maintain itself long enough to trigger outside intervention.

Arab handicaps are not, however, automatic Israeli gains. Israel is sufficiently powerful to maintain the status quo indefinitely by force. But it is not self-sufficient enough to sustain the moral and political isolation such a course would incur.

America is becoming more isolationist and more protective of its resources. The readiness to run military risks in faraway countries will diminish in a multipolar world in which doctrines

of collective security and U.N. actions rule the day. Israel can afford to go it alone only as an absolutely last resort.

Thus, both sides are facing a rare window of opportunity—or maybe even of necessity. The Palestinians must realize that Israel is here to stay. Israel has learned—in the hard school of American pressure—that a deadlock for which it can be blamed courts moral, political and economic isolation.

A comprehensive agreement settling all issues is not negotiable at this stage. Neither Israel nor the Palestinians can decide on final frontiers. They cannot agree on the future of Jerusalem. Israel is not ready to accept a fully sovereign Palestinian state, while the Palestinians cannot make a final settlement in the absence of a sovereign state.

But if formal peace is not yet possible, peaceful coexistence is attainable and, with wisdom on all sides, should prove negotiable. Tranquility will not come to the Middle East on the basis of unenforceable legal documents. The peoples of the region will be able to breathe easier only when Israelis and Palestinians have learned to live together in dignity on a day-to-day basis.

The mutual opportunity of Israelis and Palestinians now is to negotiate an interim agreement dedicated to learning to live together and to leave a final settlement until that possibility has been tested. To such an end, Israel will have to grant genuine self-government to the largest possible area of the West Bank in keeping with reasonable security objectives. For the Palestinians, it implies settling for something less than full sovereignty—though it should usher in substantial control over all the civilian aspects of their lives. They need to be wise enough to understand that once a self-governing entity exists, further evolution is inevitable. Friendly nations all over the world will surely enhance its status. Israel's risk with limited sovereignty is much greater than that of the Palestinians; it should be taken as Israel's contribution to blunt animosities and grievances. In such a negotiation, the focus would shift from land for peace to land for time—time to see whether patterns of coexistence can be developed.

Since limited sovereignty could turn into a time bomb, serious attention will have to be paid to Israel's security concerns. Because any self-governing unit may evolve increasing attributes of sovereignty, the '67 borders are not compatible with Israel's security. No Israeli leader can settle for frontiers that would establish a corridor only nine miles wide between Haifa and Tel-Aviv and leave those two cities within mortar range and Jerusalem within rifle range. Therefore, the area of self-government should exclude areas essential for Israel's security. Given the distribution of the population on the West Bank, this could still leave most of the Arab population of the West Bank under Arab control.

There are negotiating gimmicks to avoid this step. If the whole West Bank were included in the self-governing area, it might be possible to divide it into security zones with varying degrees of Israeli military control. It would be far wiser, however, to avoid stirring up future trouble by such a complex approach. For the next phase, Israel should be responsible for the external security of the autonomous region; the Palestinians for internal security with a gray area where the two considerations merge.

The precondition of an interim agreement is Israeli generosity in granting all but complete self-government and Palestinian acceptance of provisions for Israel's security concerns. The role of the United States is as delicate as it will be decisive. Secretary of State James Baker's successes have made it necessary to redefine America's role. Until now the American influence depended on pressure to organize a conference. Because Israel seemed to be dragging its feet, it was not unreasonable to emphasize conflicting views—even if occasionally the disagreement grew too exuberant.

At the present stage of the peace process, however, a prior agreement between Israel and the United States regarding the framework of an interim agreement is imperative. Israel will drag its feet as long as it fears that any concession might open the floodgates to ever escalating demands in the direction of the '67 borders and the internationalization of the old city of Jerusalem. Israel will have to know the point beyond which it will not be pushed. The Palestinians will delay as long as they can hope to add American pressures to their own. They will have to be convinced that America will not press for more than self-government at this stage.

The issues of final frontiers and the future of Jerusalem are not central to the negotiation outlined here. What needs to be agreed on are the borders of the self-governing unit, the definition of self-government and the nature of the Israeli security role in the self-governing area.

As for Syria, the same approach could be used. To keep open the principle of an eventual overall settlement, an interim agreement might be negotiated on the Golan Heights involving some adjustments of territory. Syrian President Hafez Assad is likely to prefer this to a formal peace agreement, which in any event he will only conclude after the Palestinian issue is finally resolved.

In such an agreement, Israel gains by eliminating the sense of permanent tension; the Palestinians gain dignity and the prospect for further evolution. Rabin and Bush thus have a chance not given many leaders: to make a real difference on the road to peace in a brief period of time.

NATIONAL SECURITY COUNCIL

05-Jun-1992 11:03 EDT

UNCLASSIFIED

MEMORANDUM FOR: SEE BELOW

FROM: Nicholas Rostow
(ROSTOW)

SUBJECT: Conversation with Kissinger

Kissinger believes (and I agree) that the subpoena is far too sweeping. While he will go along with whatever the Administration decides, he wants us to fight hard -- it will affect his view of the Administration if it is cowardly. ?

I think he has a very good point on the time sweep and recommend that we go to the committee and try to negotiate agreement for access on the same terms and conditions Brent negotiated with Kerry and Smith. I recommend Brent talk again with Smith and Kerry if it is necessary to get agreement. HAK is correct that there is no conceivable purpose to be served by looking back as far as 1969. Indeed, no purpose to be served in looking back before April 1973 (by then, by the way, Negroponte had left the NSC. I will be defending his deposition later this month.)

HAK also is thinking about demanding a public hearing rather than agreeing to a deposition. He has asked me to defend him in the deposition and I have agreed to do so.

Distribution:

FOR: Wilma G. Hall	(HALL)
FOR: Virginia A. Lampley	(LAMPLEY)
FOR: George M. Andricos	(ANDRICOS)
FOR: Stephen G. Rademaker	(RADEMAKER)
FOR: Nancy V. Menan	(MENAN)
FOR: William H. Leary	(LEARY)
CC: Presidential Records	(PRESIDENTIAL)

NATIONAL SECURITY COUNCIL

04-Jun-1992 17:50 EDT

UNCLASSIFIED

MEMORANDUM FOR: SEE BELOW

FROM: Nicholas Rostow
(ROSTOW)

SUBJECT: Subpoena to L. of Congress

The Senate POW/MIA Committee has served a subpoena on the Library of Congress for access to the Kissinger collection there. Under the terms of the Kissinger gift to the Library, apart from access by Library personnel, access to the documents is available during the 25 years after the gift only to persons with appropriate clearances and with Kissinger's written permission.

