#### The original documents are located in Box 9, folder "Middle East" of the Richard B. Cheney Files at the Gerald R. Ford Presidential Library.

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# EYES ONLY

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SECRET SENSITIVE EYES ONLY WHSDAGA

DELIVER TO DICK CHENEY IN A SEALED ENVELOPE MARKED EYES ONLY.

MARCH 17: 1975 TO: THE PRESIDENT FROM: SECRETARY KISSINGER

1. IN MY MEETING THIS MORNING WITH RABIN AND HIS COLLEGUES: IT WAS APPARENT THAT WHAT I TOLD THEM LAST NIGHT AND REITERATED IN A PRIVATE BREAKFAST WITH RABIN THIS MORNING HAS HAD SOME EFFECT. RABIN HAS NOW GIVEN ME SOMETHING TO TAKE BACK TO

D'AT WHICH, TEPEFULLY, WILL BE THE MINIMUN NECESSARY TO KEEP THE NEGOTIATIONS GOING.

ON THE QUESTION OF THE ISRAELI WITHDRAWAL, RABIN HAS AUTHORIZED ME TO TELL SADAT THAT, IF HE RECEIVES A PUBLIC EGYPTIAN COMIT-MENT TO NON-BELLIGERENCY IN SOME FORM, HE IS PREPARED TO SEEK CABINET APPROVAL FOR WITHDRAWAL FROM THE SINAI PASSES AND THE OIL FIELDS. IN ADDITION, ISRAEL MIGHT CONSIDER AGREEING TO THE FORWARD MOVEMENT OF EGYPTIAN FORCES TO THE EASTERN EDGE OF THE PRESENT UN BUFFER ZONE WHICH, WHILE STILL ABOUT 10 KILOMETERS SHORT OF SADAT'S DESIRE TO OCCUPY AT A MINIMUM THE WESTERN ENTRANCE TO THE PASSES, IS A MOVE IN THE EGYPTIAN DIRECTION.

3. ON THE NON-BELLIGERENCY: THE ISRAELIS HAVE GIVEN US AN ALTZJATE FORMULATION: WHICH DOES NOT USE THE WORD "NON-BELLIGERENCY" AND MIGHT POSSIBLY BE WITHIN THE RANGE OF WHAT IS FEASIBLE FOR SADAT. FOR THAT: HOWEVER: THEY ARE WILPING TO MOVE ONLY TO THE WESTERN EDGE OF THE PASSES. IN ADDITION: THE ISRAELIS WANT TO PRESS FOR COMMITMENT FROM SADAT ON SOME MINIMUM MULTI-YEAR DURATION FOR THE AGREEMENT AS WELL AS ON THE QUESTION OF THE DURATION OF THE UNEF MANDATE. THUS FOR A BARELY CONCEIVABLE EGYPTIAN CONCESSIONS THEY ARE OFFERING TERRITORY TJAT/SADAT HAS ALREADY REJECTED.

4. IN ASWAN I: INTEND TO CONCENTRATE ON THE FOREGOING RET ISSUES SINCE, UNTIL WE HAVE ESTABLISHED A COMMON CONCEPTUAL FRAMEWORK IN THESE RESPECTS, THERE IS NO PURPOSE IN SEEKING TO DEAL WITH THE MANY OTHER UNRESOLVED AND COMPLICATED DETAILS THAT, WOULD STILL REMAIN. THE POSITIONS I AM TAKING WITH ME WILL PUSH SADAT VERY CLOSE TO THE LIMITS OF WHAT IS POLITICALLY TOLERABLE FOR HIM AND THERE IS A CHANCE THE

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### SECRETSENSITIVE

### EYES ONLY

TALKS WILL BREAK OFF TONIGHT. WE ARE BY NO MEANS OUT OF THE WOODS IN THE PRESENT CRITICAL PHASE WHICH I DESCRIBED IN SOME DETAIL IN MY REPORT TO YOU LAST NIGHT. YOU SHOULD KNOW THAT SOME INDICATIONS HAVE ALREADY BEGUN REACHING US HERE OF A DETERIORATION OF THE MOOD OF THE EYHPTIAN SIDE.

5. I NOW PLAN TO RETURN TO JERUSALEM TOMORROW AFTERNOON WITH SADATAS REACTIONS TO THE IDEAS RABIN HAS AUTHORIZED ME TO CONVEY. THE ISRAELIS WILL PROBABLY THEN HAVE A FURTHER CABINET MEETING ON WEDNESDAY. AND I AM PLANNING TO USE THAT DAY TO GO TO RIYADH TO MEET WITH KING FAISAL.

