CHAPTER EIGHT

THE THIRD SESSION

(U) Concluding the Agreed Text

( ) With the Lajoie ramming incident behind them, both sides seemed eager to conclude the USAREUR-GSFG staff-level negotiations. Colonel Lajoie met with Colonel Pereverzev on 29 July 1985 to discuss concluding formulations for the negotiations. Colonel Pereverzev began by stating that he had studied the US side's comments and formulations and had reworked the GSFG proposals with an eye toward simplifying them and accommodating US concerns. He said he had tried to combine elements from both sides' recommended formulations and to eliminate troublesome phraseology. The Soviet proposed text was as follows:

> In the course of their joint work the staff representatives of GSFG and USAREUR discussed issues which relate to ensuring the safety and freedom of movement of Military Liaison Mission personnel, confirmed the validity of the 1947 Huebner-Malinin Agreement and the need to strictly abide by all of its provisions, and concluded that it would be advisable to do the following:
>
> 1. Recognize the right of each headquarters to take all the steps which it may deem essential to implement the provisions of Article 10 of the Huebner-Malinin Agreement.
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> 2. Ensure that Military Liaison Mission personnel respect the law and order of the host country and that they not be permitted to take provocative actions of any kind.
>
> 3. Take steps to ensure that all military personnel strictly comply with their instructions (Information Cards) on "Actions To Be Taken When Detaining Military Liaison Mission Personnel." The instructions (Information Cards) must specify the rights of MLM personnel and give orders which ban the use of physical force or weapons against them and the commission of provocative or other acts which threaten their safety. The provisions of these instructions (Information Cards) do not apply to the actions of a sentry on his post.

4. Permit Military Liaison Mission personnel performing their official duties to wear any uniform -- other than a camouflaged one -- authorized by their respective Armed Forces, with distinctive military rank insignia.

5. On a mutual basis reduce the coverage of the Permanent Restricted Areas (PRA) in the GDR and FRG (and) open cities where the Military Liaison Missions are quartered and all roads providing entrance to or exit from these cities for unrestricted travel by Mission personnel.

With the introduction of new PRA maps rescind the existing restrictions on movement along Autobahns, as well as along restricted area border roads.

6. Authorize military police officers (military commandants of GSFG) to investigate the circumstances surrounding a detention of MLM personnel right at the site of the detention. After the investigation has been completed, Mission personnel may proceed further without escort or surveillance.

( ) Colonel Lajoie thought that Colonel Pereverzev seemed somewhat embarrassed that the camouflaged uniform restriction was still in the text, but it was his understanding that Pereverzev was under instructions to ask that it be conveyed to General Price for his consideration.

( ) Colonel Lajoie said that the Soviets had made three important concessions in the revised formulations:

- All mention of signs of any sort had been deleted. Instead they had inserted USMLM's vaguely-worded "steps it may deem essential" statement as point 1.

- They had eliminated an earlier, explicit point which would have required scrupulous obedience to the orders of a sentry. Instead, the Soviets had exempted sentries on their posts from the provisions of GSFG instructions on the detention of MLM personnel. Colonel Lajoie granted that this was not the unequivocal guarantee of safety that the US side had been seeking, but he thought it was definitive enough that USMLM personnel would not have to submit to the orders of every Soviet servicemen they encountered who was serving in any

official capacity -- only to those of a sentry on his post.

- The Soviet side had admitted in point 3 that the detaining side could act provocatively, which they had denied previously.

( ) Colonel Pereverzev was told that USAREUR objected to a simultaneous exchange of PRA maps. Instead, the US side wanted the Soviets to present the Allied MLMs with a proposed map and, after the Allies had studied the map and had time to develop their own maps, all four PRA maps would go into force simultaneously. Colonel Pereverzev thought this was a reasonable solution.

( ) Colonel Pereverzev said that although they had not included it in the formulations, the Soviets thought it would be advisable for USMLM personnel to stop immediately if there was a detention attempt, since attempted evasions of detentions had the highest probability of leading to violent incidents. He asked that this proposal be considered, but stressed that it was not an official request.

( ) Colonel Pereverzev asked Colonel Lajoie if General Otis would be responding to General Lushev's letter announcing his assumption of command.* He noted that the French CINC had already responded.

( ) Colonel Pereverzev also brought up the 25 July protest letter and stated that he did not know if General Krivosheyev would be providing an answer in writing. Pereverzev commented, in passing, that certain aspects of both the content and the format of the letter had caused consternation at GSFG. The lack of a "Dear General" salutation and a "Respectfully yours" closing had been noted at the headquarters. He stated that GSFG had already responded to the protest by the severe disciplinary action it had taken against the Soviet servicemen. Colonel Pereverzev thought that it was more important that they concentrate their efforts on completing the USAREUR-GSFG negotiations than on mutual recrimination. He

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* (U) General Otis subsequently would send a congratulatory letter to General Lushev, in which he would ask if he could count on General Lushev's full support in resolving "recent problems which have arisen between our commands." (See below for more information on the delivery of the letter.) SOURCE: Ltr, GEN Otis to GEN Pyotr G. Lushev, CINCGSFG, 6 Aug 85, no subj. No file. UNCLAS.

said that General Krivosheyev was currently preoccupied with other matters, but that it was possible he might respond to the letter in the future. (General Krivosheyev was the unpleasant individual Colonel Lajoie had dealt with at the scene of Major Nicholson's murder and when delivering General Otis' letter protesting the shooting. See Chapters 1 and 3.)

( ) Colonel Lajoie and Colonel Pereverzev agreed to meet on 2 August to discuss these latest formulations. Colonel Pereverzev said that he hoped to finish work on the formulations prior to going on leave on 5 August, but that provisions would be made for the USMLM-SERB discussions to continue while he was on leave.

( ) Colonel Lajoie's assessment was that both sides were very close to an agreed text that could be exchanged "orally." He said that it was not a perfect document and neither side would be totally happy with its contents. Aside from the absence of an apology and compensation provision, the biggest disappointment from the US perspective was that it did not provide an unequivocal guarantee of personal immunity for MLM members, regardless of the circumstances. He viewed the GSFG introduction of the MLM information cards, which specifically prohibited the use of force during a detention, a plus. He thought the Soviets were sure to be disappointed that the US side had not acknowledged the inviolability of their installations, had not promised to never trespass, and had not accepted the validity of the mission restriction signs.

( ) The Soviets had insisted that the MLM information card did not apply to a sentry on his post. Colonel Lajoie thought that they should try one more time to have the "sentry on his post" statement removed from the formulations. Failing that, he proposed that he seek additional clarification on the point, so that "post" did not mean anyplace an armed soldier happened to be standing.

( ) Colonel Lajoie was encouraged that the Soviets had reversed themselves on a portion of the PRA Autobahn and PRA border road issue, and were now authorizing both transit and stopping in these areas without the qualifier of "at authorized points."

( ) Although the Soviets had continued their crusade against USMLM personnel wearing camouflage uniforms, he was confident they would not insist on it -- particularly if the US side promised to wear an American flag on the right sleeve.

( ) Colonel Lajoie's overall summary of the formulations from the USMLM perspective was that MLM personnel were no worse off than they had been before in the personal safety area -- there might even be some improvement due to the new Soviet MLM information cards. He thought that they had achieved significant improvements in the freedom of movement area. The setbacks of GSFG's 1984 PRA map would be reversed, and USMLM expected to have better access for its collection operations than it had enjoyed in the last 10 years.

( ) He candidly noted in closing:[1]

> I can live with the above. I never expected GSFG to facilitate our access or endorse our activities. In fact, I am glad to emerge with so few constraints, considering that the subject of intelligence collection was broached so openly. As always the risk will be there, and we will have to carefully balance it against the anticipated gains.

( ) As might have been expected, there was some discussion at USAREUR headquarters about the various points of the 29 July Soviet version of the concluding formulations:

- Major Browder, the Assistant POLAD, was concerned that agreeing to include the "steps it may deem essential" statement would be accepting the Soviet right to put up mission restriction signs.

- General Price thought that it might be worthwhile to agree to USMLM personnel wearing green service uniforms, if it would increase their safety, and that the current US detention procedures were more trouble for the US side than they were for the Soviets. He said that the US side should insist that it would not recognize mission restriction signs and that it would not accept the exclusion of the "sentry on his post" from the no-force provisions.

- General Gordon thought that JCS might balk at the characterization of the formulations as being "oral," because this would not meet Secretary Weinberger's guidance to get a written guarantee of safety for USMLM members. Colonel Lajoie had told him that Colonel Pereverzev and he had discussed this at length, and there were no prospects for the Soviets changing on this issue. General Gordon was hopeful that JCS would consider the MLM information cards to be a sufficient written guarantee.

