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FM TEHRAN 241315Z NOV 79

TO IMMEDIATE FCO

TELEGRAM NUMBER 1224 OF 24 NOVEMBER

AND TO IMMEDIATE WASHINGTON

INFO IMMEDIATE DUBLIN THE HAGUE BRUSSELS COPENHAGEN BONN

UKMIS NEW YORK PRIORITY PARIS ROME

MIPT: US EMBASSY., TEHRAN - COMMUNITY DEMARCHE

FOLLOWING IS JOINT RECORD OF THE CALL BY THE COMMUNITY AMBASSADORS ON MR BANI SADR AT 11.45 AM ON 24 NOVEMBER 1979

1. THE PRESIDENT OPENED SAYING THAT WE HAD NOT COME ON THIS OCCASION TO DISCUSS PRINCIPLES OF DIPLOMATIC IMMUNITY, THE INADMISSABILITY OF TAKING HOSTAGES OR THE INADMISSABILITY OF PUTTING DIPLOMATS ON TRIAL. OUR GOVERNMENTS, TO WHOM WE HAD CONVEYED THE IRANIAN GOVERNMENT'S VIEWS, HAD RESTATED THEIR POSITION ON THESE PRINCIPLES IN A STATEMENT ISSUED IN BRUSSELS ON 20 NOVEMBER (A COPY IN FARSI WAS HANDED OVER TO MR BANI SADR, WHICH HE READ). OUR PURPOSE IN CALLING WAS TO IMPRESS OUR ANXIETY OVER THE STATE OF THE HOSTAGES. WE WELCOMED THE RELEASE OF A NUMBER OF THEM BUT SOME OF THE WOMEN WERE STILL DETAINED CONTRARY TO THE PROMIS GIVEN AND INFORMATION AVAILABLE TO US SUGGESTED STRONGLY THAT THE REMAINING HOSTAGES WERE DETAINED IN CONDITIONS WHICH AMOUNTED TO PHYSICAL AND PSYCHOLOGICAL TORTURE. WE MUST PRESS AGAIN VERY STRONGLY FOR AN IMPROVEMENT IN CONDITIONS AND FOR DAILY VISITS PREFERABLY BY AMBASSADORS. FINALLY WE WANTED TO MAKE THE POINT THAT THE TRIAL OF THE HOSTAGES WOULD CONSTITUTE A FURTHER BREACH OF INTERNATIONAL LAW AND WOULD SERIOUSLY COMPROMISE ATTEMPTS TO REACH A SOLUTION.
2. MR BANI SADR SAID THAT THE STUDENTS HAD ASSURED HIM THAT THE CONDITION OF THE HOSTAGES HAD BEEN IMPROVED. HE HIMSELF HAD SPOKEN ON SEVERAL OCCASIONS TO THE IMAM WHO INSISTED ON SUCH AN IMPROVEMENT. HE WOULD CONTACT THE IMAM IMMEDIATELY AND HOPED TO

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BE ABLE TO SATISFY THE AMBASSADORS' REQUEST. AS FOR THE DAILY VISITS THEY HAD ENCOUNTERED AN OBJECTION ON THE PART OF THE STUDENT GROUP ON THE GROUNDS THAT AMBASSADORS MIGHT CONVEY INFORMATION ABOUT THE SITUATION IN THE US EMBASSY WHICH MIGHT HELP A WOULD-BE ATTACKER. BUT HE BELIEVED THAT THE AMBASSADORS COULD HOPE FOR A CONCRETE RESULT