6. ON SECOND THOUGHT I SEE NO SENSE IN SENDING A LETTER FROM YOU. THE ISRAELIS KNOW I SPEAK FOR YOU AND IF THEY LEAK IT THE CONCEQUENCES WOULD BE SERIOUS. END TEXT.

7. WARM REGARDS. 0518 #1422

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MARCH 17, 1975 TO: THE PRESIDENT FROM: SECRETARY KISSINGER

1. IN MY MEETING THIS MORNING WITH RABIN AND HIS COLLEGUES: IT WAS APPARENT THAT WHAT I TOLD THEM LAST NIGHT AND REITERATED IN A PRIVATE BREAKFAST WITH RABIN THIS MORNING HAS HAD SOME EFFECT. RABIN HAS NOW GIVEN ME SOMETHING TO TAKE BACK TO SADAT WHICH: HOPEFULLY: WILL BE THE MINIMUN NECESSARY TO KEEP THE NEGOTIATIONS GOING.



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MEMORANDUM

Philippine -

THE WHITE HOUSE

INFORMATION

WASHINGTON

SECRET SENSITIVE

March 17, 1975

MEMORANDUM FOR:

SECRET-SENSITIVE

THE PRESIDENT

FROM:

BRENT SCOWCROFT

Secretary Kissinger asked that I pass you the following report...

"Following my talk with Asad in Syria, I spent Saturday evening and Sunday morning in Jordan in talks with King Husayn, Crown Prince Hassan, Prime Minister Zaid Rifai, and Chief of State Bin Shaker.

"As it turned out, these talks were very helpful. My initial purpose in going to Jordan was to explain where we stand in the negotiations and to maintain the position that Jordan remains an important factor in the effort to stabilize the Middle East. However, this proved to be a useful moment to reflect on the relative merits of the alternative courses that lie ahead for us, and Husayn with his knowledge of the Arab world and his detachment for the moment from the negotiations proved a good sounding board.

"I described to him the fundamental problem that we face in Syria -- that an Israeli-Syrian negotiation cannot be conducted in Israel at the same time as an Egyptian-Israeli negotiation, that we recognize the necessity of doing something for Syria, but that time is needed to prepare the groundwork both in Israel and in the U.S. for another negotiation between Israel and Syria. I also told him that the next move with Syria could not just be a military disengagement but would have to be seen in Israel as a step toward peace because any move on the Golan Heights will confront Israel with the central political issue of pulling back settlements. Since we need time to prepare another Israeli-Syrian negotiation, I asked Husayn whether Asad will give us that time rather than applying pressure by beginning low-level military action.

"Against the background of that description of the problem, I then asked Husayn and Rifai for their advice as to what course we should now follow and what they thought the chances were that there will be a war whether we succeed or fail in the present negotiation.

DECLASSIFIED E.O. 12356, Sec. 3.4.			
MR 94-40, # 11; NSC Letter 4/14/94			
By 11 NARA, Date 7/2/94			

#### SECRET-SENSITIVE

"Husayn and Rifai both felt that if the present Egyptian-Israeli negotiation fails, Sadat will have to reverse his policy dramatically or be deposed. This would be a major blow to political moderation across the Middle East and would 'condemn the area to another war.' In addition, Rifai felt that this would be read as a further example of what he called the 'the U.S. giving up its friends and allies -- Vietnam, Korea, Cambodia, Greece, Turkey, and now Sadat and other moderates in the Middle East.' You may recall my mentioning after my first visit to Damascus that Asad has used almost exactly the same formulation.

"Husayn, therefore, urged very strongly that we press ahead with the Egyptian-Israeli negotiation. He thought that, while the Syrians might join the PLO to create as much difficulty as possible, the Syrians would probably in the end be manageable, though no one can be certain of this. In any case, he felt that of the two risks we face, it would be the lesser to succeed in the Egyptian-Israeli negotiations even with the possibility that Syria might initiate military action. The greater would be for the U.S. to back away with the likelihood that Sadat would have to reverse his course and the fundamental course he has begun in the Middle East away from the USSR and toward us.

"On the question of whether -- if we have the chance -- we should attempt to move the next negotiation to Geneva or again to conduct it ourselves, Rifai rather thought it might be necessary to combine both approaches.