I understand from Lloyd Cutler that Kissinger will not give his consent to Committee access until the President is satisfied as to terms of access reflecting relevancy and Executive privilege concerns.

I have consulted with Justice, which recommends the following steps:

1. A call to the Library of Congress (which I shall make tomorrow because I received a copy of the subpoena together with a letter) saying thank you for the letter and request to work out access to classified and explaining that we have negotiated an agreement with the Committee governing access to relevant White House/NSC papers. We hope to follow that agreement with respect to the Kissinger papers. I would explain the agreement and explore ways we might work with the Library to expedite implementation.
2. A call to the Committee (Ginny/Mike or me) to say that we are aware of the subpoena, that we regard the classified documents as Executive branch materials (which are copies of documents at the Nixon or Ford Libraries or in the NSC files), that the classified White House/NSC documents are covered by our agreement, and that we want to work with the Committee to achieve expeditious implementation of the agreement with respect to the documents.
3. After a time, explore with Kissinger recognition that the USG has a proprietary interest in the classified documents and see if we can reach agreement to have them returned to the NSC.

This matter raises complicated issues that may get flushed out

if the Library and Committee are unwilling to negotiate a satisfactory solution.

Distribution:

FOR: Wilma G. Hall	(HALL)
FOR: Virginia A. Lampley	(LAMPLEY)
FOR: George M. Andricos	(ANDRICOS)
FOR: Stephen G. Rademaker	(RADEMAKER)
FOR: Nancy V. Menan	(MENAN)
FOR: William H. Leary	(LEARY)
CC: Presidential Records	(PRESIDENTIAL)

5:20 pm, June 4, 1992

NOTE FOR NICK ROSTOW

FROM: Wilma Hall

Nick,

General Scowcroft asked me to send a copy of the attached phone message from Mr. Kissinger over to you -- he would like for you to give him what he needs to know to return Mr. Kissinger's call tomorrow morning.

Could you please send the information over for the General.

Many thanks,

Wilma

3:37 pm, June 4, 1992

General:

Mr. Kissinger called --

Wants to talk with you or the Admiral "about these demands on me for White House documents that are in my files in the Library of Congress." They have submitted a subpoena to the Library of Congress (they got it on Monday I think); I just learned about it today.

I told HAK that you were off to NY for the evening; could you call him in the morning. HAK said you could call him in Connecticut in the morning but he must react to the subpoena rather quickly. He would be happy to talk with you or the Admiral.

Wilma

UNCLASSIFIED
NSC/S PROFILE

RECORD ID: 9108609
RECEIVED: 25 NOV 91 10

TO: SCOWCROFT

FROM: GYARI, LODI G

DOC DATE: 13 NOV 91
SOURCE REF:

KEYWORDS: TIBET

ANSA

PERSONS: KALON, THONDUP G

SUBJECT: LTR FM SPECIAL REPRESENTATIVE OF HIS HOLINES DALAI LAMA RE THONDUP
FORTHCOMING VISIT TO US

ACTION: PREPARE MEMO FOR SCOWCROFT

DUE DATE: 28 NOV 91

STATUS: S

STAFF OFFICER: PAAL

LOGREF: 9108358 9108526

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION
PAAL

FOR CONCURRENCE

FOR INFO
GANTT
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COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSRCB

CLOSED BY:

DOC 1 OF 1

UNCLASSIFIED



Special Representative of
His Holiness The Dalai Lama

8609

Printed

November 13, 1991

General Brent Skowcroft
National Security Advisor
National Security Council
439 Old Executive Office Building
Washington, D.C. 20506

Dear General Skowcroft:

I hope you have received my recent letter concerning Kalon Gyalo Thondup's forthcoming visit to the United States.

I will be out of station from November 16th to December 1st, 1991 to accompany Kalon Thondup on his visits to San Francisco, Atlanta and New York. I would, therefore, appreciate if you could kindly contact Ms. Elsie Walker who has been kind enough to assist me arranging the visit of Kalon Thondup. Ms. Walker whom you may know, is a close friend of Tibet.

She could be reached either at her home (215) 664-9877 or through the Insitute for Asian Democracy in Washington, D. C. at (202) 737 4101. Ms. Walker will be contating you in the following days.

With my best wishes,

Sincerely yours,

A handwritten signature in dark ink, appearing to be "Lodi G. Gyari", written in a cursive style.

Lodi G. Gyari
Special Envoy of
H. H. the Dalai Lama

KISSINGER ASSOCIATES
350 PARK AVENUE
NEW YORK NY 10022-6022
(212) 759-7919
FACSIMILE: (212) 759-0042

FACSIMILE COVER SHEET

NO. OF PAGES: 2 DATE: December 7, 1992
(Including this one)

RECIPIENT:

NAME: Wilma or Florence

LOCATION: _____

FAX NO.: _____

SENDER:

NAME: Suzanne S. McFarlane

MESSAGE:

HAK wrote this this morning. I'm mailing the original but want to fax it also, in case it doesn't get there in time.

A happy holiday season to you both. What are your personal plans for after January 21?

Please give the General a hug from me, too. He is a wonderful man.

Love to you both—
Suzanne

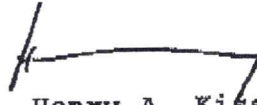
HENRY A. KISSINGER

December 7, 1992

Dear Brent:

This must be hasty, because I am running to catch a plane, but I wanted you to know how disappointed I am to miss the reception honoring you and the President on December 11th. I will be in Japan on that day, but I think you know what enormous respect I have for you and how much I value our friendship. No one has served this country more devotedly or more honorably, and I am sorry I can't be there to tell you in person.

With warmest regards,


Henry A. Kissinger

The Honorable
Lt. Gen. Brent Scowcroft
Assistant to the President
for National Security Affairs
The White House
Washington, D.C. 20520

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Henry A. Kissinger

The Honorable
Lt. Gen. Brent Scowcroft
Assistant to the President
for National Security Affairs
The White House
Washington, D.C. 20520

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Bush Library Photocopy
Miscellaneous Handwriting

Bush Presidential Library Photocopy

HENRY A. KISSINGER

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Henry Kissinger

Charter of Confusion

The new Russian-American summit document takes partnership too far.

President Boris N. Yeltsin's dramatic and successful visit to America occasioned a document that seeks to give concrete meaning to the term new world order. Titled Charter for American-Russian Partnership and Friendship, it could, if its ideas take hold, involve a revolutionary reordering of global relationships that should not be implemented without a full national debate.