3. AS FOR THE TRIALS, MR BANI SADR SAID THAT IT WAS SAD FOR HIM TO NOTE THE ESCALATION OF PROVOCATIONS ON BOTH SIDES. IF THE US GOVERNMENT WERE TO CEASE ITS PROVOCATIONS THERE WOULD BE NO SUCH ESCALATING REACTIONS ON THE IRANIAN SIDE. HE ASKED US TO LOOK AT THE PROBLEM IN ALL ITS ASPECTS. THE PROBLEM OF THE SHAH FOR THE IRANIANS WAS LIKE THE PROBLEM OF THE NAZIS FOR US. THE AMERICANS SHOULD TAKE ACCOUNT OF THE IMPORTANCE FOR IRAN OF THIS PROBLEM, IRAN HAD INTERVENED WITH THE SECRETARY-GENERAL OF THE UN AND AWAITED RESULTS. THEY WERE ALSO IN TOUCH WITH CONGRESSMAN HANSEN AND WITH A REPRESENTATIVE OF UNESCO (MR SEAN MACBRIDE). THESE HAD AGREED WITH THE IRANIAN OPINION THAT THE PROBLEM SHOULD BE TREATED AS A WHOLE. HE HOPED THAT THE AMBASSADORS WOULD INTERVENE WITH THEIR GOVERNMENTS SO THAT A SOLUTION ACCEPTABLE TO ALL COULD BE FOUND. THE AMBASSADORS COULD BE ASSURED THAT FOR HIM IT WAS A VERY PAINFUL THING TO PUT UP WITH SUCH A SITUATION AND THAT HE WAS DOING ALL HE COULD TO FIND A SOLUTION.

4. IN REPLY TO QUESTIONS FROM THE AMBASSADORS, BANI SADR MADE THE FOLLOWING POINTS:

A. HE WOULD DO HIS BEST TO TRY TO ARRANGE VISITS EITHER BY AMBASSADORS OR BY A SELECTED GROUP OF AMBASSADORS - HE TOOK NOTE THAT THE ORIGINAL GROUP HAD CONSISTED OF THE FRENCH, ALGERIAN, SYRIAN AND SWEDISH AMBASSADORS - HE SAID THAT THE STUDENTS CLAIMED THAT THERE WAS A GOOD MEDICAL SERVICE FOR THE HOSTAGES AND TOOK NOTE OF THE SUGGESTION THAT ACCESS TO THE DOCTORS CONCERNED MIGHT BE GIVEN TO THE AMBASSADORS.

B. THE IRANIAN GOVERNMENT WAS NOT POSING CONDITIONS FOR THE RELEASE OF THE HOSTAGES. THE TRUTH WAS THAT THEY HAD NO POWER THEMSELVES TO FREE THE HOSTAGES BUT THEY HAD PUT FORWARD THEIR IDEAS OF THE ELEMENTS WHICH MIGHT COMPOSE A SOLUTION WHICH WOULD CARRY THE IRANIAN PEOPLE AND IN DOING SO MAKE IT IMPOSSIBLE FOR THE STUDENTS TO CONTINUE TO HOLD THE HOSTAGES. IF IT RESTED WITH HIM HE WOULD FREE THE HOSTAGES AT ONCE.