"I report this conversation in some detail because these considerations are ones which we shall have to weigh in the days ahead. But, of course, we shall know more about what is possible after we learn from the Israeli negotiating team what action the cabinet took today."

Warm Regards

SECRET-SENSITIVE

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DELIVER TO DICK CHENEY IN A SEALED ENVELOPE MARKED EYES ONLY.

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• WARM REGARDS • 1518 1422

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MARCH 17, 1975 TO: THE PRESIDENT FROM: SECRETARY KISSINGER

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e .	OFFICE OF THE VICE PI WASHINGTON, D.C		SEEN
Го:	The President		
From:	Mildred Leonard		
Date:	3/9/76	Time	a.m p.m

Ambassador Feldman called in reference to the article in this morning's New York Times --"U. S. Jews Warning Ford on Selling Planes to Egypt."

The Ambassador feels this protest is misguided and said he would like to see you "remind Max Fisher that we had a very difficult time getting Egypt out of the clutches of the Soviets and it is to Israel's advantage that we did." "If we don't sell to Egypt France or England or some other country like the Netherlands will be glad to. He should remind Fisher that this thing isn't what he thinks, that actually the sale would benefit Israel."

Mr. Feldman added that perhaps the reminder to Mr. Fisher should come from the either the State or Defense Department.



23 cents beyond 50-mile zone from New York City, except Long Island. Higher in air delivery cities.

### U.S. Jews Warning Ford On Selling Planes to Egypt

Key Michigan Fund-Raiser Is to Tell President His Re-election Chances May Be Hurt by C-130 Deal

#### By BERNARD GWERTZMAN Special to The New York Times

WASHINGTON, March 8 - Ford's re-election chances by Leaders of American Jewish alienating Jewish voters. organizations told President ıŁ

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۱ľ said that a major effort would planes or, at least, to insure said. that nothing more important <sup>1</sup>Egyptians subsequently.

Fisher, a prominent Republican bargo could create "a danger-in fund-raiser from Michigan, who ous course of action that could the has been an unofficial liaison lead to a dangerous imbalbetween Jewish groups and the ance in the Middle East." White House, will meet with express his concern that the <sub>2</sub>h Egyptian sale may hurt Mr. Continued on Page 11, Column 1 ıe

Senator Henry M. Jackson, Ford in a telegram today that running for the Democratic they were "most strenuously nomination for President, said opposed" to the Administra- in Florida last night that suption's plan to lift the military plying military equipment to embargo against Egypt begin- Egypt was "cynical and danning with the sale of six C-130 gerous." He said, "it can only military transports increase the chance of war in And in separate conversa- the Middle East and the severtions, several Jewish leaders ity of a new conflict there." "Arming the Egyptians would be made by pro-Israeli support- threaten Israel's security and ers in coming weeks to per-military balance, which is in suade the Administration to America's own interest and in halt the projected sale of the the best interest of peace," he the This view was echoed today militarily would be sold to the by Ambassador Simcha Dinitz of Israel, who told a conven-As part of the still largely tion of B'nai B'rith women here n behind-the-scenes effort, Max that lifting the military em-

The Administration, argu-President Ford tomorrow to ing that it was vital to en-

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Slates for Wallace Facing Elimination REAGAN DOUR .у.|

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Weathe tonight. Temper Monday

### JEWS WARN FORD **ON SALE OF PLANES**

Continued From Page 1, Col. 7

courage President Anwar El-Sadat of Egypt on his course away from Soviet dependency, has informed Congress of its

has informed Congress of its plans to begin selling military equipment to Egypt, starting with the six C-130's worth about \$40 million. The Israeli Government has strenuously objected to any change in the American mili-tary relationship with Egypt. This has been reflected in an official protest made by Mr. Dinkz on Friday and by Prime Minister Yitzhak Rabin's state-ments.

Minister Filzhak Rabin's state-ments. As susual, whenever Israel has expressed concern, this has been reflected in the view of

been reflected in the view of the American Jewish organized leadership. The telegram to President Ford opposing the military sales was sent by Rabbi Alex-ander M. Schindler, chairman of the Conference of Presidents of Major American Jewish Or-ganizations, which represents

of the Conference of Presidents of Major American Jewish Or-ganizations, which represents Jewish groups. It said that there was "grave concern" in the American Jew-ish community and in other segments of society about the lifting of the military embargo. The telegram said the organi-zation supported American eco-nomic aid to Egypt, but "we are most strenuously opposed to military sales to Egypt." It said that such sales, "when seen in the context of arms supplied to a host of Arab countries by many nations, in-cluding the United States, will seriously impair that tenuous balance of power which pres-ently obtains in the Middle East, thus threatening the very security of Israel to which our Government has always been pledged." Mr. Ford told a group of ra-dio reporters today, however,

Mr. Ford told a group of ra-dio reporters today, however, that plans to sell the six trans-ports would not upset the balance.