- Colonel Parnell, the SGS, emphatically rejected the thrust of the formulations:

> And now, in our positive, results-oriented way, we are going to put the best face on our negotiations with the Soviets, play "hard ball" on what uniform we wear, "hang tough" on how we release SMLM-F from a detention, but get clarification on the definition of "sentry" and "post" to be able to understand just by whom and where it is OK for some Soviet to shoot one of our soldiers again.

( ) After the internal USAREUR headquarters discussions, USAREUR's report of the 29 July meeting incorporated the following points:

- USAREUR would accept the "steps it may deem essential" statement.

- It would hold firm on the camouflage uniform issue, but would agree to adding a US flag on the right sleeve.

- It would be willing to authorize local "designated officials" to investigate and release SMLM tours after detentions, but it did not want to grant this authority to military police officers.

- It presented the concluding formulations as an "oral" agreement and did not raise the issue of meeting Secretary Weinberger's guidance on securing a written guarantee of safety.

In most respects the USAREUR report adhered very closely to Colonel Lajoie's report on the 29 July meeting.[2]

( ) USEUCOM's report on the meeting, however, met the written guarantee issue head on. After reaffirming that it would forward any "provisional text" to JCS for approval, USEUCOM stated that:[3]

> Based on our understanding of SECDEF guidance, plan to schedule subsequent meeting between MG Price and GEN-LT Semyonov to officially conclude negotiations and obtain official documents outlining agreements. Will push for Soviet authentication of documents by either signature or initials on margin.

( ) The Allies were briefed on the Soviet formulations, and on 31 July both responded that they had reservations about the wording in several parts of the text. The British and French were in agreement that the "sentry on his post" statement should be removed. And both still insisted that these were bilateral negotiations and would not be binding on either of them.[4]

( ) Major Wyckoff, Chief of the Allied Contact Section, met with General Shevtsov at the SMLM-F compound on 2 August. General Shevtsov said that, as requested, he had delivered General Fiala's protest letter and comments to General Krivosheyev (see Chapter 7, "The Lajoie Ramming Incident"), and that he had a list of comments and requests from General Krivosheyev to be forwarded to General Fiala. Major Wyckoff took careful notes as General Shevtsov read from a notebook. (The informality of this procedure was apparently due to Krivosheyev having been at a field exercise when he was tracked down by Shevtsov.)

( ) General Shevtsov reported that the Soviets did not want to protract or expand the ramming incident, and that they considered it totally closed. General Krivosheyev wanted to reassure General Fiala that GSFG took the incident very seriously and had dealt harshly with those who had "perpetrate[d] incidents against mission members." Specific rules and regulations concerning treatment of MLM personnel by GSFG forces were being thoroughly disseminated and emphasized throughout the command. All garrison commandants were being told how to train their soldiers in this area. The detention instruction cards were being produced and soon would be disseminated to all GSFG troops.

( ) General Krivosheyev had stated that the new PRA map would be finished soon, and the US side would be provided a copy. After the US side had responded with its own map, they would go into effect simultaneously. Krivosheyev confirmed that all previous agreements on PRAs would be incorporated into the new PRA map.

( ) General Shevtsov said that General Krivosheyev still was insisting that USMLM personnel not wear camouflage uniforms, but he thought that eventually Krivosheyev would agree to USMLM personnel continuing to wear the camouflage uniforms.

( ) General Krivosheyev also was requesting that the remaining sanctions USAREUR had imposed against SMLM be lifted, particularly those involving the Frankfurt area PRA and the SMLM trips to Bonn. (Off the record, General Shevtsov asked when the long-promised sauna would be installed.)

( ) Major Wyckoff promised to relay the information and requests to General Fiala.[5]

( ) On 1 August General Gordon forwarded to Colonel Lajoie changes to be made to the formulations during his 2 August meeting with Colonel Pereverzev. General Gordon emphasized that certain words or phrases would have to be modified or removed from the formulations if they were to be acceptable to the US side.

( ) Colonel Lajoie was to reemphasize that the US and its Allies would need time to respond to the Soviet PRA map -- possibly up to 3 months. However, it was acceptable that all four maps could be implemented simultaneously on a delayed effective date.

( ) Colonel Lajoie was to insure that wording was inserted in the preamble that these were USAREUR-GSFG negotiations, and thus did not represent a coordinated Allied position.

( ) Colonel Lajoie was to state that the final form of the concluding statement should be written and initialed, possibly by Colonel Pereverzev and himself. Initialing the document would signify only that it was a correct and accurate portrayal of the results of the discussions, not that it was an "official agreement."[6] (Although both USMLM and SERB recognized that an informal agreement was in both sides' interest, the Washington Interagency Group wished to have a formal product for review, which it could use to weigh the results of the negotiations and to determine an appropriate US response.[7])

( ) The 2 August meeting between Colonel Lajoie and Colonel Pereverzev began with a discussion of cosmetic changes to the text. Colonel Pereverzev indicated that most of the changes would be acceptable but that they would have to be reviewed by his superiors. He did, however, categorically reject the removal of the "sentry on his post" statement. He agreed to refer the camouflage uniform issue to General Lushev, where he implied it would probably receive favorable consideration, since the impetus for banning the uniforms had been from General Zaytsev.

( ) Colonel Pereverzev said it probably would be acceptable to name the US and Soviet MLMs in the preamble and to cite Frankfurt and Potsdam as the cities to be opened, in recognition that the formulations applied only to the Soviet and US Forces. Colonel Pereverzev stated that he was well aware that these were bilateral discussions and that he had never thought otherwise.

( ) For some unexplainable reason, Colonel Pereverzev became very agitated when the US side wanted to change the terminology designating those authorized to investigate and resolve detentions from "military police officers" to "specially designated representatives." Colonel Lajoie pointed out that most military police officers did not speak Russian and that the US side was dropping the most objectionable part of its procedures: having ACS personnel escort detained SMLM tours back to Frankfurt. Colonel Pereverzev remained unconvinced and threatened to impose equally burdensome restrictions on USMLM tours if this issue was not satisfactorily resolved.

( ) On a more conciliatory note, Colonel Pereverzev estimated that the new PRA map would be forwarded to the US side on approximately 1 September. He emphasized that neither it nor the new information cards would become effective until appropriate reciprocal action had been taken by the US side. (In the case of the information cards, the Soviets wanted the Allied cards expanded to include the rights of MLM personnel.)

( ) Colonel Pereverzev concluded the meeting by saying he would be on leave during the rest of August, but that meetings could be arranged with his deputy.[8]

( ) On 8 August General Otis gave the USAREUR staff additional guidance on the USAREUR-GSFG negotiations. General Otis thought there should be another meeting between General Price and General Semyonov to lock down the formulations. If they reached agreement, USAREUR would forward a summary of the results to the Secretary of Defense for approval. Following his approval, another CINC-to-CINC meeting could be held.[9]

( ) In a surprise move, Colonel Vladimir E. Medved, Acting Chief of SERB, requested to meet with Colonel Lajoie on 8 August. Colonel Medved said the purpose of the meeting was to respond to the US side's 2 August suggested changes to the text of the formulations. In addition to Colonel Medved, representatives from GSFG headquarters were at the meeting.

( ) Colonel Medved said the Soviet side would accept the minor modifications to the text -- such as including "Soviet and US" in the preamble -- but that it could not accept all of the suggested changes. GSFG objected to the inclusion of a clarification that the MLMs were accredited only to USAREUR and GSFG, and were not subject to FRG or GDR jurisdiction. GSFG thought it was an unnecessary statement, since it was clearly understood that the agreement was bilateral and that it made no mention of the two Germanys.

( ) The Soviets insisted that the "sentry on his post" statement was a cardinal point and must stay in the formulations. One of the GSFG representatives said that they had already compromised by including it in the paragraph, rather than making it a separate point as they had originally proposed. He suggested the alternative might be to include the statement in the Soviet information card's text: "Isn't it better that the soldiers not see this exception to non-use of force in black and white?"

( ) Colonel Medved lukewarmly complained about the inappropriateness of wearing camouflage uniforms, but the Soviet position seemed to have been downgraded to a "request" that USMLM personnel not wear the uniforms.

( ) GSFG did not want to identify Frankfurt and Potsdam, in point 5 of the formulations, as the cities that would be opened. They preferred to keep the previous wording of "open cities where the military liaison missions are quartered," with the understanding that MLM members would be granted unrestricted travel on entrance and exit roads.