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- C. THE ELEMENTS OF SUCH A SOLUTION INVOLVED ACCEPTANCE BY THE US GOVERNMENT OF THE PRINCIPLE OF THE INVESTIGATION OF THE SHAH'S CULPABILITY AND THE ACCEPTANCE OF THE CONSEQUENCES OF SUCH AN INVESTIGATION: THAT WAS TO SAY ACCEPTANCE OF THE PROPOSALS NOW BEING PUT FORWARD BY CONGRESSMAN HANSEN. THAT WOULD TOTALLY CHANGE THE SITUATION.
- D. THE IRANIAN PEOPLE WERE SHOCKED BY THE NEGLECT BY THE WORLD OF THE SHAH'S CRIMES WHICH WERE NOT EVEN REFERRED TO IN THE COMMUNIQUE ISSUED BY THE COMMUNITY FOREIGN MINISTER.
- E. THE CORRECT RESPONSE NO DOUBT WOULD HAVE BEEN TO BREAK RELATIONS WITH THE US ON THE FIRST DAY THAT THE SHAH ARRIVED IN NEW YORK BUT MR BAZARGAN HAD NOT DONE THAT AND IT WAS TOO LATE.
- F. USE OF FORCE WAS IRRELEVANT: NO ARMY COULD RELEASE THE HOSTAGES ALIVE.
- G. AS PROOF OF HIS LACK OF CONTROL OVER THE STUDENTS HE HAD TRIED TO ARRANGE FOR CONGRESSMAN HANSEN TO VISIT THE HOSTAGES BUT HAD FAILED. THE DANGER WAS THAT THE STUDENT GROUP IN OCCUPATION OF THE US EMBASSY MIGHT THEMSELVES BE OUTFLANKED BY A GROUP MORE EXTREME OR LEFT-WING, IF THEY SHOWED WEAKNESS.
- H. THE ONLY WAY TO RESOLVE THE PROBLEM WAS TO SHOW MORE COMPREHENSION OF THE SENSITIVITIES OF THE IRANIAN PEOPLE.
- I. HE AGREED THAT AN IMPROVEMENT IN THE CONDITIONS IN WHICH THE HOSTAGES WERE DETAINED COULD CONTRIBUTE TO A LOWERING OF TENSION WHICH MIGHT IN ITSELF HELP THE ACHIEVEMENT OF A SOLUTION AND SAID THAT HE WOULD DO HIS BEST TO BRING THIS POINT HOME TO THOSE INVOLVED.
- J. HE AGREED TO PUT FORWARD A SUGGESTION THAT THE STUDENTS THEMSELVES MIGHT MAKE A STATEMENT ABOUT THE IMPROVEMENT OF THE CONDITIONS OF THE HOSTAGES.
- K. THE CRISIS WHICH THE OCCUPATION OF THE US EMBASSY HAD PROVOKED HAD ENABLED THE IRANIAN GOVERNMENT TO GIVE A LEAD TO PUBLIC OPINION TO ENSURE THE RESPECT AND PROTECTION OF OTHER DIPLOMATIC MISSIONS AND FOREIGNERS IN IRAN. THEY COULD NOT CONTROL EVERY SINGLE IRANIAN, BUT THAT WAS A GAIN.

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5. WHEN QUESTIONED ABOUT HIS STATEMENTS YESTERDAY ABOUT IRAN DEFAULTING ON HER FOREIGN DEBT, MR BANI SADR SAID THAT HE HAD BEEN SPEAKING ONLY OF THE DEBTS INCURRED BY THE DIRECTORS OF PRIVATE BANKS, NOT IRAN'S FOREIGN DEBT AS A WHOLE. THE PROBLEM FOR IRAN WAS THAT THE US WAS NOT RESPECTING THE INDEPENDENCE OF THE EUROPEAN COUNTRIES AND WAS TRYING TO CONTROL MONEYS DEPOSITED IN BRANCHES OF AMERICAN BANKS IN EUROPE CONTRARY TO ALL INTERNATIONAL LAWS. SUBSIDIARIES OF AMERICAN BANKS WERE TRANSFERRING IRANIAN FUNDS TO THEIR PRINCIPALS IN THE US, WITHOUT INSTRUCTIONS FROM IRAN, IN ORDER TO BRING THEM WITHIN CONTROL OF THE US ORDER. THE AMBASSADORS MADE THE POINT THAT IN ALL OUR COUNTRIES THIS WAS A QUESTION FOR THE COURTS, IF THE IRANIANS HAD PROBLEMS WITH THEIR DEPOSITS IN EUROPE THEIR REMEDY WAS TO TAKE THE MATTER TO THE COURT.
6. IN CONCLUSION MR BANI SADR ASSURED THE AMBASSADORS THAT THEY COULD LEAVE THE ROOM IN THE KNOWLEDGE THAT HE WOULD USE HIS BEST ENDEAVOURS TO ACHIEVE A LOWERING OF TENSION AND AN IMPROVEMENT IN THE CONDITION OF THE HOSTAGES.

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