Because Egypt had cut off its military relationship to the Soviet Union, "I think it makes it at least responsible for us to take a look at Egypt's mili-tary needs," he said. "And six C-130's will not

upset the military balance be-tween Israel, on the one hand, and Egypt, on the other," he added.

added. This afternoon, a group of Representatives who support Israel had a meeting to discuss possible legislative strategy. The American Israel Public Affairs Committee, a domestic lobby that supports Israeli in-terestic has been active behind

terests, has been active behind the scenes also.

A press release sent out over the weekend outlined reasons against the Egyptian sale. And the committee's executive di-rector, Morris J. Amitay, has been talking with legislators and staff aiders to coordinate an approach.

#### Lobbying Effort Expected

The Administration has not yet informed Congress formally of the plans to sell the C-130's Once this is done, in a so-called "letter of notification," Congress has 20 days to veto the sale, by concurrent resolutions in both Houses. Otherwise the sale can go ahead.

At the moment, Israeli supporters on Capitol Hill plan a large-scale effort to defeat the transaction. Prominent members of Congress, particu-larly those who are not Jewish, will be asked to at least nomi-nally play a leading role in the fight, Congressional sources

said. "This will be a major, significant effort to stop this arms sale," said Representative Benjamin S. Rosenthal, Democrat of Queens.

Similar efforts by pro-Israeii members of Congress almost defeated a plan last year to sell Hawk anti-aircraft missiles tto Jordan. That deal finally went through when the Admi-nistration was able to guaran-tee that the mi9&iles would be permanently emplaced and therefore could not serve as mobile wearons supporting an attack on Israel.

Other efforts to stor sales, most recently to Saudi Arabia, have fniled to get much surport and have been defeated in the the House International Relations Committee. Just today, the leadership of that ke committee i9sued a rerort that seemed to be sympathetic to Egyrs't desire for "defensive" arms from the United States.

Israel Reaffirms It Bars Protests at Temple Mount

UNITED NATIONS, N. Y. March 8-Israel has restated to the United Nations its determination to curb religious demonstrations by Jews at Jerusalem's Temple Mount, a shrine area sacred to both the Jewish and MOslem faiths.

The police in Jerusalem broke up a Jewish demonstration at the site yesterday. According to reports from Jerusalem, the Jewish demonstrators had Jewish demonstrators had started to say prayers in He-brew and chant Israeli nationa-

list songs. Israel's chief delegate, Chaim Herzog, pointed out in an inter-

Herzog, pointed out in an inter-view today that the police force assigned to Temple Mount was made up of Moslems. Mr. Herzog said that in a meeting with Secretary General Kurt Waldheim last Thursday he had reiterated what Israel's Minister of Police, Shlomo Hil-lel, had declared some days earlier, namely that any Jews found praying at Temple Mount would be arrested

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#### THE WHITE HOUSE

#### WASHINGTON

#### CONFIDENTIAL ATTACHMENTS

ACTION May 23, 1976

MEMORANDUM FOR:

DICK CHENEY

FROM:

BRENT SCOWCROFT

We will need a decision on this issue on Monday morning. I will be meeting first thing Monday with Sisco and Scranton to analyze once more our position. It may be that Scranton will wish to call the President before a final decision is reached.

#### -CONFIDENTIAL

CONFIDENTIAL ATTACHMENTS

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MEMORANDUM



THE WHITE HOUSE

WASHINGTON

CONFIDENTIAL

ACTION May 23, 1976

MEMORANDUM FOR:

THE PRESIDENT

FROM:

ECLASSIFIEI 0. 12356, Sec. 3.4

CONFIDENTIAL

BRENT SCOWCROFT

SUBJECT:

United Nations Security Council Debate on the Middle East

Attached at Tab A is a memorandum from Governor Scranton and Under Secretary Sisco presenting you with the alternatives we face in the current Security Council debate on Israeli policies in the occupied West Bank. Their joint memo was prepared at the request of Secretary Kissinger. After two weeks of public debate and private negotiation, a consensus statement has been drafted and will probably be put to a vote on Monday or Tuesday. The United States can:

- -- Accept the consensus statement by the Security Council President (text at Tab A-1) which is critical of Israeli occupation policies and which, while using language consistent with our publiclystated position, is one-sided because it has no balancing references to positive Israeli actions; and give a balancing statement of our own draft (draft text at Tab A-2).
- -- <u>Reject the consensus approach</u>, with the virtual certain consequence that we would then be faced with a much tougher resolution which we would have to veto.

