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Authority NND 009029By JMB NARA Date 9/15/05~~SECRET NO DIS~~

DEPARTMENT OF STATE

*Memorandum of Conversation*

DATE: March 27, 1974

Place: Soviet Foreign Ministry, Moscow

SUBJECT: Federal Environmental Office in Berlin

## PARTICIPANTS:

Russian:

Andrey Andreyevich GROMYKO, Minister of Foreign Affairs  
 Vasiliy Vasil'yevich KUZNETSOV, First Deputy Minister of  
 Foreign Affairs  
 Georiy Markovich KORNIYENKO, Chief, USA Department,  
 Ministry of Foreign Affairs  
 Anatoliy Fedorovich DOBRYNIN, Soviet Ambassador to the  
 United States  
 Viktor SAKALOV, Interpreter

US:

The Secretary  
 Walter Stoessel, American Ambassador to Soviet Union  
 Helmut Sonnenfeldt, Counselor  
 Arthur A. Hartman, Assistant Secretary for European Affairs

GROMYKO: I would like to welcome you here to the Foreign  
 Ministry. Could we perhaps discuss West Berlin?  
 You recall that we discussed this when I was in  
 Washington and you said that you would think it  
 over and talk it over with your allies. And I  
 understand that you later discussed this with  
 Minister Scheel and perhaps others during the  
 Washington Energy Conference.

SECRETARY: You know, Mr. Foreign Minister, that I admire very  
 much your precision of expression and I must say  
 this is not the outstanding characteristic of the  
 German Foreign Minister.

EUR:AAHartman/gw

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GROMYKO: We would still like to discuss this matter. It is not in our mutual interest to have difficulties over the issue of Berlin emerge. We have talked to the representatives of the Federal Republic with a view of settling the matter of the Federal Environmental Office and also with the intention of not having this kind of problem arise again.

SECRETARY: I have the impression that there are two aspects in the case of the Federal Environmental Office: first, the intrinsic merits of that case and, second, the question of what sort of precedent it would set for a whole set of succeeding measures.

GROMYKO: That is so. Both aspects are of interest and are of importance.

SECRETARY: On the other hand, the Government of the Federal Republic has taken a public position on the Federal Environmental Office. They have stated that it will have mainly research functions and no administrative authority. So we have tried to find a solution in this framework. It seems to us that a solution is possible which will meet all concerns. The Federal Environmental Office was announced without consultation with the three Western Powers. We were not consulted before the legislation was submitted. In the case of any new projects I believe that the Federal Republic would agree that no additional projects for the establishment of offices in West Berlin would go forward without consultation with the three Western Powers. What this would mean is that no further projects could be undertaken unless we agree. Formally this would mean that the FRG would submit any plans it has to the three Western Powers. For its part the US would not approve such projects and the Government of the Federal Republic would understand this action. Therefore, I can say that the establishment of the Environmental Office is not the first in a continuing series of such projects. If a project is proposed in West Berlin the Government of the Federal Republic will not approve its establishment except by the procedures I have outlined. It seems to us that this is a constructive solution to the problem.

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GROMYKO: In so far as the future is concerned, I do see certain constructive elements in your proposal. The Federal Republic will not in the future be taking steps which run counter to the Quadrapartite Agreement.

SECRETARY: I can see that as usual you are not going overboard in your enthusiasm. Some time during our discussions I would like to see you more enthusiastic but I can see that you are less embued with enthusiasm in this case.

GROMYKO: Well, let me explain why I say there are certain constructive elements. Without your consent or without the consent of any of the three Powers such a decision to go ahead with the project in West Berlin will be disapproved. But I must ask where is the Soviet Union in all this? We are a party to the Quadrapartite Agreement but that is not the crux of the problem. Our position remains as it has been. You seem to say that the Federal Environmental Office will stay. We cannot accept this. The Federal Environmental Office is unlawful and is counter to the Quadrapartite Agreement. Our position remains valid. I would like to add that it seems to me the way out of this situation is through suspension of the implementation of that decision. In actual fact there has been no physical step yet taken to create this office in Berlin. Therefore, the way out is to suspend that action. We could think about ways to rectify the situation politically and juridically. If that is not done (the decision suspended), we reserve the right to raise this problem with all parties to the Quadrapartite Agreement.