True, statements of principle are rarely implemented literally. But they do reflect a state of mind and hidden assumptions that shape long-term policy.

The most significant premises of the charter are that, with the end of communism, no geopolitical issues remain between the United States and Russia and that the spread of democracy will guarantee permanent peace. Russia is assumed as sharing identical goals, making possible a "strategic partnership" between the two nuclear superpowers "in the international arena, in the interest of advancing and defending common democratic values."

Are these premises valid? Is it prudent to base policy on the assumption that an evolution barely three years old has already reversed a pattern of centuries?

The collapse of the Soviet Union is surely the seminal event of our time, and the Bush administration has handled it with consummate skill. But the nature of what is to replace it in the vast area stretching from the Polish border to the Pacific, from the Arctic Circle to the approaches to the Middle East, is still unsettled. We must take care not to foster principles of world order that unintentionally encourage instability, even violence, and constrain the evolution of newly free countries.

American leaders have generally justified their policies by universal, often legal, principles rather than by national interest—the last time during the gulf war. This approach worked during the Cold War because there was an overwhelming ideological and geopolitical danger, and much of the world felt more or less uniformly threatened.

But with ideological fires banked and global threats diminishing, the problem of world order has changed. The United States must mute its undifferentiated globalism. It must learn that it cannot involve itself in every crisis. It must learn to distinguish the vital from the peripheral. Russia, struggling with the end of centuries of imperialism, must not be tempted to reverse that process.

In its approach to international security, the new charter seems to move in the opposite direction. The document is permeated by a tone redolent of a global Russo-American condominium. Russia is called a "strategic partner." In addition, "the United States and the Russian Federation will unite [emphasis added] in their efforts toward strengthening international peace and security, preventing and settling regional conflicts, and solving global problems."

Can America sustain such an undertaking? Are we luring ourselves into commitments beyond our physical and psychological capacity? Should Russia be encouraged into a global role, which is like putting liquor before a reforming alcoholic? Where does this leave America's allies? NATO is included only as a possible contributor to an as yet to be created "Euro-Atlantic Peacekeeping Capability." Japan is not mentioned at all, even though the United States and the Russian Federation have pledged themselves to "cooperate" in strengthening "confidence and stability in Asia and the Pacific region."

This atmosphere of condominium emphasizes the curious clause stating that the two countries abjure "the threat of use of force against the territorial integrity and political independence of each other [emphasis added]." Could this not be read to mean that the threat of force against other countries is permitted by the charter? Previous American-Soviet statements of principle always contained clauses declaring that nothing in them superseded existing obligations, or they made new mutual obligations general. The new restrictive clause, even if inadvertent, is bound to be noted.

The charter emphasizes a vast new effort by America and the Russian Federation to "support the strengthening of the Euro-Atlantic Community" because "security is indivisible from Vancouver to Vladivostok." When this concept first appeared in the Gorbachev era, it was the slogan of European and Soviet leaders seeking to reduce American influence and to gain maximum freedom of action for essentially national purposes. For once everybody is allied to everybody else, existing institutions will dissolve in a vague structure incapable of joint action and therefore, in the end, best suited to nationalistic policies.

The Euro-Atlantic Community seems to include NATO, the European neutrals, the new East European democracies and all the successor states of the Soviet Union—some 15 in number. The interests of all these countries are assumed to be identical and to flow naturally from their democratic domestic structures. But in the real world, can this melange be called a community? Does the phrase "indivisible security" entitle either superpower to act alone in the likely event there is no consensus, or does each side have a veto? Is the choice between hegemony and paralysis?

And in what way can the five Central Asian republics of the Soviet Union or the three new states of the Caucasus be said to belong to a European security structure, not to speak of a Euro-Atlantic Community? If Kirghizstan, one of the Central Asian republics, becomes "European," why not nearby Pakistan or India; if Azerbaijan is European, why not Iran, which it borders? The unspoken premise is that all the states of the former Soviet Union, however different their culture and history, are still treated as if they were under Moscow's tutelage.

This unprecedented role for the European Security Conference and the phrase that "America and the Russian Federation cannot accept another phase of European instability" points up the charter's basic incompatibility with existing Atlantic institutions. Within NATO, America insists on integration of strategy and policy. It opposes a separate European military force on the ground that it weakens the integrated command. The charter, however, leaves little scope for NATO except to contribute forces and resources to the newly invented Euro-Atlantic Peacekeeping Capability, together with the WEU—a heretofore largely moribund grouping of West European states—and other countries of the CSCE. Such a downgrading of NATO is likely to magnify European suspicions of America. The same is even more true of Japan and China. At the same time, the Euro-Atlantic Community is likely to appear to Japan and China as an exclusive anti-Asian club.

Similar ambiguities weaken the charter's relevance to the strains produced by the breakup of the Soviet Union. In less than a year, 15 new states have emerged in that vast region. All have become members of the United Nations. The United States has established embassies in each of them. These new nations share some unique features. None of them—except the Baltic states—has known independence for the past 150 years. Hundreds of thousands of troops of the erstwhile Red Army remain on their territories. These come and go and maneuver without asking the permission of independent countries recognized as members of the United Nations. Most republics have been afraid to ask them to leave, and those that have dared—like the Baltic states—have received evasive replies. These troops intervene in local conflicts, as they did recently in Moldova and Georgia directly upon Yeltsin's return from North America—ostensibly to protect Russian minorities.

But Russian minorities are everywhere. The Russian Empire had mixed up the nationalities by conquest, and Stalin, to facilitate central control, drew borders in such a way that no ethnically pure republics remained. Almost all republics also contain other minorities, especially in the Caucasus and Central Asia. To complicate matters further, most educated Russians identify the origin of their country with Kiev, the capital of the new nation of Ukraine, which has a population of 58 million, and in fact view all the successor nations as ingrates duty-bound to return to the motherland.

While the Russian Republic has not directly challenged the independence of the new states, it has not fully accepted it either. Russian

(over)

leaders maneuver with great persistence to establish themselves as the linear descendants of the historical empire rather than as an entirely new and separate state. The entry of all the successor republics into the European Security Conference is a measure of the success of this campaign. Russian leaders try—at least tacitly—to keep open the option of repeating the events of 1917-22, when many of the current group of independent republics attempted to break away only to be forced in the end to return to Moscow's fold.