The advantages of accepting the consensus approach can be summarized as follows: -- It is consistent with long-standing United States policy on an issue which has come to the forefront of world attention in recent weeks; thus both Israel and the Arabs will see that we are maintaining a steady course in our Middle East policies and cannot be swayed by tactical considerations. -- It would permit a successful outcome for our Egyptian friends, who initiated the debate and with whom we have worked closely over the past two weeks to avoid a resolution and seek a possiblyacceptable consensus.





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There are also disadvantages:

- -- Israel would be upset since they arc opposed to the consensus (Dinitz has asked that we dissociate ourselves from it). They are feeling isolated and more sensitive than usual about their West Bank policies; this could strengthen the hand of "hawks" in the Israeli Cabinet on the settlements issue;
- -- The consensus resolution is unbalanced, in that it does not point out Israeli rights nor its generally moderate rule as the occupying power;
- -- There would be criticism from the American Jewish community over our having allegedly let Israel down in the face of Arab/ Third World criticism at the United Nations. The outery would, however, probably be weaker than that we experienced two months ago on this same issue, due to unprecedented public criticism of recent Israeli actions (including some strong public statements on the settlements issue by Senator Javits and other members of Congress). In this regard, Max Fisher has said that he realizes the U.S. is in a "no win" situation on this issue, but he fears that our accepting a consensus resolution even with a clarifying statement will be widely misinterpreted in the Jewish community and will disturb favorable political trends which have been developing in that community.

Another important consideration is the effect of our action on the Security Council debate on UNDOF renewal, which will begin on May 28. There are those (including Israel) who argue that any apparent concession to the Egyptians on occupied territories will cause Syria to demand greater political concessions in a resolution on the renewal of UNDOF. Others argue that should we appear to turn away from our past policy on the occupied territories at this time, it would alienate even the moderate Arabs who would otherwise encourage Syria not to press for major concessions to renew UNDOF. The Scranton-Sisco memo judges that the net effect on UNDOF renewal of our accepting the consensus approach would probably be nil.

Scranton and Sisco conclude that, from a foreign policy viewpoint, the United States should accept the consensus approach, accompanied by our own balancing statement. However, the memorandum also recognizes the



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need to weigh your decision in the perspective of American domestic opinion. Secretary Kissinger and I incline toward these judgments.

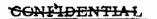
Governor Scranton will need your decision by noon on Monday for his negotiations but he is confident that actual Security Council action can be held off until Tuesday. I will be meeting with Sisco and Scranton Monday morning and we will provide you at that time any further considerations we may develop.

#### RECOMMENDATION:

Unless you see overriding political considerations to the contrary, that you concur in the consensus resolution and accompanying U.S. unilateral statement.