( ) The Soviets preferred to retain the original wording in point 6, which stated that "military police officers" would respond to detentions. The Soviets understood the US-suggested "designated officials" terminology to mean representatives from the Allied Contact Section stationed in Frankfurt, and they were concerned about the response time of ACS representatives in getting to the scene of a SMLM detention. Colonel Medved said they would accept "designated officials" if a sentence was added that they must be at the detention scene within 1 hour. Colonel Lajoie replied that ACS personnel probably could be at the scene of a SMLM detention as quickly as any commandant in GSFG could respond to a USMLM detention.

( ) At that time, the Soviets suggested that the following point be added to the formulations:

> Without mutual consent of the two negotiating parties, both sides agree not to release to the mass media any information about the results of the GSFG-USAREUR staff negotiations or other activities of the MLMs.

( ) Colonel Lajoie told the Soviets that the point seemed totally unnecessary. Colonel Lajoie would subsequently report to USAREUR that: "Interestingly, the media remains a very unpredictable and troublesome element to them -- almost their Achilles' heel." The US side should not agree, in his opinion, never to go public.

( ) The Soviets next asked what the US side thought about having General Price and General Semyonov sign the concluding paper. Colonel Lajoie reminded them that Colonel Pereverzev and he had been talking about a note verbale or non-paper: "Wasn't a signed non-paper somewhat of a contradiction?" The Soviets responded that anything was possible in this world.

( ) At the end of the meeting, Colonel Lajoie sprang a surprise of his own. He told Colonel Medved that he had been instructed to seek a personal audience with General Lushev in order to deliver General Otis' welcome letter. Medved, obviously surprised, said that he would forward the request to General Lushev's office.[10]

( ) Unlike Colonel Lajoie, USAREUR and USEUCOM viewed the Soviet question on having the two generals sign the formulations as a positive change in the Soviet position. Both agreed that this point should be followed up. USEUCOM thought the Soviet request for a news "blackout" had broad policy implications and should be carefully studied.[11]

( ) Coincidentally, General Otis sent a clear message about news "blackouts" when he discussed the USAREUR-GSFG negotiations during an interview on the day of the Lajoie-Medved meeting, 8 August. General Otis told the press he had been assured by Soviet officers that their troops had been instructed not to use force or weapons to interfere with the work of American military observers in East Germany.

(U) General Otis acknowledged that the United States had been unsuccessful so far in securing an apology or compensation for Major Nicholson's murder, but he thought the Soviet reaction to the recent Lajoie ramming had been positive. He told the media that although they had not officially apologized for the ramming incident, the Soviets had said that their troops were "out of line" and had been "disciplined severely." General Otis also revealed that the Soviets were considering issuing instruction cards concerning detentions, similar to the Allied cards, and that they had reinstructed their troops not to use "force and violence or weapons if they found it necessary to detain a US Military Liaison Mission team."

(U) General Otis went on to explain the utility of the military liaison missions as detectors of indications of imminent hostilities:[12]

> By having Soviet teams down in the Federal Republic with freedom of access in the areas where US troops maneuver and are stationed, that provides direct feedback to the Soviets about what we are doing in a general way. The corollary to that is, it provides feedback on whether we are indeed in the business of warlike preparations or not. Now the same thing can be said about our team. I think that's a value to mutual understanding on both sides.

( ) On 13 August General Gordon forwarded a "final US position" on the formulations to Colonel Lajoie for comment. General Gordon hoped to have a USAREUR headquarters staff-wide position that could be presented to General Fiala by 18 or 19 August. If approved by General Fiala, he planned to forward it to USEUCOM for approval prior to the anticipated meeting between General Price and General Semyonov. Of course, the approved US formulations were to be passed to SERB prior to the meeting between the two generals.

( ) After the 8 August USMLM-SERB meeting, both sides were in agreement on most of the major points of the formulations. However, USAREUR was not prepared to agree to the "sentry on his post" statement, even though insistence on its deletion might result in the formulations not being signed by the Soviets. USAREUR was prepared to agree to releasing tour personnel at the scene of the detentions, but thought the formulations should say "minimum practicable time," since

one hour was clearly unreasonable.* USAREUR also wanted to insert a statement that would insure it was understood that the document was a summary of the discussions and not an agreement that altered the provisions of the Huebner-Malinin Agreement.[13]

( ) Before Colonel Lajoie could comment on the "final US position," Colonel Medved requested a 14 August meeting. At this meeting Colonel Medved did not inquire about the US reaction to GSFG's 8 August proposals, but instead presented a revised text for the formulations, which he claimed took into account USAREUR's objections to the prior text and was, hopefully, an acceptable compromise.

( ) The new Soviet proposed text was as follows:

> With the goal of formulating possible measures to prevent incidents with the members of the military liaison missions to the headquarters GSFG and headquarters USAREUR, we have jointly considered the many questions concerning the guaranteeing of the safety of members of the Soviet and American military liaison missions and have reached the following conclusions:
>
> 1. To reaffirm the validity of the 1947 Huebner-Malinin Agreement and to ensure strict compliance with all its provisions by both sides.
>
> 2. While taking into account the special position of the military liaison missions accredited to the CINCs GSFG and USAREUR, established by the bilateral 1947 agreement, to ensure respect for the laws and order of the country of residence by members of these missions and (ensure) prohibition of any provocative actions on their (member's) part.
>
> 3. To ensure that all military personnel strictly adhere to the pertinent instructions concerning actions to be taken when MLM members

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* ( ) Because there were vast areas in the Federal Republic of Germany where no US troops were stationed, it was conceivable that US military police would be physically unable to respond within one hour in some circumstances.

are detained, the instructions should spell out the rights of mission members, and provide orders that during a detention of Mission members it is categorically forbidden to carry out actions which threaten their safety. MLM members at the same time must strictly obey demands of those carrying out a detention.

4. To establish identical procedures of investigation of detentions of military mission members. After the conclusion of the investigation, the detained mission members are to be given the opportunity to continue further travel without escort or surveillance.

5. To recognize the right of each headquarters to undertake those steps which are deemed necessary to implement the provisions of Article 10 of the Huebner-Malinin Agreement.

6. To reduce, on a mutual basis, the permanent restricted areas (PRA), and open up for free movement to mission members the cities in which their missions are located, and the roads along which entry and exit to and from these cities are conducted.

With the introduction of the new PRA maps, to abolish Autobahn transit restrictions to mission members which currently exist, as well as (restrictions) on roads which border restricted areas.

( ) Although the Soviets had made so many changes to the text that it was difficult to draw definitive conclusions at that point, Colonel Lajoie did comment that it appeared the changes seemed to be designed to take into consideration -- if not entirely satisfy -- USAREUR's objections pertaining to the role of host nations, the authority of armed sentries, and the wearing of uniforms. The elimination of the "sentry on his post" statement was positive, but it was unclear at that point how the "must strictly obey" statement should be interpreted. It was gratifying that the Soviets had completely eliminated the statement about which uniforms were authorized for MLM members. And, the Soviets had attempted to finesse the "military police officer" disagreement by substituting the "identical procedures" statement.

( ) Colonel Lajoie still thought that the less formal the concluding document was, the better. He recommended eliminating all legalistic language at the beginning and the end that indicated this was a formal, signed closure of the incident. He thought this might preclude difficulties in getting Secretary of Defense approval, since the document did not address the apology and compensation issue.

( ) Most importantly, Colonel Lajoie counseled caution and deliberateness. Even though the new text looked better, he thought that it needed to be studied carefully to make sure "there are no mines." Colonel Lajoie told Colonel Medved that his request for a 1-day turnaround on the document was impossible, and that the new Soviet proposed text would have to be carefully studied. Colonel Lajoie had detected that the Soviets were visibly anxious to conclude the negotiations, which he suspected was due to General Lushev's being told by Moscow to end the matter before the projected Reagan-Gorbachev summit meeting in November. (During a conversation with Major Wyckoff on 16 August, General Shevtsov would confide that General Lushev was intent on resolving the problems because of the upcoming summit meeting.)[14]

( ) General Otis agreed that the new Soviet text would require careful study, and he recommended to USEUCOM that information on the new proposals be kept at the USEUCOM level until USAREUR had a chance to analyze the text.[15]

( ) When Colonel Lajoie went to GSFG headquarters the next day to present General Otis' welcome letter to General Lushev, he was asked by a GSFG representative if he had brought any initial comments on the new Soviet text. The Soviet representive was visibly disappointed when Colonel Lajoie informed him that he had not brought a response from USAREUR headquarters.

