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TELNO 1042

OF 202019Z AUGUST 90

INFO FLASH WASHINGTON, PARIS, PEKING, MOSCOW, UKDEL NATO

FLASH

PARIS FOR PRIVATE SECRETARY

MY TELNOS 1036 AND 1037: IRAQ/KUWAIT: NEXT STEPS

SUMMARY

1. DISCUSSION AMONG THE FIVE. CHINESE NOT PREPARED TO MOVE TOWARDS MILITARY ACTION UNDER UN AUSPICES AT LEAST UNTIL SANCTIONS COMMITTEE HAS CONCLUDED THAT MEASURES IN SCR 661 ARE BEING BREACHED. RUSSIANS STILL WANT GRADUATED APPROACH AND A CLEAR-CUT ROLE FOR MILITARY STAFF COMMITTEE. WE ARE MOVING AS RAPIDLY AS POSSIBLE BUT TIME IS NEEDED TO BRING THE RUSSIANS AND CHINESE ALONG. FURTHER MEETING ON 21 AUGUST.

DETAIL

2. AMBASSADORS OF THE FIVE MET AT 1500 ON 20 AUGUST AND DISCUSSED THE TEXT IN MY SECOND TUR.

3. I SAID I WAS UNHAPPY THAT SO MUCH OF OUR DISCUSSION WAS LEAKING TO THE PRESS. AFTER OUR MEETING YESTERDAY I THOUGHT IT HAD BEEN AGREED THAT NOTHING SHOULD BE SAID. YET THE NEW YORK TIMES HAD EVEN REFERRED TO A BRITISH DRAFT TEXT. LOZINSKIY (SOVIET UNION) SAID THERE WAS SERIOUS CONCERN IN MOSCOW THAT THE PRESS WAS BEING USED TO PUT PRESSURE ON THE FIVE TO MOVE FORWARD. LI (CHINA) AGREED. PICKERING (UNITED STATES) ADMITTED THAT THE SOURCE FOR THE PRESS LEAKS MUST BE THE U S GOVERNMENT AND EXPRESSED HIS EMBARRASSMENT. HE WOULD PASS ON OUR COMMENTS TO WASHINGTON.

4. PICKERING SAID THAT THE UNITED STATES NOW HAD MORE EVIDENCE OF IRAQI ATTEMPTS TO BREACH SANCTIONS. THEY HAD INFORMATION ON FOUR IRAQI TANKERS HEADING OUT OF THE GULF AREA, ALL CARRYING OIL. THE BABA GURGUR HAD JUST ENTERED THE ARABIAN SEA FROM THE GULF OF OMAN. THE KHANAQIN WAS IN THE GULF OF OMAN. BOTH TANKERS WERE BELIEVED TO BE HEADING FOR ADEN. THE BURZURGAN HAD JUST PASSED THROUGH THE STRAITS OF HORMUZ INTO THE GULF OF OMAN AND AL KARAMA WAS IN THE PERSIAN GULF HAVING LOADED ON 15 AUGUST AT THE IRAQI PORT OF UMM QASR. THE DESTINATION OF THESE TWO VESSELS WAS UNKNOWN.

5. PICKERING SAID HE WOULD NOW DISTRIBUTE A FURTHER DRAFT WHICH ATTEMPTED TO FIND A COMPROMISE ON THE PARAGRAPHS IN BRACKETS IN THE TEXT IN MY SECOND TUR. (THE AMERICANS HAD GIVEN US SIGHT OF THIS SHORTLY BEFORE THE MEETING).

6. LOZKINSKIY SPOKE OF THE IMPORTANCE OF MAINTAINING THE COHESION OF THE FIVE. FURTHER ACTION SHOULD ENJOY THE SAME DEGREE OF SUPPORT IN THE SECURITY COUNCIL AS HAD BEEN ACHIEVED OVER SCRS 660, 661, 662 AND 664. THE DRAFT RESOLUTION WOULD HAVE TO BE EXPLICIT ABOUT THE ROLE OF THE UNITED NATIONS IN THE FRAMEWORK OF ACTION. THE SOVIET UNION WAS CONCERNED TO AVOID A REPETITION OF THE KOREAN PRECEDENT, IN WHICH UN INVOLVEMENT HAD BEEN ONLY NOMINAL. THERE WAS NOW A MUCH GREATER DEGREE OF CO-OPERATION AMONG THE FIVE.