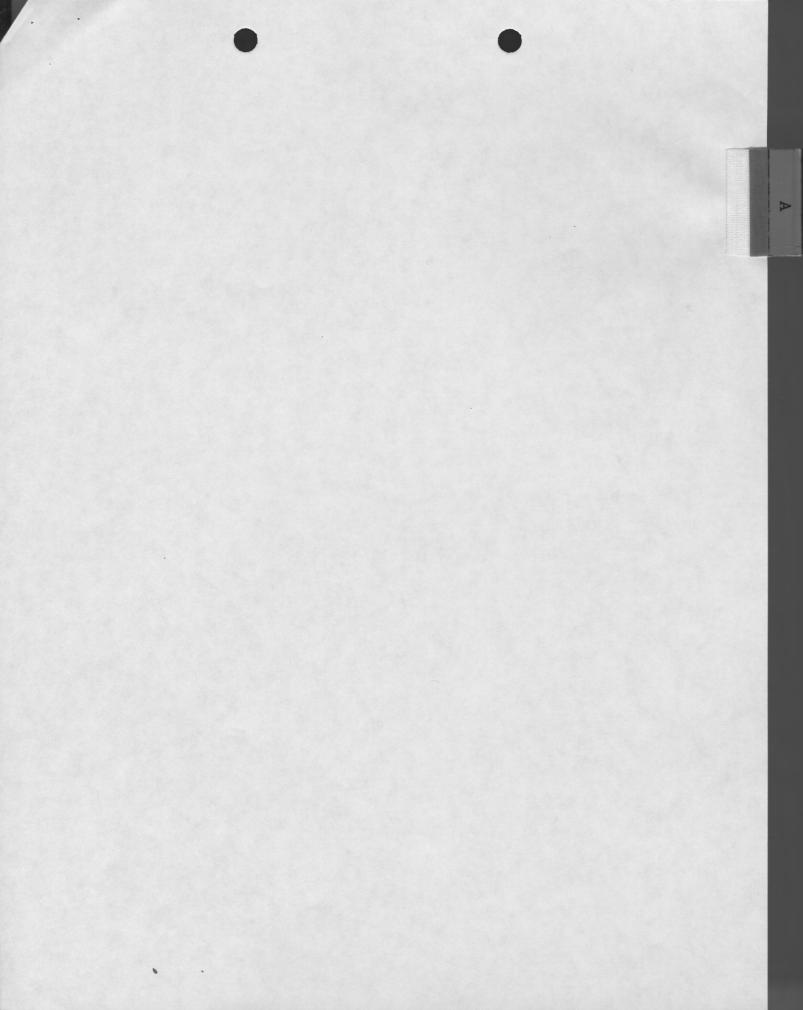
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Disapprove











S/S 7610589

#### DEPARTMENT OF STATE WASHINGTON

May 22, 1976

CONFIDENTIAL

NODIS

MEMORANDUM FOR:

: THE PRESIDENT

From:

#### William W. Scranton WS Joseph J. Sisco NS

Subject:

United Nations Security Council Debate on Middle East

We want to alert you to a difficult decision you will likely have to make some time Monday. A delicate situation has developed in the United Nations Security Council debate concerning Israeli policies on the occupied West Bank. The Council meeting was called by Egypt on May 3 as a means of enhancing its prestige in the Arab world at the expense of Syria. There have been active discussions in New York over the past week concerning the outcome of this meeting.

We have made a major effort, in particular with the Egyptians, and have sidetracked for now consideration of a Resolution that we would almost certainly have had to veto. Council members are now working on the possibility of a consensus statement that would be read into the record by the Security Council President without a vote being taken.

The Council President (the French Ambassador) has circulated a draft of such a statement (text at Attachment 1). In essence, the statement:

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DECLASSIFIED 2.0. 12953 Sec. 3.8

MR 94-43 \$15; State When 5/15/96 By Ut NARA, Date 5/30/96

-- Says that the Fourth Geneva Convention applies to Israeli-occupied territories and that Israel should abide by this Convention;

-- Deplores changes in the occupied territories and the establishment of settlements;

-- Labels such Israeli initiatives as an obstacle to peace; and

-- Expresses concern over the events in the occupied territories.

We attempted to soften the reference to Israeli settlements being an obstacle to peace, eliminate the reference to deploring Israeli actions, and to insert a balancing statement that the Geneva Convention also gave Israel, as an occupying power, the right to maintain order and provide for the security of the occupied territories. However, our suggestions have now been rejected by the Egyptian Foreign Minister.

The Israelis have told us that they find the French draft statement unacceptable, and they want us to disassociate ourselves from it. They are likely to take this attitude even on a milder draft. They would much prefer that the Council meeting end with no resolution and no consensus. This is unrealistic. Having gotten the Council to shift from consideration of a resolution to a consensus statement, we cannot expect it to abandon any form of decision. The decision we will have to make within the next few days, very likely on Monday, will essentially be among the three following alternatives.

Once the negotiations about the text of a consensus statement are concluded, you will have to consider whether we can support it by joining in the consensus. Our estimate is that the text will not differ markedly from the French formula. The advantages of so joining are the following:

-- a consensus statement, particularly if it is improved over the French text, does not go beyond what we have said before;

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-- to join in a consensus would give a successful outcome to a meeting called by the Egyptians and would thus be giving something to Sadat, who is resisting Assad's attempts to get him to turn his back on the Sinai II agreement;

-- such a statement would be a signal to the Israelis that they cannot expect to stand pat on the settlements issue and to proceed with policies that have almost universal disapproval.