( ) The 15 August meeting with General Lushev was friendly and relatively formal. General Lushev listened intently to the translation of General Otis' letter:

> Thank you for your letter of 20 July, 1985 advising me of your assumption of command of the Group of Soviet Forces in Germany. Please accept my congratulations on your appointment and my best wishes for success in this new assignment.
>
> The resolution of the recent problems which have arisen between our commands is important

if we are to increase mutual understanding and minimize the potential for future problems. In this regard, you have my full support to our ongoing staff negotiations. May we count on yours?

I look forward to meeting you in the near future.

(Since General Krivosheyev was at the meeting, the Soviets undoubtedly noticed that this letter had a "Dear" salutation and a "Respectfully" closing.)

( ) After listening to the letter, General Lushev commented that General Otis was an experienced general who knew the importance of good relations between the two countries and the two armies. He followed up by stating that Colonel Lajoie was also an experienced officer and the individual specifically responsible for good relations between the two headquarters staffs. General Lushev subsequently returned to the subject of Colonel Lajoie's responsibilities by stating that MLM chiefs should be careful when selecting taskings for their officers in order to preclude another shooting. He stressed that the sentry had a duty to protect his post. Colonel Lajoie responded that Major Nicholson had not been doing anything improper and that if the Soviets thought he was, there were numerous ways to handle the situation without resorting to violence. General Krivosheyev interrupted to state that Sergeant Schatz had lied. The Soviet sentry had taken appropriate actions to warn Nicholson.

( ) General Lushev also brought up the issue of Allied restrictions on SMLM interzonal travel. Colonel Lajoie said that this was a recent development which would undoubtedly change with the conclusion of the negotiations and the exchange of the new PRA maps.

( ) When asked about the possibility of future CINC-to-CINC meetings, General Lushev said that such contacts were desirable, but that approval had to come from "other channels."[16]

( ) General Otis was encouraged by the new Soviet proposals and directed the USAREUR staff to study them carefully so that he could forward an analysis to USEUCOM and JCS. He outlined a sequence of events for concluding the negotiations which envisioned Colonel Lajoie and Colonel Pereverzev working out the details of the agreement; followed by a meeting between General Price and General Semyonov to

agree that the formulations fairly reflected the staff negotiations; and concluded by another CINC-to-CINC meeting to approve and sign the formulations if appropriate.[17]

(U) On 18 August the public was reminded once again of the tragedy of Major Nicholson's murder, when Mrs. Nicholson accepted on his behalf the Veterans of Foreign Wars "Man of the Year" award.[18]

( ) USAREUR had begun analyzing the 14 August GSFG proposed formulations right after that meeting, and by 22 August had developed its positions on the various points of the document.[19] USAREUR reported to USEUCOM that the latest GSFG version contained significant compromises on issues which previously had been nonnegotiable cardinal points. It appeared that GSFG was being flexible on key issues and wanted to conclude the negotiations.

(S) The USAREUR headquarters staff analysis resulted in a counterproposal that USAREUR believed would strike an acceptable balance between what the US side had to have in the formulations and what it believed would be acceptable to the Soviets. Listed below is the USAREUR text, followed by comments on USAREUR's rationale for the changes. (See above for the 14 August GSFG text):

- Heading/Title.

GSFG text: None provided.

USAREUR text: Agreed Summary of Joint USAREUR and GSFG Staff Discussions Concerning the Agreement on Military Liaison Missions Accredited to the Soviet and United States Commanders in Chief in Germany.

Comment: The heading/title was added to clarify that the document was an agreed-upon summary of bilateral USAREUR-GSFG staff discussions. Care was taken to identify the document as a summary to insure that it would not be considered a document which could alter the Huebner-Malinin Agreement.

- Preamble.

USAREUR text: With the goal of preventing incidents involving members of the military liaison missions accredited to the staffs of CINCGSFG and CINCUSAREUR, joint discussions have been held to ensure the freedom of movement and guarantee the safety of mission members. As a result of these discussions, both parties agree as follows:

Comment: USAREUR concurred with the general meaning implied by the GSFG text -- that the safety of MLM personnel had been the primary reason for the discussions. However, the GSFG text had eliminated previous wording regarding the "freedom of movement" issue, which had been a major discussion point. Thus, the USAREUR text reinserted "freedom of movement" into the preamble. It also tightened up the wording, e.g., "agree as follows" versus "have decided on the advisability of the following."

- Point 1.

USAREUR text: The Huebner-Malinin Agreement of 1947 remains unchanged. Its provisions will be strictly followed.

Comment: Although USAREUR changed the wording, the basic meaning of the statement remained constant. USAREUR's wording was more concrete and emphasized that the Huebner-Malinin Agreement was not altered by the summary document.

- Point 2.

USAREUR text: Mission members enjoy special status as a result of being accredited to the respective Commanders in Chief. They will respect the laws of the country within which they are located and will not commit provocative acts.

Comment: Although the USAREUR text tightened up the wording, the two versions were in consonance. USAREUR had pushed for acknowledgement that MLM personnel had "special status" as a result of their accreditation to a military headquarters. The second sentence implied, but for political reasons did not clearly state, that MLM personnel were not subject to GDR and FRG jurisdiction. "Respect" was used to insure awareness that "blind obedience" to FRG or GDR laws was not expected. Both sides had agreed that MLMs must take care to avoid actions which could provoke an incident. Although definition of the term "provocative" was vague, that vagueness was available for interpretation by both sides. USAREUR believed that any attempt to further define "provocative acts" would have a negative impact on USMLM's ability to collect intelligence.

- Point 3.

USAREUR text: All military personnel will be instructed as to the special status of mission members and will be issued instruction cards which address proper actions to be taken with regard to such members. At a minimum, the cards will address

the special status of mission members and equipment, and will categorically prohibit the use of physical force, weapons, or other actions which could threaten the safety of mission members. The search of mission vehicles or members will also be prohibited.

Comment: As point 3 specifically addressed the safety issue, it was regarded as the key point in the document -- and the key objective of the negotiations. The primary difference in the wording was that the USAREUR text addressed the safety issue in an all-encompassing manner, while the GSFG text only discussed safety during detentions. The USAREUR version also clearly stated that the instruction cards would be issued to military personnel, which had been previously agreed to by GSFG. USAREUR considered GSFG's promise to issue instruction cards to be a very positive step, if it was carried out. The USAREUR text also added specific wording on the use of force and weapons as well as restrictions on vehicle searches, which had been addressed at the CINC-to-CINC meeting. The GSFG statement which required strict obedience by MLM personnel when being detained was deleted because it was too broad an authorization for GSFG soldiers.

- Point 4.

USAREUR text: Detentions of mission members will be expeditiously investigated by an appropriate officer. Upon completion of such investigations, the detained mission members will be permitted to continue their travel.

Comment: USAREUR was still insisting that a correct investigation could be accomplished only by the experienced, language-qualified members of ACS. It was thought the Soviets would accept the provision that would release the tour personnel after the investigation -- the operative words being "upon completion of investigation," which would allow their continued detention should a particularly serious incident occur.

- Point 5.

USAREUR text: Extensive restricted areas are inconsistent with the freedom of travel guaranteed by Article 10 of the Huebner-Malinin Agreement. While recognizing the right of each headquarters to take reasonable steps to ensure that the intent of Article 10 is followed, permanent restricted areas will be held to a minimum. Specifically, travel on autobahns and on roads which border restricted areas is permitted.

Comment: Although USAREUR's wording still left open the possibility of the Soviets using mission restriction signs, USAREUR felt that it considerably narrowed the number of places they could be used. It was unlikely that USAREUR or the Allies would honor the signs, regardless of the outcome of the negotiations. It was equally unlikely that GSFG would agree to the summary, unless some sort of vague statement referring to Article 10 was inserted.

- Point 6.

USAREUR text: Mission members will be permitted travel throughout the cities in which their missions are located, as well as on those roads along which entry and exit from such cities may be conducted.

Comment: USAREUR had consolidated GSFG's points 5 and 6 and had modified the wording somewhat, but it was prepared to accept the GSFG wording, if necessary. Both sides had agreed to open increased areas to MLM travel.

- Closing.

GSFG text: None.

USAREUR text: This summary is written in Russian and English languages and both texts are equally authentic.

Comment: The USAREUR text added a closing statement for completeness. GSFG had previously stated that there should be both English and Russian texts.