7. LI SAID HE HAD BEEN INSTRUCTED TO STATE THAT CHINA BELIEVED ALL SECURITY COUNCIL RESOLUTIONS MUST BE IMPLEMENTED IMMEDIATELY. CHINA SUPPORTED THE USE OF MECHANISMS OF THE UNITED NATIONS AND OF THE ARAB LEAGUE TO ACHIEVE A PEACEFUL SOLUTION. IT OPPOSED BIG POWER MILITARY INVOLVEMENT AND WAS NOT IN FAVOUR OF MILITARY ACTION IN THE NAME OF THE UNITED NATIONS. SUCH ACTION WAS LIABLE TO ESCALATE THE CONFLICT. IT WAS UP TO THE SANCTIONS COMMITTEE TO MAKE RECOMMENDATIONS ON FURTHER MEASURES TO ACHIEVE STRICT IMPLEMENTATION OF THE MEASURES IN SCR 661. THESE COULD THEN BE DISCUSSED BY THE SECURITY COUNCIL AS A WHOLE. BUT CHINA DID NOT FAVOUR IN PRINCIPLE A DECISION ON MILITARY ASPECTS AT THIS STAGE. NOR WAS IT IN FAVOUR OF SUBMITTING DRAFT RESOLUTIONS IN THIS REGARD.

8. WE THEN WENT THROUGH THE NEW AMERICAN COMPROMISE TEXT. IT STILL CONTAINED THE ESSENCE OF OPERATIVE PARA 1 OF THE TEXT IN MY TELNO 1037. LI AND LOZINSKIY MADE IT CLEAR THAT THIS WENT FAR TOO FAR. IT APPEARED TO GIVE THE AMERICANS LICENSE TO DO ANYTHING THEY WISHED. I SUGGESTED REMOVING THE REFERENCE TO THE USE OF AIR, SEA AND LAND FORCES TO MITIGATE ITS BLUNDERBUSS EFFECT. THIS WAS AGREED.

9. THERE WAS A LONG DISCUSSION ABOUT THE ISSUES RAISED IN THE ALTERNATIVE FORMULATIONS OF OPERATIVE PARAGRAPHS 2 AND 3. LOZINSKIY MADE IT CLEAR THAT THE RUSSIANS STILL WANTED A GRADUATED APPROACH TO THE USE OF FORCE TO GET THE POLITICAL TEMPERATURE DOWN, TO AVOID ENDANGERING FOREIGN NATIONALS IN KUWAIT AND IRAQ, AND TO MAINTAIN UNANIMITY OF THE COUNCIL. FORCE COULD BE USED TO STOP AND SEARCH TO VERIFY THEIR CARGOES AND THEIR DESTINATIONS, BUT THE SOVIET UNION OPPOSED DISABLING SHIPS TRYING TO BREACH SANCTIONS. ONCE A CARGO AND ITS DESTINATION HAD BEEN VERIFIED, POLITICAL MEASURES SHOULD BE

USED. PICKERING SAID IT WOULD BE UNACCEPTABLE TO THE UNITED STATES TO ALLOW A VESSEL TO PROCEED ON ITS WAY ONCE IT WAS CLEAR THAT IT WAS BREAKING SANCTIONS. ANYTHING LESS WOULD AMOUNT TO BARGAINING OVER HOSTAGES. PICKERING STRESSED THAT HE WAS NOT CALLING FOR A BLOCKADE AS SUCH: THIS WOULD BE AN ACT OF WAR. I THEN SUGGESTED ALTERNATE LANGUAGE IN SQUARE BRACKETS TO PINPOINT BUT LIMIT THE DIFFERENCE BETWEEN US.

10. WE MOVED ON TO THE ROLE OF THE MILITARY STAFF COMMITTEE. LOZINSKIY WANTED TO USE LANGUAGE AKIN TO THAT IN PARA 5 OF OUR ORIGINAL DRAFT (YOUR TELNO 458). PICKERING SAID THIS PRESENTED THE UNITED STATES WITH A FUNDAMENTAL PROBLEM. FOR PRACTICAL REASONS COORDINATION BETWEEN THE FORCES MUST TAKE PLACE IN THE AREA. MANY COUNTRIES WHICH HAD SENT SHIPS WERE NOT MEMBERS OF THE MILITARY STAFF COMMITTEE. LOZINSKIY AND I SAID THAT WE BELIEVED THERE WAS ROOM FOR SOME COORDINATION THROUGH THE MILITARY STAFF COMMITTEE. AGAIN I SUGGESTED LANGUAGE IN SQUARE BRACKETS TO PINPOINT BUT LIMIT THE DIFFERENCE BETWEEN US.

11. THE TEXT OF THE DRAFT AS IT EMERGED FROM OUR MEETING, WITH POINTS OF DIFFERENCE IN BRACKETS, IS IN MIFT. THE CHINESE DID NOT OF COURSE PARTICIPATE IN THE DRAFTING AND COULD WELL HAVE VIEWS OF THEIR OWN, BUT BY AND LARGE LI FOLLOWED LOZINSKIY. THE REMAINING POINTS OF DIFFERENCE ARE IMPORTANT:

- OPERATIVE PARA 2 RELATES TO THE POINT AT WHICH FORCES WOULD BE USED. WE SHOULD AIM TO SECURE 'AND' RATHER THAN 'IN ORDER'.