Against these advantages you would have to weigh the following disadvantages:

-- Israel would be strongly opposed to the statement and it could tend to strengthen the hand of the "hawks" in the Israeli Cabinet who are pushing for additional settlements in the occupied territories;

-- There would be criticism from the American Jewish community, although in this respect it is noteworthy that Israeli policy and practices on the West Bank have been receiving unprecedented criticism in the American media recently (for example, and notably, Senator Javits' statements);

-- Even though the statement would not break any new ground, it might seem unbalanced in that it would contain almost solely criticism of Israel. In responding to the criticism that we would receive from Israel and the Jewish Community, we could claim credit for having limited the outcome to a consensus. While critical of Israel, the statement does not represent anything that we have not said before.



There is another theoretical alternative, which This would be to the Israelis have suggested to us. turn the consensus into a statement that summarized the views of the majority of the Council members (this could amount to all members of the Council except the U.S.) while we disassociated ourselves from it. If we could in fact achieve such an outcome, this would probably be the preferable course. Ambassador Scranton's judgment (and that of all the team at USUN), however, is that the other Council members and interested governments have made a considerable concession in moving to a consensus statement and that if we will not associate ourselves with this statement they will move to a resolution and will not consider a majority summation. Egypt says it will not agree to a "summary of the majority," but will insist on its original strong resolution if a consensus statement cannot be achieved.

A resolution is thus the only realistic alternative. The text of the resolution in these circumstances would be considerably more critical of Israelis than the consensus statement since the sponsors would know that there was no realistic chance of our going along with it. We would thus almost certainly have to veto it, thus once again isolating the United States. Such an action on our part would be very gratifying to Israel and would be highly applauded by the Jewish community here. Unless the resolution were made far more critical of Israel than the consensus statement, however, there would be another segment of American opinion that would question why we were vetoing a resolution critical of Israeli West Bank policies in the face of the events of recent weeks on the West Bank. From a policy point of view, of course, such a veto would have negative effects in our relationship with the Arabs and in particular with Egypt, which has sponsored the current Council meeting. These effects will be heightened by the strong reactions in the Arab world to recent events on the West Bank.



From the foreign policy point of view the best course would be to associate ourselves with a consensus statement along the lines of the French draft. In that event, we could make a balancing statement based on the text at Attachment 2. Moreover, in our judgment, such action by the Security Council is not likely to affect -one way or the other -- Syria's bargaining position on renewing UNDOF at the end of this month. In making a decision, however, you will have to weigh this in the perspective of American domestic opinion. In the latter respect, we are endeavoring to arrange the timing so that the final action in the Council will not take place until Tuesday, May 25.

#### Attachments:

1. Draft Consensus Statement.

2. Draft Security Council Statement.







#### TEXT OF SECURITY COUNCIL PRESIDENT'S DRAFT CONSENSUS STATEMENT

Following the request submitted by Egypt on 3 May 1976, the Security Council met on 4 May 1976, to consider the situation in the occupied Arab territories. After consulting all the members, the President of the Security Council noted that there was the following consensus among them:

The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. The Security Council therefore calls upon the occupying power to comply strictly with the provisions of that convention and to refrain from any measures that would violate them. It accordingly deplores the initiatives taken by Israel in the occupied Arab territories, which could alter their demographic composition or geographical nature, and particularly the establishment of settlements. Such initiatives, which cannot prejudge the outcome of negotiations for the establishment of peace, constitute an obstacle to this peace effort. Lastly, the Security Council expressed grave anxiety over the present situation in

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the occupied Arab territories and the incidents which are still occurring there; it also expressed concern about the fate of the population of these territories.







#### DRAFT SECURITY COUNCIL STATEMENT

The events of the past few months demand that responsible and objective people as well as nations "keep their heads when all about them are losing theirs." This is especially applicable to those of us who are responsible in this organization for remembering that first and foremost in the United Nations our responsibility is peacekeeping.

The United States is a signatory to the Geneva Convention. It believes in it and intends to follow its prescriptions. Accordingly, as I made clear in the March deliberations in this Council, we believe the Fourth Geneva Convention applies to the occupied territories and that Israel is bound by it.

That Convention places obligations on the occupied power to protect the welfare of the inhabitants of the area under occupation. It also acknowledges the duty of the occupying power to maintain order and that it has a right to provide for its security, a point which we felt the consensus statement should have reflected. Both these aspects of the Convention are relevant to the problem we have been addressing and we must ask that the Government of Israel accept its obligations and exercise

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its rights with a full sense of its responsibilities under international law.