( ) When forwarding the above proposed text to USEUCOM for approval, USAREUR outlined General Otis' proposed sequence for concluding the negotiations: Further USMLM-SERB meetings, another General Price-General Semyonov meeting, and submission of the final texts to the two CINCs for approval. USAREUR also asked for authority to coordinate the proposed USAREUR text with the British and French.[20]

( ) USEUCOM concurred with the wording of the USAREUR proposed text on 28 August and requested that it be submitted to GSFG immediately. USEUCOM wanted to conclude the negotiations as expeditiously as possible and assumed the Soviets wanted to do likewise. USEUCOM authorized USAREUR to coordinate with the Allies. It was envisioned by USEUCOM that USAREUR and GSFG would agree upon a text no later than 31 August, and that the agreed-upon text would be reviewed by USEUCOM and forwarded to JCS no later than 6 September.[21]

(Past experience should have forewarned USEUCOM that this schedule was too ambitious, particularly in view of the significant changes USAREUR had made to the GSFG text.)

( ) On 28 August USAREUR provided copies of the GSFG and USAREUR versions of the formulations to the British and French, along with the rationale for changing the GSFG text.[22]

( ) On 29 August Colonel Lajoie met with Colonel Medved and provided him a copy of USAREUR'S proposed text for the concluding document. Colonel Lajoie told Colonel Medved that USAREUR's proposed text was very close to GSFG's 14 August text and that, if it was acceptable, General Price and General Semyonov could meet prior to 6 September to approve the language of the text. Colonel Medved chose not to read the proposed text at that time, stating that it would require considerable study before the Soviet side could respond. In addition, he was unsure if General Semyonov would be available for a meeting prior to the 6th; he was currently on leave.[23]

( ) GSFG did not respond to USAREUR's proposed text in time to meet USEUCOM's goal for forwarding the agreed-upon text to JCS by 6 September. Instead, Colonel Pereverzev did not meet with Colonel Lajoie until 6 September, and stated that GSFG had noted "certain inconsistencies" in USAREUR's 29 August text when it was compared with USAREUR's earlier versions of the formulations. The USAREUR text had been found "lacking in some respects," and the GSFG staff had written still another text, which included provisions required by General Krivosheyev. (See below for new GSFG text.)

( ) Colonel Lajoie advised USAREUR that the new GSFG text essentially covered the same ground as the USAREUR text and that, although he did not consider it an ideal document, he did not think it included any significant obstacles to continued USMLM intelligence collection.

( ) Colonel Lajoie seriously objected to only one provision in the new text: The Soviets had reinserted a variation of the "sentry on his post" statement. The new statement was considerably weaker than its predecessors, but he did not want any mention of sentries in the document. The statement in the first version had gone from: "Safety of MLM members can be guaranteed only under circumstances where they unequivocally comply with the orders and demands of a sentry." -- to the new version: "In turn, mission members will be briefed on the special procedures that apply to a sentry on his post." The Soviets had moved from a demand that USMLM members would unequivocally submit to all sentries, to a request that

they be briefed on the duties of a sentry. Colonel Lajoie said he could agree to this, since he already briefed USMLM personnel on what to expect when they encountered armed sentries, but he still preferred that the document not include a "sentry on his post" statement. He recommended telling the Soviets that their document would be acceptable once they had removed the sentry statement.

(') Colonel Lajoie thought that the Soviets would not issue their new PRA map or instruction cards until after the negotiations were concluded. Since it would take at least 2 months for the US and the Allies to respond to the Soviets' PRA map, it would be some time before USMLM could enjoy whatever advantages the reduced PRAs would bring. In addition, he was not hopeful that the instruction cards or the negotiations would provide a safer collection environment, but he certainly wanted any advantages they might provide. Colonel Lajoie did not think these were good reasons for the US side to make a bad deal, but they were incentives not to delay approval on the basis of disagreements over minor phraseology.[24]

(') The 6 September GSFG proposed text was evaluated by the USAREUR headquarters staff, and it was agreed that a USAREUR counterproposal and a new sequence-of-events plan be developed. USAREUR forwarded the GSFG text, USAREUR's new proposed text, and its sequence-of-events plan to USEUCOM on 10 September. The 6 September GSFG text and USAREUR's new proposed text were as follows:

Heading/Title.

GSFG text: Agreed Summary of Joint USAREUR and GSFG Discussions Concerning the Agreement on Military Liaison Missions Accredited to the Soviet and United States Commanders in Chief in Germany.

USAREUR text: GSFG's text was identical to USAREUR's previous text.

- Preamble.

GSFG text: With the goal of preventing incidents involving members of the military liaison missions accredited to the staffs of CINCGSFG and CINCUSAREUR, staff repsentatives have held joint discussions on ensuring the safety and freedom of movement of such mission members. As a result of these discussions the parties have concluded that the following is advisable:

USAREUR text: Identical with GSFG's except to delete "preamble" and to modify the last sentence to read, "...have concluded the following:"

Comment: Addition of "preamble" was result of GSFG misunderstanding of previous USAREUR proposal. Change to last sentence was designed to make it a more definitive statement.

- Point 1.

GSFG text: Confirm that the 1947 Huebner-Malinin Agreement remains valid and unchanged and ensure that all its provisions are strictly observed.

USAREUR text: Same.

Comment: The GSFG text made no substantive changes to USAREUR's prior proposal.

- Point 2.

GSFG text: Mission members enjoy special status as a result of being accredited to the respective commanders in chief. They will respect the laws and order of the country within which they are located and will not commit provocative acts.

USAREUR text: Same.

Comment: The only GSFG change to prior USAREUR text was the reinsertion of "and order" into the text, which was acceptable to USAREUR.

- Point 3.

GSFG text: All military personnel will be instructed on the legal status of mission members and receive instruction cards which address the procedures to be followed with regard to them. As a minimum the cards will stipulate that when detaining mission members, the use of force, weapons, or the commission of other acts which could threaten their safety is categorically prohibited. The search of mission members or their vehicles will be prohibited. In turn, mission members will be briefed on the special procedures which apply to a sentry on his post.

USAREUR text: The first two sentences were the same, except that USAREUR deleted the phrase "when detaining mission

members" from the second sentence. The last sentence was deleted in the USAREUR text.

Comment: The Soviet text restricted safety measures to detentions, whereas the USAREUR text implied that the safety measures were in force at all times. USAREUR wanted the Soviets to eliminate the "sentry on his post" statement, but was prepared to leave it in, if the Soviets would agree to the broader USAREUR wording on safety.

- Point 4.

GSFG text: Establish identical procedures for investigating detentions of MLM members. Upon the completion of such an investigation, the detained members will be permitted to continue their travel without escort or surveillance.

USAREUR text: USAREUR's version changed "identical" to "similar" and deleted "without escort or surveillance."

Comment: Changing "identical" to "similar" permitted USAREUR more latitude in developing its procedures. USAREUR was prepared to reinsert "without escort or surveillance" if the Soviets demanded it, because the phrase "upon the completion of such an investigation" was sufficiently vague to allow latitude in either escorting or conducting surveillance of SMLM, if required.

Point 5.

GSFG text: Recognize the right of each headquarters to take those steps which it may deem essential to implement the provisions of Article 10 of the Huebner-Malinin Agreement.

USAREUR text: Recognize the right of each headquarters to take reasonable steps deemed essential to implement the provisions of Article 10 of the Huebner-Malinin Agreement, without unduly restricting freedom of travel.

Comment: GSFG had simply separated and restated points 5 and 6 as they had been in its previous texts. USAREUR was convinced that GSFG would not conclude an agreement that did not include some variation of point 5, and it was simply trying to make the statement less concrete and thus subject to future reinterpretation.

Point 6.

GSFG text: Reduce on a mutual basis the permanent restricted areas (PRA) and open for free movement to mission members the cities where the missions are located and the roads which provide entrance to or exit from them. With the introduction of new PRA maps, abolish the existing restrictions on movement by mission members along autobahns and roads which border restricted areas.

USAREUR text: Same.

Comment: No substantive changes had been made to previous USAREUR text on this subject.

Closing.

GSFG text: This summary is written in English and Russian, both texts being authentic.

USAREUR text: Same.

Comment: GSFG text made no substantive changes to USAREUR's previous text.