We sometimes hear voices among the Western Powers that the Soviets can raise problems through the procedures of the Quadrapartite Agreement but that the Western Powers may refuse to talk about these issues. That is not a serious way to look at that agreement. Consent is not necessary to have a discussion under the agreement. One party can ask for consultations. If these are not agreed to,

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the Soviets could always pay back in kind. The Soviet Union could refuse to consult on matters of interest to the Western Powers. But why should we project a confrontation? I am not saying that we have yet made a decision to raise this issue. It should not be necessary for us to have a confrontation. It is not in the interest of the Western Powers.

SECRETARY: Not in our interest to have a confrontation?

GROMYKO: Yes.

SECRETARY: We are not interested in having a confrontation but it depends very much on what the issue is. I don't think that you understand fully that we have made a major political gesture and hope that this will solve the problem. The Foreign Minister spoke of a proposal to take this matter up under the Quadrapartite Agreement but he should understand that actions in the Western Sector are only of concern to the Western Powers. This office is only of concern to the Western Powers and we have in effect given ironclad guarantees about the future. I don't know what position we would take if the Soviet Union asked for formal consultations but we don't really think that is necessary. Basically, we do not wish Berlin to become again a center of attention. This is why we have made an effort to solve this problem. We hope that the Soviet side will think over very carefully what we have proposed. We hope for a constructive solution, especially since we believe the offer that has been made is a significant gesture which ought to take care of the problem.

GROMYKO: Let us put things in their proper place. We take note of your position on the future situation but the main issue is linked with an explanation of what happens in the past. The situation would be different if the decision could be suspended de facto. The West Berliners would know that matter has been referred to the three Powers and that we are thinking of raising it under the

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Quadrupartite Agreement. The Soviet Union has a direct interest in what happens under the Quadrupartite Agreement. The fact is that the Quadrupartite Agreement is linked through a chain of other special agreements. In particular I should mention the FRG/GDR Transport Agreement which is not included but must take account of the Quadrupartite Agreement. Let us, therefore, separate the future from the past. Let me say again that I discern certain positive elements. Strike "certain". Let me just say positive elements, little elements. So, in short our position remains as set out in the past and today.

SECRETARY: Well, the biggest concession you have made today is to leave out the word "certain".

GROMYKO: This is the situation as we see it and I wanted you to know what our position is.

SECRETARY: I have not detected any readiness on the part of the Federal Republic to pull back on the decision which we and they consider to be legal under the Quadrupartite Agreement. We had hoped to take care of the future problem and that that would take care of this whole matter.

GROMYKO: I doubt whether it is permissible to give non-parties to the Agreement the right to interpret it. Therefore, no reference to the FRG will sound convincing.

SECRETARY: The proposal which I have made is not based on legal principles but on the political utility of future actions.

GROMYKO: But that is a slippery basis.

SECRETARY: But in any agreement there can be disputed points. What I am saying is that we will not approve in the future the establishment of Federal offices.

GROMYKO: I am afraid it is now time to go to our other meeting.

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- SECRETARY: We can talk more about this in Washington when you come. Is that all right with you?
- GROMYKO: Don't underestimate the strength of our position in this matter.
- SECRETARY: At least you can see that we have made efforts of a "certain kind".
- GROMYKO: In that latter definition "certain" is closer to reality. Don't be in a hurry.  
  
I also want to mention the UN Conference. I think it would be desirable to consult about it in advance.
- SECRETARY: Yes, I think we can do this through diplomatic channels here. I don't really believe anything useful will come out of those meetings.
- GROMYKO: We will talk here about it.

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