I believe it would be proper, at a time when we are reminding the Government of Israel of its responsibilities through the consensus just adopted, to note that in a number of fields its performance has been more creditable than this body or other bodies of the UN system have been willing to acknowledge. I recall, for example, that during our past deliberations there were many statements made, some of them quite hyperbolic, concerning "desecration" of the Holy Places. In fact, it was a decision of a minor magistrate concerning a Holy Place which was a major factor stimulating Security Council debate in March. We have learned, of course, that this decision by a minor magistrate was completely contrary to the policy and the beliefs of the Government of Israel and, likewise, of Israel's Supreme Court. Further, the Holy Places of Jerusalem are open to persons of all religions and Accordingly, the March Security Council debate creeds. left persons who know the facts with less respect for this Council. It is also important to acknowledge that Israel has shown commendable restraint in response to acts of terrorism.

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In the field of health, Israel's performance in the occupied territories also deserves considerable respect. The recent finding of three experts who visited the occupied territories at the request of WHO clearly recognized Israel's efforts to improve conditions in the occupied territories. Unfortunately, these findings have now been disregarded and rejected by a majority vote at the World Health Assembly on purely political grounds.

They have been rejected not because the medical judgment of the experts was questioned, but because Israel did not agree to permit them to visit as a group. This decision, while not the responsibility of this Council, reflects great discredit upon the. United Nations system as a whole and is another evidence of an increasingly destructive tendency to disregard objectively determined facts in the pursuit of political ends.

Mr. President, this Council has held six extensive debates on Middle Eastern developments in the past eight months. Our last two discussions, last March and for the past few weeks, have dealt with one aspect





of the Middle Eastern problem. We must keep firmly in mind, however, that other and most serious issues exist in the area -- such as the tragedy of Lebanon and the major and overriding question of a Middle East peace. We must exercise the utmost caution that in our deliberations and actions we do nothing that would further becloud the prospects for progress in settling these other problems.

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#### THE NEED TO MOVE TOWARD A COMPREHENSIVE MIDDLE EAST PEACE--EVEN IN A U.S. ELECTION YEAR

A kind of conventional wisdom on the Middle East, often expressed in Jerusalem and in the capitals of the Arab countries, in that no progress toward a peaceful settlement of the Arab-Israeli conflict can ever be made in an American election year. Since the Americans have a national election every other year, it is easy to argue that insofar as U.S. influence in the making of a Middle East peace is of any significance, that influence can be exercised only about half the time--and, certainly, can never be exercised during a presidential election year. It is high time that this conventional wisdom were boldly challenged. To challenge it successfully will require courage, forthrightness, and great care and shrewdness.

The risks in such a course could be overcome only by a concerted campaign to convince the leaders of Israel, of Jordan, Syria, and Egypt, and of the American Jewish community of certain basic facts:

- 1. Time is running out for the avoiding of another Arab-Israeli war.
- 2. The next such war will inevitably be vastly more destructive of human life, for both sides, than any of the previous wars--almost certainly more destructive than all the other Arab-Israeli wars put together.
- 3. Such a war will inevitably give to the Soviet Union an opportunity to make fresh gains in power and influence in the Middle East.
- Such a war will inevitably provide new stimulus for Arab blackmail, and most probably a new oil boycott, against western petroleum importers.
- 5. Such a war can be avoided only by clear evidence of a general willingness to move toward, and actual steps toward, the drafting and implementing of a comprehensive Middle East peace agreement.

Efforts should be made to ascertain whether an agreement could be reached between the Democratic and Republican presidential candidates to "keep this issue out of campaign politics." Since neither of those candidates can be said to owe his nomination to the manipulation of Middle East questions, and since all Presidents from Truman onward, Democratic and Republican, reached very similar conclusions about the barriers to peace and the needs for peace (and came to have identical feelings of frustration and anger about the pressures to which they were subjected)--it just might be possible to have some understanding, even in the midst of the campaign, about the urgent importance of beginning the practical exploratory steps toward organizing a sustained movement toward an overall Middle East peace settlement. Those steps must be taken, and better sooner than later, if Israel is to survive and America's vital interests are to be safeguarded.

June 9, 1976

Landrum R. Bolling P.O. Box 67 Centerville, Indiana 47374