( ) When forwarding the above texts and comments to USEUCOM, USAREUR stated that progress was occurring, but that it was unlikely the USAREUR and GSFG positions would ever coincide exactly. USAREUR proposed that USMLM provide the new USAREUR text to GSFG on 11 September, with a note stating that this would be the last negotiation on the text conducted at the USMLM-SERB level. GSFG would be told that any remaining differences could be negotiated at a meeting between General Price and General Semyonov. USAREUR said that General Price should be authorized to bargain at the table on the above-mentioned items, but recognized that General Semyonov might not have that authority. If similar texts could be negotiated at either the USMLM-SERB level or during a meeting between the two generals, the agreed-upon text would be forwarded to USEUCOM for approval.[25]

( ) Colonel Lajoie delivered a copy of the new USAREUR proposed text to Colonel Medved on 11 September. Colonel Lajoie carefully explained USAREUR's changes to the GSFG text and asked Colonel Medved if he had any questions about the changes. Colonel Medved said that he had none and that he would deliver it to GSFG headquarters for "consideration, study, and response." Colonel Lajoie emphasized that if GSFG still had serious reservations about the text, it probably was time to "return Generals Price and Semyonov to the negotiating table."[26]

( ) At the time, Colonel Lajoie and the other USAREUR negotiators thought the USAREUR-GSFG negotiations would be concluded soon -- with or without an agreed-upon text. They were unaware that Soviet "consideration, study, and response" to USAREUR's 11 September proposed text would take over 3 months.

(U) Intermission

( ) Although the USAREUR-GSFG negotiations were put on hold by the Soviets during the next 3 months, the Nicholson incident and other events related to USMLM would remain in the public eye. In addition, Secretary Weinberger -- as well as the USEUCOM, JCS, and DoD hierarchy -- would continue to scrutinize closely any event related to USMLM or its operations.

( ) That scrutiny was not long in coming. Just prior to delivery of the latest USAREUR text, a USMLM tour had been detained on 7 September after it had become disabled. Although the tour was not in a PRA, it was behind the infamous mission restriction signs. While trying to block off their escape, a Soviet vehicle had grazed their left rear fender and scraped along the side of the USMLM vehicle -- all this while the disabled USMLM vehicle was standing still. During the detention a Soviet soldier pointed a rifle at the tour officer when he tried to leave the USMLM vehicle, and the USMLM vehicle was towed to a mission restriction sign for picture taking. When the Soviet commandant arrived 6 hours later, he made light of their protest about the rifle pointing, demonstrating that the rifle's clip was empty. Nine hours after the detention had begun, the USMLM personnel were released to continue their tour.

( ) Although this was the first formal detention of a USMLM tour since the Nicholson shooting, Colonel Lajoie did not see any improvement in Soviet behavior: "Reckless use of vehicles and unslinging [of] arms still seem to be an acceptable reaction to mission presence." Colonel Lajoie did note that Colonel Medved had taken the unprecedented steps of calling him at home to inform him that a "small problem existed, but was under control," and of providing him with details of the detention.[27]

( ) This cooperative attitude changed, however, when Colonel Medved on 9 September presented Colonel Lajoie with GSFG's official protest of the incident. GSFG had the audacity to claim that it had been the USMLM driver who was driving recklessly, and that it was thanks only to the excellent training of the Soviet driver that there had not been a serious accident.

( ) Colonel Lajoie, in turn, protested the reckless driving of the Soviet soldier, the careless handling of his rifle by another Soviet soldier, the towing of the vehicle to a mission restriction sign for picture taking, and the 6-hour delay in the arrival of the Soviet commandant.

( ) Colonel Lajoie concluded his written protest by insisting that the Soviets take steps to halt such unrestrained acts:

> All of these facts cause me great concern. HQ USAREUR will not fail to draw appropriate conclusions from the provocative behavior of the GSFG Forces involved in this incident. Such behavior contradicts the assurances given by GSFG, and undermines the atmosphere of trust which we all desire to restore.

( ) After the official protests had been exchanged, Colonel Medved explained that the driver had not realized the USMLM vehicle was disabled and had thought it was trying to escape. The collision had been unintentional and had been caused by the limited amount of maneuver room on the forest road. The Soviet commandant had arrived late because he did not know that the "vehicle accident" involved a USMLM vehicle and he was already investigating another vehicle accident. The Soviet soldier with the weapon had been placed there to provide security for the USMLM crew and their vehicle.

( ) Colonel Lajoie forcefully rejected Colonel Medved's explanations. He would subsequently comment:[28]

> Medved had obviously been directed to request this meeting in order to get in the first punch, but it was a half-hearted effort indeed. Even such a heavily calloused old-timer like Medved had problems delivering, with any conviction, the Soviet claim that the soldier pointing the weapon [at the tour officer] was doing so for the tour's protection.

( ) There were indications, other than Colonel Medved's protestations, that the Soviets were concerned about quieting the waters after the detention. Mr. LaRoy C. Baisden, a member of the ACS staff, was told by SMLM's Lieutenant Colonel Pegov that a GSFG driver had hit a USMLM vehicle: "Here we are trying to normalize relations and they go ahead and do this." Mr. Baisden responded that 2 weeks after the negotiations were complete, the Soviet soldiers would go right back to doing what

they had always done in these types of situations. Pegov agreed that, unfortunately, this was probably true.[29]

( ) USEUCOM notified JCS of the detention and Colonel Lajoie's protest at 1950 Zulu on 9 September. USEUCOM did not think the detention would cause any serious problems during the ongoing negotiations.[30]

( ) USAREUR headquarters, agreeing that the detention would not impact significantly on the staff negotiations, had decided to limit its response to protests at the chiefs of USMLM-SERB level. However, USAREUR would subsequently learn that Washington had been informed of the detention through an informal communications channel before the USEUCOM message had arrived, and there had been a discussion between Secretary Weinberger and Secretary Shultz on the advisability of raising the issue with Ambassador Dobrynin. Although they had decided not to do so, General John A. Wickham, Jr., the Army Chief of Staff, thought the military had missed an opportunity to have the incident protested at a high level.

( ) USAREUR, on the other hand, thought the problem might be that incomplete or inaccurate information was reaching Washington through informal communications channels. As a consequence, on 12 September General Fiala instructed USMLM to restrict its incident and detention reporting to within USAREUR channels, for the time being. That would allow USAREUR headquarters, and USEUCOM in turn, to gather complete and factual information to be forwarded to Washington.[31]

( ) JCS would subsequently complain about how slowly it had been informed of the 7 September detention. USEUCOM said the delay had been due to the time it took for the tour to return to its headquarters and to the time required by the chain of command to assess the incident and write accurate reports. USEUCOM pointed out that interim reports had been provided by secure telephone significantly sooner than the hard-copy messages. USEUCOM reassured JCS that it would "accelerate reporting and initial assessment of USMLM incidents through secure telephone contact."[32]

(U) Just when it appeared that interest in the detention might be dying down, on 15 September Secretary Weinberger stated during a television interview that USMLM personnel had recently been held at gunpoint, even though "we have had promises by the Soviets that they would tell their people not to use force." The next day the Department of Defense released a written news statement that provided a fairly complete account of the detention. DoD said that USMLM had protested

the incident and that the United States expected a Soviet apology.[33]

( ) The Soviet press was not slow in responding. On 17 September it accused Washington of orchestrating a "week of hate," which it alleged was culminated by Secretary Weinberger's charge that the USMLM crew had been "detained...for 9 hours at gunpoint." The Soviet press went on to claim that even the American media were skeptical of Secretary Weinberger's version of the detention and discounted his charges because he was "among the zealous adversaries of even the slightest improvements in relations with the USSR." Colonel Lajoie commented that, given the Soviet press' ability to utilize the US press' reporting on these types of incidents, it was fortunate that the Soviet press had covered the interview before even more unfavorable opinions were printed in the US press. For example, the US press subsequently reported that, "At the State Department some officials gave unofficial criticism of the way Mr. Weinberger dramatized the incident."[34]

( ) Ironically, another detention would bring a brief glimmer of hope that the Soviets would be providing greater safety for MLM personnel during detentions. On 17 September a British MLM tour was detained by Soviet soldiers and, in the course of the detention, the Soviet officer proudly displayed his "MLM information card." The news of the early dissemination of the MLM information card was forwarded to Washington.

( ) However, when Colonel Lajoie asked SERB for a copy of the new MLM information card, he was informed that the card was still in draft form and probably would not be formally approved until after the conclusion of the ongoing negotiations. USAREUR would learn in October that, in all likelihood, the card displayed by the Soviet officer had been an East German police card, which contained their standard procedures for reporting the presence of MLM tours, and had been disseminated for at least 5 years. The East German police card made no mention of MLM detention procedures or the prohibition of the use of force against MLM members. Washington was informed of the disappointing news.[35]

(U) Secretary Weinberger continued for some time after the 7 September USMLM detention to charge that the Soviets had "deliberately bumped" the tour vehicle and had detained the crew at gunpoint. After a special ceremony to posthumously promote Major Nicholson to lieutenant colonel, Secretary Weinberger renewed his charges and rejected a State Department "official's" contention that the Soviets had apologized for the incident.