Precisely because economic reform, even with considerable outside help, is certain to be painful, an appeal to the historical empire may be a tempting way to rally support. This may explain why the defense minister of the Russian Republic has declared that his country will consider any troop concentration along the borders of the former Soviet Union as justifying Russian intervention by crossing the territory of theoretically sovereign neighbors. Not a single Western country has commented on this extraordinary proposition.

Such a state of affairs is potentially even more explosive than Yugoslavia, and with far greater implications for the peace of the world. If Moscow attempts to recentralize its former empire, some sort of military conflict is highly probable. If it succeeds—even partially—alarm bells will ring all around the Soviet periphery, but especially in Eastern Europe. The traditional pattern of mutual fear between Russia and its neighbors will reappear. The U.S.-Russian partnership will collapse.

This may not be an acute problem so long as Russia, together with all the successor states, faces economic disaster. But as they recover, the question of whether the new charter reduces the dangers becomes relevant. Some provisions are clearly helpful, for example the reaffirmation of respect for national borders, including those of the new states. At the same time, Russia and the United States promise support and "leadership" to the protection of minorities and the settlement

of ethnic disputes. In the code language of the region, these phrases can more readily justify intervention than restraint, for it is so-called ethnic conflicts that will be the most likely pretexts for recentralization.

The Bush administration seems to assume that liberal democracy and market economics will by themselves achieve and preserve peace everywhere. But even if true, that point will not be reached for decades. In the meantime, America must contribute to international stability by a foreign policy going beyond social engineering. The effort to shore up the Russian government is laudable, and Congress should support it. But we must not so idealize and personalize the relationship as to lose sight of geopolitical imperatives. We need to balance the respect and cooperation to which Russia's reforms and potential power entitle it against the dangers of hegemony over smaller successor states. The deferential way Yeltsin is treated in the West, as compared with the leaders of the other republics, and the fact that almost all foreign aid goes to Russia, threaten this balance. Indeed, if present IMF plans are implemented, Western policy will encourage a ruble zone whose practical effect will be to force most successor states back under Moscow's economic tutelage.

The deepest question raised is whether Russia, seeking to build democracy and a market economy without previous experience with either and in need of vast amounts of foreign assistance, can possibly fulfill the role assigned to it by the charter. Is it really wise to divert it into a global enterprise that in the end may keep it from even defining a responsible role with respect to the internal relationships of the former Soviet Union? At the end of an evolution which we should assist, Russia may turn into the partner envisaged by the charter. As of now, such a role is at best premature, at worst dangerous.

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As Prepared for Delivery

STATEMENT OF
THE HONORABLE HENRY A. KISSINGER
BEFORE THE
SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS
TUESDAY, SEPTEMBER 22, 1992
9:00 AM

Embargoed until delivery. Not to be previously published, quoted from, or used in any way.

Mr. Chairman, Members of the Committee:

Twenty three years ago the President of the United States did me the great honor of asking me to be the principal negotiator for ending the war in Vietnam. When the Administration in which I served entered office it found 550,000 soldiers in Vietnam. 31,000 had already died there. We faced a ruthless enemy without any regard for human life or elementary principles of treatment of the captured.

From the day we entered office, we had no more consistent or important goal than the release of the brave Americans held prisoner throughout Indochina and a full accounting of their missing colleagues. The negotiating record makes clear that this matter was repeatedly and insistently raised with the North Vietnamese. Despite Hanoi's protestations, we demanded that Hanoi guarantee the release of American POWs in Laos and Cambodia and assist in accounting for our MIAs. There was no issue on which American officials, from the President on down, were more adamant. For us on the negotiating team it was a painful process because we all had many friends on the other side of the national debate. We went through exhausting negotiations, sustained by the hope that our effort would reconcile those who gave priority to peace with those who gave priority to their concept of honor, recognizing the anguish of both sides.

After nearly four years of grueling negotiations, it was my privilege on January 23, 1973, to initial the agreement to end the war that required the return of all prisoners throughout Indochina and an accounting for the missing, together with a ceasefire and other important provisions I shall describe later. I am proud of what my associates and I accomplished.

All of us remember the exaltation on October 8, 1972 after Le Duc Tho accepted President Nixon's public proposal of May 8, 1972, and we knew that the end of the war was in sight. One of our notetakers, Mary Stifflemayer, insisted on working for a twenty-hour negotiating session without relief because she wanted the honor of being present when we culminated four years of often anguishing efforts. Yet here we are, twenty years later, being pilloried in leaks from this inquiry without a shred of evidence, with the unforgiveable libel that we neglected the very group whose suffering was the biggest single incentive for our exertions.

The Paris Accords were a major diplomatic accomplishment for America. As part of the Accords, we demanded, and finally received, from Hanoi agreements which specifically made the withdrawal of American forces dependent on the release of our prisoners and assurances of Hanoi's assistance in the accounting for our missing throughout Indochina.

Monday morning quarterbacks can argue that the Paris Peace Accords were not perfect. I agree. To me, the ideal outcome would have been an American victory. But, Mr. Chairman, we had to deal with the war in the specific circumstances we faced. Even with the perspective of 20 years, I am convinced that in those circumstances no better agreement was obtainable and much worse ones were urged by our critics. For example, just as I was leaving for the final negotiations in January 1973, the House and Senate Democratic Caucuses each passed, by very large margins, resolutions calling for legislation to cut off all funds for the war.

I challenge those flaunting their 20/20 hindsight to say how they could have gotten better terms in that charged political atmosphere. What precisely would they have been willing to do to achieve which particular changes and at what cost? Moreover, since Congress removed both incentives and penalties for Hanoi's compliance, how exactly would any achievable amendments to the text of the Paris Agreement have changed Hanoi's behavior?

This is not the first time Congress has examined this issue. Sixteen years ago in 1976, the bipartisan House Select Committee on POWs and MIAs after a 15 month examination concluded that "The provisions of the Paris Peace Agreement relative to POWs and MIAs and the Protocol on Prisoners and Detainees appear, at first glance and after more thoughtful consideration, not only adequate but excellent". The Accords, they stated "constitute an achievement of which the American negotiators and the American people could be proud. Their true success, however, depended on their implementation and their implementation depended on the cooperation of all parties".

That is precisely the point: The problem with the Paris Accords was not with the words, but with their implementation by North Vietnam. From the very start, Hanoi began violating the Accords. The record shows clearly that while the Executive branch tried strenuously to bring pressure on Hanoi to carry out its commitments under the Paris Accords, in particular those relating to POWs and MIAs, the US Congress even more vigorously, and successfully, undercut our ability to enforce those accords. For our Administration was prepared to use force to resist Hanoi's violations of the Agreement until the Congress prohibited it. The Congress also took away other means of leverage -- such as economic aid. In light of this record, it hardly becomes the present Congress to accuse the 1970s Executive branch of not doing enough.