- OPERATIVE PARA 4 RELATES TO THE FUNCTIONS OF THE MILITARY STAFF COMMITTEE. PICKERING AND LOZINSKIY BOTH THOUGHT THAT MY SUGGESTION OF 'AS APPROPRIATE' MIGHT HELP, ALBEIT IT WENT TOO FAR FOR ONE AND NOT FAR ENOUGH FOR THE OTHER. BOTH RESERVED THEIR POSITIONS. WE CHALLENGED LOZINSKIY TO LET US KNOW EXACTLY HOW HE THOUGHT THAT THE MECHANISMS OF THE MILITARY STAFF COMMITTEE MIGHT BE USED. HE WILL ADVISE ON THIS POINT TOMORROW. IN THE MEANTIME I SUGGEST WE GO FOR 'AS APPROPRIATE'.

12. AT THE END OF THE MEETING I MADE A POLITICAL PLEA TO THE CHINESE. I SAID THAT WE MUCH RESPECTED THE POSITION OF THE CHINESE GOVERNMENT. BUT WHEN ALL WAS SAID AND DONE WE FACED A FUNDAMENTAL CHOICE: BETWEEN THE RISKS ATTENDANT ON UNILATERAL ACTION UNDER ARTICLE 51 OF THE CHARTER TO ENFORCE THE ECONOMIC SANCTIONS IN SCR 661: AND THE RISKS AND DIFFICULTIES ATTENDANT ON PUTTING TOGETHER A FRAMEWORK FOR ENFORCEMENT ACTION UNDER THE UNITED NATIONS, THEREBY

CREATING A NEW UN INSTRUMENT TO ENFORCE THE WILL OF THE INTERNATIONAL COMMUNITY. WE HAD NO DOUBT OF OUR RIGHTS UNDER ARTICLE 51. AT THE SAME TIME WE WANTED TO GO FOR THE PRIZE OF A FRAMEWORK FOR COMMON ACTION. THE FIRST COURSE WAS EASIER THAN THE SECOND. BUT THE SECOND IF IT COULD BE SECURED WOULD BE A PRIZE INDEED.

13. LI SAID HE UNDERSTOOD WHAT WAS AT STAKE. HE WOULD REPORT MY REMARKS, WHICH HAD THE ASSENT OF ALL OTHERS, TO HIS GOVERNMENT. BUT HE COULD SAY NOW THAT IF THERE WERE SERIOUS BREACHES OF SANCTIONS AND THE SANCTIONS COMMITTEE RECOMMENDED A FURTHER SECURITY COUNCIL RESOLUTION ON ENFORCEMENT, CHINA WOULD LOOK AT THE QUESTION AGAIN WITH THE OTHER MEMBERS OF THE COUNCIL.

14. IT WAS AGREED THAT THE FIVE WOULD NOW URGENTLY CONSULT THEIR CAPITALS ON THE NEW DRAFT. THEY WILL MEET AGAIN AT 1430Z ON 21 AUGUST.

COMMENT

15. THIS WAS A SATISFACTORY MEETING. WE TOOK THINGS AS FAR AS WE COULD. THE PROSPECTS FOR EARLY ACTION NOW DEPEND ON THE RUSSIANS AND THE CHINESE. AFTER THE MEETING PICKERING TOLD ME THAT HE WOULD BE APPEALING FOR TOP LEVEL ACTION IN MOSCOW IN THE NEXT 12 HOURS TO BRING ROUND THE RUSSIANS. HE HOPED THAT WE MIGHT BE ABLE TO HELP WITH THE CHINESE (TELECON WITH TOMKYS). ON LEAVING THE MEETING LI TOLD ME AND PICKERING SEPARATELY THAT HE HOPED WE WOULD BE USING WHAT MEANS WE COULD WITH HIS PEOPLE IN PEKING.

16. IF THE CHINESE DO NOT BUDGE, WE MIGHT HAVE TO TAKE EMERGENCY ACTION IN THE ECONOMIC SANCTIONS COMMITTEE TO PRODUCE A JUDGMENT THAT SANCTIONS WERE BEING BREACHED, AND THUS BRING THE CHINESE ON BOARD. BUT THIS WOULD RISK OPENING DEBATE AMONG THE OTHER MEMBERS OF THE COUNCIL BEFORE THE FIVE WERE TOGETHER, AND SHOULD I THINK BE AVOIDED IF POSSIBLE.

16. I SHOULD BE GRATEFUL FOR INSTRUCTIONS ON THE TEXT IN MIFT DESKBY 211330Z.

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