(U) But, more importantly, 19 September had been designated by Secretary Weinberger as a special day to honor Major Nicholson, not as a day to discuss the 7 September detention or the ongoing negotiations. On that day Major Nicholson was posthumously promoted to lieutenant colonel at a private ceremony in Secretary Weinberger's office, which was attended by Major Nicholson's family, members of Congress, and the senior leadership of the military organizations. Major Nicholson's promotion orders were read by his neighbor and USMLM colleague, Major Paul Nelson. Karen Nicholson was presented a display that included major's and lieutenant colonel's insignia, as well as a purple heart award.[36]

(U) Secretary of Defense Weinberger made the following remarks at the ceremony:[37]

> We gather today to salute and promote an American Army officer struck down while serving his country and the cause of peace. No promotion that I have participated in has been more of an honor for me than this. I never met Major Arthur D. Nicholson, Jr. -- Nick -- but I feel I have come to know him. I know him in the honor he brought to his uniform and in the sacrifice he made for the United States and its allies.
>
> Nick died a hero no less than those killed in declared wars. He was shot while helping maintain freedom's frontier in Western Europe. His outrageous murder testifies to the ruthlessness of the adversaries we face and the importance of the work Nick was doing. There can be no rationalization of this act -- no justification. There can be no adequate compensation. While America, keeping faith with its ideals, rejects lashing out in revenge, we still await a meaningful response from the guilty -- at least an apology and compensation for Nick's family.
>
> It is ironic and tragic that this particular officer would be the victim of Soviet brutality. Nick was always anxious to learn more about the Soviet people, their beliefs, and their nation. His tour with the liaison mission in Berlin found him spending as much time as he could getting to know Russian

officers. He sought, in his own special way, to build bridges to those whom he knew had a different view of the world. He enjoyed his associations with the other side and wanted to believe the best. What conclusion must we draw that he, who was always willing to give the Soviets the benefit of the doubt, would meet this end?

There are profound lessons to this tragedy; but we are here today simply to honor this man. In America's armed forces, promotions are not made to reward past performance. They are made to advance those with promise for greater responsibility. Nick had such promise, so it is fitting that we recognize him in this way even though it is unprecedented. He combined strong determination with sensitive judgment and keen perception. After just a few years of concentration, he was becoming a gifted Soviet specialist. With the liaison mission, he was consistently the most productive officer. He complemented his specialized skills with leadership attributes that gained him the universal respect of subordinates and associates. Nick gave America, and the Army, all he had, and he was poised for increasingly important responsibilities in some of the most important and delicate assignments we have. America has lost a valuable military officer, with the qualities that keep our nation secure.

Because of the man he was, Nick will not be forgotten by those who knew and loved him. Because of his sacrifice, because of his dedication in service to his country, a far higher number of Americans will remember Arthur D. Nicholson, Jr., and honor this patriot son.

(U) Karen Nicholson responded:[38]

Nick felt that the greatest compliment he could receive from a fellow officer was that he was a professional. I feel today that [by] promoting him to lieutenant colonel, the country is recognizing Nick as a professional and expressing its gratitude.

( ) The United States continued to tell the Soviet Union that it expected a satisfactory resolution of the Nicholson incident, even though the USAREUR-GSFG negotiations were in remission. On 7 November Richard Burt, the newly-appointed US Ambassador to the Federal Republic and former Assistant Secretary of State for European Affairs, met with Vyacheslav Kochemasov, the Soviet Ambassador to East Germany. Ambassador Burt cited the repeated incidents of violence against MLM members as an example of an issue which could flare up into the political realm. He urged that the Soviets provide an apology and compensation to the Nicholson family.

( ) Ambassador Kochemasov responded with the usual Soviet formula that, while it regretted Major Nicholson's death and expressed its condolences, the Soviet Union had made it clear that it would not apologize or pay compensation. He said that the best way to avoid this type of incident was for "USMLM personnel to cease spying activities against closed Soviet military objects." The two ambassadors then had an inconclusive discussion about the facts and circumstances surrounding the Nicholson shooting.[39]

( ) When Colonel Lajoie met Secretary of State Shultz during a ceremony in Berlin on 14 December, Secretary Shultz said he raised the "terrible tragedy" of the Nicholson incident whenever he met with the Soviets. Secretary Shultz also said that President Reagan had brought up the shooting during his talks with Premier Gorbachev at the Geneva summit talks in November.[40]

( ) The lack of a resolution of the Nicholson incident continued to impact on MLM social relations. SMLM-F asked USAREUR for additional logistic support for its Great Socialist Revolution reception on 7 November. As had been done since the new sanctions had been imposed against SMLM, USAREUR refused to provide any logistic support beyond that required by the basic agreement for supporting the mission. In addition, ACS personnel declined SMLM-F's invitation to attend the reception. Anticipating a USMLM refusal because of prior discussions, SERB did not invite USMLM to the ceremony in Potsdam.[41]

( ) This boycott of social contacts with the Soviets at the MLM level was starting to tear at the fabric of Allied unity. The British told USAREUR in November that they were going to resume low-level social contacts at the MLM level. They believed that the boycott was adversely affecting important intelligence collection efforts and that the resumption of low-level social contacts on the MLM level was

needed "for effective mission functioning." Although they recognized the need for tripartite solidarity on the issue, the British were concerned that the United States did not seem to have a program for returning to normal relations.

( ) The British had begun a serious dialogue with the United States in August on the advisability of resuming social contacts with the Soviets at the MLM level. Informal queries to the French had revealed no desire on their part to resume social contacts on that level prior to resolution of the Nicholson incident. USAREUR and USEUCOM had supported the British position that they should resume social contacts, because it might have served as an opening for a return to normal relations with the Soviets by the other Allied MLMs. It should be remembered that there was every expectation at that point that the USAREUR-GSFG negotiations would soon be concluded. But Washington had remained unconvinced.

( ) Finally, frustrated by the lack of a response from Washington, in November the British Embassy in Washington informed the State Department that they would immediately resume social contacts with the Soviets at the MLM level.[42]

( ) The intermission closed on a hopeful note. When a USMLM vehicle was involved in a one-car accident in East Germany on 22 November, all of the East German and Soviet personnel at the scene were courteous and extremely helpful. After conducting the accident investigation, the Soviet commandant stated that this was a routine traffic accident investigation and not a detention. He said that there would be no complaints, since obviously no traffic rules had been violated and no other parties or property damage were involved. He had asked several times during the investigation whether the tour crew had any complaints. The professional manner in which the Soviet commandant handled this situation was in stark contrast to recent encounters by Allied MLM personnel with the same type of individuals.[43].

(U) <u>GSFG Responds to USAREUR's Proposed Text</u>

( ) By early December USAREUR was beginning to despair of GSFG responding to its 11 September proposed text for the concluding document. Colonel Lajoie had asked on 18 September if GSFG had developed a response to USAREUR's last proposal. He was told that a response was not available and that USMLM would be notified when it was ready. Variations on that theme would be played for the next 3 months.[44]

( ) The Soviets' apparent disinterest in responding to USAREUR's counterproposals was puzzling, especially when contrasted with their eagerness in August to conclude the negotiations.[45] When Colonel Lajoie was given the same answer on 8 October, he asked if the Soviets had decided to suspend the negotiations. Colonel Medved told him that they were still on, but that he could not provide a date when USMLM would receive a response. Colonel Medved gave the impression that the matter was out of GSFG's hands. Colonel Lajoie thought one likely explanation might have been that General Lushev had thought that they were close to concluding the negotiations and had sent GSFG's new proposed text to Moscow for approval.[46]

( ) After the Soviets had not responded for 6 weeks, on 23 October Colonel Lajoie again questioned whether GSFG was serious about concluding the negotiations. Colonel Pereverzev said that they were and that he expected an official reply any day. He added that if they had not been serious about the negotiations, they would have abandoned them long ago, especially in light of the various disagreements which had arisen. He said that General Lushev's busy schedule and Soviet "consternation" about one issue was holding up their response. Colonel Lajoie assumed he was referring to the "sentry on his post" issue.[47]

( ) General Shevtsov provided some interesting information on 29 October. He said that all of the negotiation points had been settled essentially, but that GSFG had to coordinate the text and the new PRA map with the East Germans. He also claimed that the MLM information cards were printed and ready for distribution, that USMLM would be allowed to wear camouflage uniforms, and that the mission restriction signs would be removed. Instead, the only signs that would be put up would denote firing ranges, live-fire training areas, and the like -- and these would apply to everyone, not just MLM personnel. General Shevtsov did not know when the negotiations would be concluded, but he thought that the recent reassignment of General Semyonov would delay them somewhat.[48]

( ) Although General Semyonov's reassignment might have been a partial reason for the delay, it was more likely that the Soviets did not want to resume the negotiations with the Geneva summit talks just around the corner.[49]

( ) At a 14 November meeting with Colonel Pereverzev, Colonel Lajoie asked what had happened to the quick response he had been promised at their 23 October meeting. Colonel Pereverzev apologized for his misplaced optimism and confirmed

that there was little chance of any progress prior to the Reagan-Gorbachev meeting.