It is therefore amazing to see press stories hinting darkly about prisoners "abandoned" by their own government. There has been talk of a conspiracy extending through five administrations. Leaks that could only have come from this inquiry assert that when President Nixon announced that all prisoners were on the way home, he or his aides knew that many were left behind. The allegation is a flat-out lie, as I shall show later.

What has happened to this country that a Congressional Committee would inquire whether any American official of whatever administration would fail to move heaven and earth to fight for the release of American POWs and for an accounting of the missing? There is no excuse, two decades after the fact, for anyone to imply that the last five Presidents from both parties, their White House staffs, Secretaries of State and Defense, and career diplomatic and military services either knowingly or negligently failed to do everything they could to recover and identify all of our prisoners and MIAs. Can anyone seriously believe that any honorable public official would neglect America's servicemen and especially those who suffered so much for their country or, even worse, arrange a conspiracy to obscure the fate of prisoners left behind?

Personally, I have no proof whether Americans were kept behind by Hanoi. The Vietnamese are certainly capable of such a cynical act and of lying about it, even though their motive would be obscure. If any prisoners were held back, there can be only one guilty party - the Vietnamese Communists who flagrantly and unforgivably would have violated solemn and clear-cut agreements. If any proof of such a betrayal is found by this Committee, all Americans will unite to demand redress.

The Committee owes it to the country, and above all to the families of the MIAs, to dispel the misapprehension that every unaccounted for missing person was necessarily a Vietnamese or Laotian captive. While I was in office, we did receive some reports alleging that live Americans were still in Indochina. I can assure the Committee that all those reports were taken seriously. But no confirmed report of living American prisoners ever crossed my desk. At the time, returning prisoners stated that they believed all POWs had been released.

The Committee also owes the American people a statement of the simple truth:

- Some prisoners may - I repeat may - have been kept behind by our adversaries in violation of solemn commitments.
- No prisoners were left behind by the deliberate act or negligent omission of American officials.

Anyone suggesting otherwise is playing a heartless game with the families of the MIAs, who are entitled to the consolation that their government kept faith with their suffering. I recognize that Vietnam evoked deep differences about its purpose and its strategy by serious people on all sides. But to try to settle scores at this remove and to tear the scabs of the Vietnam War in such a manner would be unconscionable.

The Political Background of the Peace Negotiations: Pressures for Unilateral Withdrawal

When the Administration in which I served came into office, it found half a million Americans fighting in a region far removed from the United States. The number was still increasing according to a schedule established by our predecessors. Casualties had risen and reached their highest level the year before we entered office - about 300 a week. Four years later we had withdrawn 95% of the troops and reduced casualties by 98%.

We began negotiating in 1969, continuing a process begun in the previous Administration which, however, had never gone beyond procedural discussions. One of the highest priority demands, which we consistently declared to be non-negotiable, was the release of all prisoners throughout Indochina, and a full accounting for the missing. During four anguishing years we negotiated to find honorable terms for ending the war, first sporadically on weekends, later in week-long day-and-night sessions. For not withdrawing more unconditionally, we were harassed by protesters, attacked in the media, criticized in countless Congressional resolutions and ridiculed for our concept of national honor. Never once did we receive any criticism from any source of the kind now emerging from this inquiry. The pressures we experienced were in the other direction - that we were not making enough concessions, that we should withdraw unilaterally in the expectation that then prisoners would be released by an act of grace of their captors.

By 1972, there was a steady drumfire of public statements and editorials urging the immediate withdrawal of our forces. I am making available separately a sample of these (**Appendix A**). For example, the Washington Post editorialized April 17, 1972 that "we ought to fix a date for our total military disengagement, negotiate as best we can for the return of our prisoners, and get out".

There were also numerous Congressional resolutions. Most were "sense of the Congress" resolutions which meant they were not binding. Some resolutions passed; others did not. Whether they passed or not, they were all known to the Vietnamese and necessarily weakened our negotiating position. The number of formal anti-war votes in Congress swelled from 5 in 1969 to 35 in 1972. I am also providing the Committee an illustrative list of

some of the many resolutions or votes in 1972 (**Appendix B**). For example, on July 24, 1972 the Senate passed an amendment asking for the withdrawal of US forces in return for the release of US prisoners. Yet it rejected an amendment requiring a cease-fire during the withdrawal. Without a ceasefire withdrawals would have taken place under military attack; our remaining forces would have been overwhelmed; more Americans would have become prisoners.

During this period, many political leaders, including Senator George McGovern, the Democratic presidential candidate, and 30 US Senators were calling for the unconditional unilateral withdrawal of American forces from Vietnam, without any formal North Vietnamese commitment for the concurrent or even subsequent return of our MIAs and POWs or accounting for the missing in action.

At the same time, members of the American peace movement were spreading the word that they had been told by the North Vietnamese that setting a deadline for our withdrawal would create "favorable conditions" for the subsequent release of American prisoners of war. America had been down this road before. Our predecessors had agreed to a bombing halt on the "understanding" that Hanoi would not take advantage of it; within weeks Hanoi started an offensive that killed over 1,000 American a month.

Our Administration knew from its secret talks what Hanoi's real position was: America should set a deadline for withdrawal -- unilaterally and independent of all other conditions. Then while American troops were being withdrawn there could be negotiations about a cease-fire, the replacement of the Saigon government and the release of our prisoners. In other words, only when our leverage was in the process of being dismantled, while the Saigon government was disintegrating in the absence of a cease-fire, would we be permitted to talk about our prisoners under conditions of unspeakable chaos.

We rejected these proposals because we were unwilling to subject either our prisoners or those serving in Vietnam to such risks. Key Senators, Congressmen and much of the media loudly objected to our position.

We rejected as well the consistent North Vietnamese demand to overthrow the Saigon government, both for reasons of honor and on practical grounds. There were 700,000 Saigon troops, close to 500,000 Communist troops (including guerrillas). If Saigon collapsed, the residual American force would become hostage; the number of our prisoners would increase exponentially.

We made very clear to Hanoi that we were prepared to set a deadline for withdrawal provided there was a cease-fire and a simultaneous release of prisoners and full accounting for our MIAs. Until late in 1972 North Vietnam consistently rejected this position.

