

MEMORANDUM

NATIONAL SECURITY COUNCIL

750

~~CONFIDENTIAL~~

INFORMATION

February 15, 1973

MEMORANDUM FOR: MR. KISSINGER  
FROM: Helmut Sonnenfeldt *HS*  
SUBJECT: Problems with Soviets on Berlin Agreement

The West German Foreign Office has compiled a catalogue of recent difficulties which the Soviets and East Europeans have been making over those aspects of the Four Power Berlin Agreement that relate to the Federal Republic's role in West Berlin and in representing West Berlin abroad. They presented their catalogue to the Bonn group last week, asking for a British-French-US assessment of the Soviet behavior and explaining that this would help them judge how much support they could count on if they decide to push these issues with the Soviets.

Contrary to our expectations, however, State Secretary Frank did not raise the catalogue with the Western Ambassadors at their regular meeting February 12. This may suggest that top levels of the Foreign Office are less concerned than the bureaucrats about these challenges to the Agreement.

The catalogue (cable at Tab A) is a very mixed assortment of issues, some trivial and some important, some hoary and a very few fresh. It lists problems in both areas:

1. Soviet and Eastern European protests against the ties between West Berlin and the Federal Republic (e.g. against the "Berlin clause" in international agreements, against Bundestag voting rights for Berlin deputies, against visits to West Berlin by the FRG president or meetings there by West German political parties).

2. Refusal to permit Federal Germany to represent West Berlin internationally (e.g. in the case of a West Berliner arrested for espionage in the Soviet Union; Soviet refusal to accept the West German ratification

~~CONFIDENTIAL~~

GDS - December 31, 1979

~~CONFIDENTIAL~~

2

instrument of an international agreement since it expressly applied to West Berlin; insistence that West Berlin firms exhibit separately from West German ones in trade fairs in the East; refusal by East European states to participate in international sports or cultural events held in West Berlin.

The catalogue of challenges is deficient in several respects though:

-- It fails to note that some of the Soviet "challenges" result from West German initiatives, notably from that on Berlin deputies voting rights.

-- It fails to mention that the Federal Germans have done some probing of their own to expand their West Berlin role (e.g. by scheduling new sorts of meetings there).

-- It omits the fact that in several of the areas of complaint (e.g. participation in sports and cultural events in West Berlin) the East has a positive record, overall; and

-- On the vital issue -- unimpeded civilian travel to West Berlin -- no instances of Soviet or East German misbehavior have cropped up so far.

Clearly the Soviets are probing the ambiguities of the Quadripartite Agreement trying to limit the West German role as much as possible. State's preliminary reaction and that of the Bonn Group, however, is that the catalogue does not permit a firm conclusion that the Soviets are out systematically to undermine the Berlin Agreement. Some of the West German complaints are already being taken up with the Soviets by the Three allies. The Germans obviously would like to get us to take up more of them, and such a request might eventually lead to controversy with Bonn.

I wanted you to be aware of these instances of Soviet behavior, even if we cannot yet say that they constitute a pattern directed against the Berlin Agreement. The situation will become more serious if the Soviets start violating or permitting the East Germans to violate the access provisions of the Agreement. In that case we may have to consider approaching the Soviets. The present catalogue, as the West Germans themselves admit, does not include any outright violations, however.

~~CONFIDENTIAL~~