In the end, we achieved the terms which we set out to obtain, and which our critics had repeatedly told us were unattainable and provocative. In the process, we dramatically improved the conditions for the return of American forces:

- We demanded and obtained North Vietnamese promises to release all American prisoners and to assist in an accounting of our MIAs throughout Indochina despite initial insistence by Hanoi that it would negotiate only about prisoners in Vietnam.
- We obtained a commitment to return the prisoners in phased installments coordinated with simultaneous withdrawals of our forces from South Vietnam.
- We demanded and obtained important commitments designed to prevent the reinforcement and supply of North Vietnamese forces in South Vietnam, so that the South Vietnamese would be able to defend themselves after the American forces were withdrawn.
- We separated the release of our prisoners from being contingent on the release of what the North Vietnamese called "political prisoners" in the South because we thought this would provide endless pretexts for procrastination.
- To encourage compliance with these commitments, we held out the inducement, first offered by President Johnson in 1965 and frequently reiterated since, of asking Congress to authorize economic aid to the region after peace had been established.

We achieved all this while refusing, as we were being urged, to overthrow the government of an allied country and to turn over to the Communists tens of millions who, in reliance on America's word - given by a previous Administration - had cast their lot with America.

Mr. Chairman, this is the record. Yet leaks from this inquiry have been suggesting:

- That those who had refused to abandon America's Vietnamese allies, supposedly abandoned American prisoners;
- That those who struggled to husband the leverage necessary to bring about the release of American prisoners were insufficiently attentive to the fates of remaining MIAs; and

- That those who were prepared to use force to compel Hanoi's compliance were guilty of not doing enough to enforce the agreements.

One day an author will write a play about this bizarre reversal of roles drawn straight from Kafka. Mr. Chairman, while it may make good theater, it is bad and cynical history.

Paris Peace Agreements

Let me now turn to the implementation of the peace agreements.¹

The Paris Agreements were signed on January 27. Under Article 8, the parties were committed to exchanging complete POW lists on

¹ Before turning to implementation of the agreement, let me explain the way we went about the negotiations. Until 1972, I conducted private talks, together with a small team from the NSC, all whom have been deposed by the Committee staff. The typical procedure was to leave on a Saturday morning for a French military base from which a French military plane took us to a private airfield near Paris, where we would arrive around midnight. After spending the night in the apartment of our then military attache, General Walters, who acted as interpreter and advisor, we met the North Vietnamese negotiators, usually Hanoi Politburo member Le Duc Tho. After negotiating all day - and sometimes briefing the French President Pompidou - we returned to Washington by the reverse procedure of the day before.

At this stage we discussed only basic principles - usually no more than two pages.

The return of POWs and accounting of the MIAs was an integral part of every American proposal and was always declared as non-negotiable by us.

After the breakthrough of October 8, 1972 I asked Ambassador Bill Sullivan and George Aldrich, the State Department's Deputy Legal Advisor, to join the team. They, together with other experts and members of my staff, negotiated the protocols of implementation with Vietnamese technical teams.

After the agreement went into effect, the POW/MIA issue was handled by the NSC process with the Defense Department as the lead agency. As a general procedure, the Defense Department dealt with the Four Party Military Commission, the State Department with embassies abroad, the White House with heads of government.

January 27 and to giving a full accounting of MIAs. All POWs were to be released within 60 days. As I told a press conference on January 24, we had been assured that there were no American POWs held in Cambodia and that those held in Laos would be returned to us in Hanoi.

The North Vietnamese, in what would turn into a constant pattern, immediately began to violate the agreement. For example, they did not hand over the POW list for Laos as required on January 27. In response we delayed delivery to them of a confidential Presidential letter on recommending to Congress reconstruction assistance after peace had been established. This letter implemented a proposal first made by President Johnson in 1965. It was repeated in a Presidential report to the Congress in February 1972, which gave a figure of \$2.5 billion dollars and repeated yet again in a Presidential television address on May 8, 1972. The Nixon letter of February 1973 noted the Administration's intention to ask Congress for some \$3.25 billion for reconstruction in Vietnam, provided the other provisions of the Agreements were implemented and were in conformity with American constitutional procedures. We delayed the delivery of the letter several days in a successful effort to force Hanoi to hand over the list of our POWs in Laos. This they did on February 1, though their list contained the names of only 10 Americans held as prisoners, whereas our intelligence agencies believed a greater number to be missing.

Mr. Chairman, some suggestions have been made that the North Vietnamese may have withheld some American POWs in an effort to get this economic aid. I find this reasoning difficult to understand. First of all, it had been our constant position that we would never give aid as a form of "ransom" for our prisoners. Nor did we want the North to be able to portray any such aid as "reparations", as we repeatedly told them. That is why the question of reconstruction aid was handled separately from the formal Paris Agreements via a private Presidential message.

Moreover, we had so structured the implementation of the Paris Accords that we would not even begin to discuss aid until almost all the POWs had already returned to the United States. The Joint Economic Commission did not hold its first meeting on the matter until March 15. The Vietnamese were required to return all the POWs by March 28.

Finally, it is curious that Americans would make such an argument when the North Vietnamese did not. As the bipartisan House Select Committee reported in 1976, during all the discussions with the North Vietnamese in 1973, 1974 and 1975, not once did they cite the American failure to provide economic aid as an excuse for their failure to provide a complete accounting for our MIAs. Why should Americans now put forward an alibi for Hanoi which even they did not assert?

We immediately made clear our dissatisfaction with the Laos list. Secretary of State Rogers testified before the Senate Foreign Relations Committee on February 8, 1973 (and again on February 21) that we did not regard the Laos list as complete and noted that we would continue to press for the fullest information on all American MIAs throughout Indochina. When I visited Hanoi for negotiations in mid-February, I raised the POW and MIA issues, presenting the evidence we had with respect to specific discrepancies including Laos and asking the Vietnamese to follow up. In particular there were about 80 names of our men who we had reason to believe were alive when they reached the ground that did not appear on Hanoi's lists. The Vietnamese insisted that there were no additional prisoners beyond those on the lists and in the process of being released over the 60-day period. I covered this issue in my memoirs over ten years ago, so that I am surprised that these discrepancies are now being presented as great discoveries.

By the last week of February 1973, the North Vietnamese had not yet carried out their obligation to hand over the list of men to be freed on February 27. In violation of the Peace Agreement, they were hinting at tying their release to the freeing of what they called "political prisoners" in South Vietnam. This was a linkage we had explicitly rejected in the negotiations leading up to the Peace Agreement - a concession for which we had struggled through many night sessions. We reacted to the North's stalling by suspending troop withdrawals and mine-clearing operations. The POWs were thereupon released as scheduled.

In the following weeks we kept up the pressure at the Vietnam Peace Conference in Paris. Representing the US there, Secretary Rogers told the press that President Nixon would take "appropriate action" if there were any delays in POW releases. In a March 2nd press conference, the President repeated publicly that POW releases could not be linked to anything other than the rate of US withdrawal.

Meanwhile, the North Vietnamese were violating other provisions of the Agreement, through massive illegal movement of troops and materiel across the DMZ and down the Ho Chi Minh trail. During March, we registered a number of protests to the North about these violations and about our growing concern on the accounting for MIAs. They regularly, and disingenuously, responded that they were innocent of all charges. We rejected their replies, as we said in a message, as "an insult to our intelligence".

As the March 28 deadline for the last POW release approached, the White House issued a threat on March 25 that US troops would remain in Vietnam until all POWs in Indochina were released. All remaining prisoners on the lists were thereupon released as scheduled.

Uncertainty Remains After March POW Releases; US Leverage Erodes

On March 29, President Nixon announced that "all of our American POWs are on their way home." Those who leaked that President Nixon or his advisers, in announcing that all prisoners had been released knew that we were keeping prisoners behind, disingenuously neglected to mention President Nixon's statement that "there are still some problem areas. The provision of the agreement requiring an accounting for all missing in action in Indochina [has] not been complied with...". That is all we knew and nothing has been produced or can be produced to indicate the contrary.

Every US official was dissatisfied with the lack of information about our MIAs in Laos, and we said so publicly. Our dissatisfaction was based on evidence that many of these men, mostly pilots who had been shot down, had reached the ground alive but they were never returned to us alive or declared to have died. We also noted that, statistically, the percentage of the missing accounted for in Laos was far smaller than in Vietnam. I used these figures in my February talks in Hanoi. But we did not have evidence that any of the missing were actually still alive and being held prisoner. We repeatedly and insistently demanded that North Vietnam provide a better accounting for the missing. We did so both before and after Secretary Richardson's March 28th memorandum to me which has been featured in these hearings. Hanoi ignored our demands. Between February 1973 and June 1975, we raised our dissatisfaction with accounting for MIAs in Laos more than 60 times with officials of the Laotian government. It is the ultimate irony that our Herculean efforts to get an accounting in 1973 should be twisted twenty years later into "evidence" that we knew POWs had been left behind.

There is, as well, the question of what more we could have done. During this period, as I have reported in detail in my memoirs, I favored military retaliation against Hanoi's repeated violations. The President felt that on balance it was better to have one more negotiating round. Certainly there was little political support in the US for stronger measures. Most commentators, Congressional and media, opposed any effort to stand up to Hanoi, arguing that the US had no right to retaliate at all against the North's blatant violations. Again, I am making available a sample of prevailing opinion (**Appendix C**). Let me read just two here:

- A New York Times editorial of April 1, 1973 stated that "The President continues to imply in dark and guarded language that he is ready to use the power of the United States to force adherence to the cease-fire terms. Nowhere in the official records of the truce is there provision for any one nation to deal with violations by its own bilateral actions."

- The Des Moines Register said on April 4, that "it would be a grave mistake for the United States to decide the peace violations by the other side were intolerable and jump back into combat again...The agreement calls for the United States to get out and stay out and leave the Vietnamese to settle the future of Vietnam."

Nor did Congress offer support needed to resist Hanoi's violations. At **Appendix D** is a sample list of Congressional resolutions debated in 1973.

By the middle of April, Hanoi's violations of the Paris Accords were overwhelming. In blatant contravention of the January agreement, they had moved an entire army, some 35,000 fresh troops, 400 tanks, 300 artillery pieces, 7,000 trucks and 27,000 tons of military supplies into South Vietnam. On April 19, we suspended meetings of the Joint Economic Commission. The next day, the US government issued a detailed public statement listing all the North's violations and specifically criticizing their failure to provide information on US MIAs. The same day, technical teams began meeting to review compliance with the Agreement, especially the fate of our prisoners and missing. Before my scheduled meeting with Le Duc Tho in the middle of May 1973, President Nixon instructed me to "hit them hard on MIA accounting..."

Much has been made of Deputy Secretary Clements' alleged remark in April 1973 that "They're all dead". You will be able to ask Secretary Clements what he actually said and meant. But the fact is that in our subsequent negotiations with the North Vietnamese, we never accepted that "They're all dead", and continued to express our dissatisfaction with Hanoi's failure to account for the MIAs. The negotiating record and public statements by our government make this very plain.

Between mid-May and June 1973, I conducted twelve days of talks with the North Vietnamese. I reviewed in detail the North's violations including the failure to account for all the MIAs and pressed the North Vietnamese repeatedly for a better accounting of US personnel missing in Laos. But Hanoi sensed our leverage was rapidly eroding partly as a result of actions taken by the Congress. For example:

- On May 10, the House adopted an amendment which prohibited the use of funds for military activity in Southeast Asia.
- Two weeks later, the Senate Foreign Relations Committee approved a similar proposal.
- On May 31, the full Senate rejected a Republican-sponsored amendment which would have made the cut-off of

American military activity in Laos and Cambodia contingent upon the North Vietnamese making a good faith effort to account for MIAs.

In response to my presentations, Le Duc Tho disdainfully read me editorials from the American press and speeches from the Congressional Record. His message was clear: I understand what you are saying but I also know that you have no way to back up your threats. This was vividly reflected in a briefing that Vietnamese Communist leaders gave to their cadre just prior to the negotiations. According to our intelligence reports, they said that President Nixon would "not dare to apply such strong measures as air strikes or bombing attacks in either North or South Vietnam, because the US Congress and the American people will violently object".

US Continues to Press Hanoi in late 1973

Despite all these obstacles, strenuous negotiations resulted in a joint US-North Vietnamese communique on June 13 which reiterated the existing Vietnamese obligations to release remaining POWs, if any "without delay", to make a full accounting for MIAs throughout Indochina and to facilitate knowledge about the dead. When Hanoi still did not give us such an accounting, the American government issued a lengthy protest statement on MIAs on July 29, noting that after six months, North Vietnam had failed to comply with the agreement and that we still had some 1300 listed as missing. We again called upon the North to provide information on the names we had provided.

While we had no hard evidence that any of the missing were still alive we emphatically wanted to determine their fate. In the following months we continued to raise with the North their violations of the agreement. We made no secret of our outrage with Hanoi's violations. During 1973, we delivered at least thirty separate public statements or private messages protesting Hanoi's violations. In my confirmation hearings for Secretary of State in September 1973, I told the Senate we considered Hanoi had an obligation to provide an accounting for the missing throughout Indochina and that "we are extremely dissatisfied with the results of that part of the agreement."

Unfortunately, it was also no secret that these efforts to pin Hanoi down amounted to firing empty cannons. In theory, we had three sources of leverage available: bombing the North, offering economic aid to Hanoi, and giving military and economic aid to Saigon to deprive Hanoi of the hope for military victory. The Congress took all three levers away, denying us both the carrot and the stick.

- On June 29, 1973, a little more than two weeks after the restatement of the Vietnamese obligation regarding prisoners and the missing, the Congress prohibited all military action in, over, and near Indochina, including reconnaissance flights after August 15.
- In July 1973 it became clear that Congress would not approve economic aid to North Vietnam.
- In each of the remaining years that Saigon was independent, Congress cut aid to it by 50%.
- The Congress cut off aid to Cambodia altogether in 1975 and was in the process of debating a "terminal grant", at best 75% of its last inadequate annual grant, when South Vietnam collapsed in 1975.

Unfortunately, when the Congress eliminated our leverage we were trapped in the classic nightmare of every statesman -- we had nothing to back up our tough words but more tough words.

Under such conditions, we had no bargaining position left. I had one final meeting with the North Vietnamese in December 1973. I remember being armed with a long list of violations to raise with them, including the fact that Hanoi had failed utterly to comply with the agreements on MIAs. As I recall the meeting, Le Duc Tho's response was even more contemptuous than six months earlier. He was after all a professional; he would not waste his time on adversaries incapable of either rewarding or punishing.

During 1974 and 1975, our Administration continued to press Hanoi publicly, in private messages and in meeting of the Four-Party Joint Military Team, to perform their treaty commitment to account for our MIAs. I personally asked the Laotian government to help. Vietnam ignored us and even suspended meetings of the Four-Party team in mid-1974 as Watergate finally sapped the Presidency.

The Paris accords contained clear and binding commitments that all prisoners throughout Indochina would be accounted for and returned. If the Vietnamese violated these provisions it was not because of any omission by the responsible US officials but because we had been stripped of the weapons we might have used to enforce that commitment. I am proud of what my colleagues and I accomplished under heartbreakingly difficult circumstances. I challenge critics of the Accords to say precisely how they would have achieved a better outcome under those circumstances.

Conclusion

Mr. Chairman, like you, I had the great honor of serving this country. As I did, I was conscious of my responsibility

- to the servicemen I visited in the infantry divisions on three different trips to Vietnam in 1965-1967;
- to the wives and families of the MIAs, with whom I met frequently and who, despite great pressures, never broke faith with their government;
- to those on my staff who stayed with me when so many of their friends were among the demonstrators and to whom I promised that, if they stayed, they would help end our country's divisions by working on an agreement of which they could be proud;
- to this country which saved me and my family from totalitarianism.

Throughout the difficult period we are discussing, I had regular meetings with the families of our POWs and MIAs. Through them, I came to know the great personal anguish they faced. Over the years, no honor has meant more to me than being invited twice as guest of honor by the returned prisoners at their annual "dining-in" at Randolph Air Force Base in San Antonio. When I received the Nobel Peace Prize for my part in ending the Vietnamese war, I donated all of the money to a scholarship fund for the education of children of servicemen killed or missing in Indochina.

I presented the agreement to end the war to the press on January 24, 1973 with the following concluding comments:

"...as for us at home it should be clear by now that no one in this war has had a monopoly of anguish and that no one in these debates has had a monopoly of moral insight. And now that at last we have achieved an agreement in which the United States did not prescribe the political future to its allies, an agreement which would preserve the dignity and self-respect of all the parties, together with healing the wounds in Indochina we can begin to heal the wounds in America."

Healing those wounds preoccupied me then; it has preoccupied me since. It is still a noble objective.

Mr. Chairman, you have stated that this inquiry was designed to heal the wounds of Vietnam. This cannot be done by blaming American officials for Vietnamese transgressions, nor by innuendos, distortions and outright falsehoods being leaked out of this inquiry.

Nor did any Administration know that there were live Americans kept in Indochina. American prisoners may have been kept in Vietnam by a treacherous enemy in violation of agreements and human

decency. But no one was left there by the deliberate act or negligent omission of any American official.

Let us stop torturing ourselves. The United States government kept faith with those who served their country. If servicemen were kept by our enemies, there is one villain and one villain only: the cold-hearted rulers in Hanoi. That is the conclusion your report owes to our nation, to the families of those who served and suffered there and to the public servants who worked their hearts out to bring an honorable peace, to return prisoners and to account for the missing. That is the one true way to put this anguishing issue behind us.

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DOC DATE: 04 OCT 91
SOURCE REF:

KEYWORDS: JAPAN
AP

MEDIA

PERSONS:

SUBJECT: JAPANESE NEWSPAPER / YOMIURI SHIMBUN REQUESTS INTERVIEW W/ PRES
PRIOR TO PRES VISIT TO JAPAN

ACTION: PREPARE MEMO FOR SCOWCROFT DUE DATE: 14 OCT 91 STATUS: S

STAFF OFFICER: PATTERSON

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION
PATTERSON

FOR CONCURRENCE
PAAL
POPADIUK

FOR INFO
EMERY
GANTT
HILLIARD
PROCTOR
SIGLER

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

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DOC 1 OF 1

UNCLASSIFIED

HENRY A. KISSINGER

7545

Staff
with back up

BS has seen

October 4, 1991

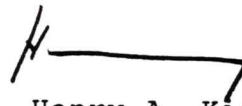
Dear Brent:

The leading Japanese newspaper, Yomiuri Shimbun, has been hoping to arrange an interview with the President prior to his visit to Japan. Its senior management has asked me to put in a good word on its behalf.

The Yomiuri Shimbun carries my column but, as you know, I have no other relationship with it except one of respect for a fine paper. It has always been friendly to American interests and has dealt seriously and fairly with issues of international policy.

If the President is considering granting an interview to any Japanese paper I know he would be treated honorably and courteously by the Yomiuri Shimbun.

Warm regards,



Henry A. Kissinger

The Honorable
General Brent Scowcroft
Assistant to the President
for National Security Affairs
The White House
Washington, D.C. 20500