( ) However, Colonel Pereverzev did predict that the new PRA map would be provided to USAREUR before the end of the year. In addition, he thought that USAREUR would be allowed to inspect the MLM information card in the near future, but he emphasized that the cards would be disseminated only after the Allies had incorporated the same information into their cards, e.g., MLM rights would be added.

( ) Colonel Lajoie thought that Colonel Pereverzev was implying that dissemination of the PRA map and MLM information cards could be separated from the negotiations, which was contrary to what the US side had been led to believe in the past. When Colonel Lajoie asked what the purpose of a summary document would be if these two mutually acceptable measures were put into effect outside of the context of the negotiations, Colonel Pereverzev ignored the question. Rather, he confirmed that their disagreement on the "sentry on his post" statement could certainly lead to an impasse that would make agreement on a summary document less likely.

( ) Colonel Lajoie informed USAREUR that he saw no reason to close the negotiations with a formal concluding document, if the Soviets would disseminate the new PRA map and MLM information cards without formal closure. Since it was unlikely that normal relations could be resumed until after the "apology and compensation" issue had been resolved, Colonel Lajoie thought that it made good sense to try to secure the two most tangible gains of the negotiations -- the PRA map and MLM information card -- without signing a concluding document.[50]

( ) On 3 December Colonel Pereverzev told Colonel Lajoie that GSFG had found most of USAREUR's 11 September changes acceptable, but that it would insist on including the "sentry on his post" statement in the formulations. The Soviet side considered this matter nonnegotiable. The Soviets did not intend to change the duties of the sentry, and MLM safety would not be adequately addressed in the document unless it included a statement dealing with the responsibilities of the sentry.

( ) Colonel Lajoie responded that it was unlikely the US side would agree to including the statement, since it implied that the US Government was responsible for sending Major Nicholson to his death. He asked if GSFG could not do better, after 10 weeks of deliberations, than simply to restate a previously rejected point. Colonel Pereverzev said that he

could not, and asked that Colonel Lajoie report the GSFG position to USAREUR headquarters.

( ) Colonel Pereverzev then stated that perhaps it was time to see if the two generals could find common ground. Colonel Lajoie countered that it might be preferable just to declare the negotiations to be over and to proceed to other matters, such as the issuing of the new PRA map and the MLM information cards. They could devise a statement that said the two commands had held serious discussions, had exchanged views on the topics entrusted to them, and, having found no common ground on certain thorny issues, had agreed to disagree. Colonel Pereverzev doubted that he and Colonel Lajoie had the authority to conclude the negotiations in this manner. Instead, he preferred to recall the generals.[51]

( ) General Gordon and Colonel Lajoie thought that a letter from General Otis to General Lushev, in which he asked Lushev to delete the "sentry on his post" statement, was worth trying before asking higher headquarters whether it was advisable to call for a third general-officer level negotiation session or to terminate the negotiations. General Price, however, wanted to ask the Soviets for their latest version of the formulations in writing, forward it to USEUCOM with an explanation about the "sentry on his post" issue, and request that the formulations be approved by Washington as the best that could be achieved at the negotiations.[52]

( ) The decision on sending the Lushev letter was held in abeyance until a copy of the latest GSFG proposed text could be secured. When Lieutenant Colonel Kelley picked up the requested copy from SERB on 16 December, USMLM was shocked to discover that, except for minor changes in wording, it was an exact duplicate of GSFG's 6 September proposed text. Apparently, GSFG had chosen to disregard all of USAREUR's 11 September proposed changes to the text. When told that there had been no movement in the Soviet position, General Otis directed that a third general-officer level negotiating session be set up in order to resolve the remaining differences. The session was tentatively scheduled for 27 December.[53] However, the Soviets could not meet on 27 December, and it was eventually decided to meet on 30 December.[54]

( ) On Christmas eve, USAREUR forwarded to Colonel Lajoie its proposed opening statement for the session, along with some thoughts on strategy. USAREUR thought that it could live with the "sentry on his post" statement, and asked Colonel Lajoie his opinion on that point. Colonel Lajoie responded that the opening statement was good, but he disagreed that the

US side should have a fall-back position of including the "sentry on his post" statement.* He thought that the overall strategy for the meeting should be to reduce the contentious areas to one -- the "sentry on his post" statement -- and, beyond that, the US side should sit tight and insure it did not agree to unfavorable formulations in the concluding document.[55]

( ) On 27 December Colonel Lajoie met with Colonel Pereverzev to set up the third negotiating session. Colonel Pereverzev announced that the Soviet delegation would be headed by General-Major Leonid K. Bugrov, who had replaced General Semyonov as GSFG Deputy Chief of Staff. The meeting would commence at noon and would proceed without a meal break, as requested by the US side. All other procedural matters would be identical to previous sessions.

( ) Colonel Pereverzev then calmly announced that GSFG had revised point 5 in the concluding formulations. Apparently, the Soviets had recognized belatedly how vague the USMLM-authored statement was, and they had tightened up its wording:

> To recognize the right of each headquarters to take the particular steps deemed essential to prevent members of the military liaison missions from inadvertently intruding onto the places of disposition of military units or military facilities.

( ) Colonel Pereverzev explained the last minute revision by stating that the two commands must recognize practices which had grown up over the years, such as PRAs and mission restriction signs. Colonel Lajoie expressed his dismay over such a maneuver so far along in the process and on the eve of a general-officer session.

( ) Colonel Pereverzev brought up several other points which indicated that he was not reading from the GSFG text which had been provided to USMLM on 16 December. When confronted with this, he claimed that USMLM must have been provided with an erroneous text. Although there were still

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* ( ) After a personal meeting with COL Lajoie to discuss this issue, General Otis concluded that he could accept the "sentry on his post" formulation if necessary to conclude the negotiations. SOURCE: Ltr, Lajoie to Jeszenszky, 6 Jan 88, cited above. OADR.

major differences between the US side's 11 September text and this new GSFG text, the distance between them was significantly closer than had been anticipated. The main point of contention remained the "sentry on his post" statement.

( ) When told that General Price intended to read a lengthy opening statement, Colonel Pereverzev suggested that General Price stop after each major point and solicit comments from the Soviet side. Colonel Lajoie agreed to forward this suggestion, and he subsequently recommended that General Price adopt this procedure.

( ) The two colonels also discussed the ramifications of the two sides not being able to agree on the formulations at the meeting and, if agreement was reached, how the document should be treated. They decided that these were matters for the two generals to resolve.

( ) Contradicting his earlier prediction, Colonel Pereverzev said that the new PRA map would not be forwarded until after the negotiations were concluded. He did offer a new twist on the map exchange issue: He proposed that both sides agree to a percentage of territory that would be covered by PRAs and, after the two sides had prepared their maps, to issue them simultaneously for implementation. Colonel Lajoie was unsure whether this was a Soviet proposal, or just Colonel Pereverzev's speculations.

( ) Colonel Lajoie commented that Colonel Pereverzev had not been his usual, well-organized self during this meeting. He thought it might have been due to Colonel Pereverzev being caught up in a French protest of a recent detention, where East German soldiers had inflicted minor damage on a French MLM vehicle and had pried open its trunk. It was obvious that much ground still needed to be covered in sensitizing East Bloc troops on proper MLM detention procedures.[56]

(U) <u>Round Three</u>

( ) The third session of the USAREUR-GSFG staff-level negotiations began at 1200 on 30 December at the Soviets' Potsdam Officers' Club. The US delegation was composed of the same members who had participated in the first two sessions. In addition to replacing General Semyonov with General-Major Leonid K. Bugrov, the Soviets replaced one of their translators with Senior Lieutenant D.V. Naumenko. As in the past, each side translated its own presentations into the other side's language.

( ) General Bugrov said he hoped they could be finished by 1400, but the Soviet side would be flexible if this was not enough time. He asked General Price if he would agree to the Soviet side responding to each of his major points after he had completed his opening statement. General Price agreed to this procedure.

( ) General Price began:

> General, it is unfortunate that we meet again to discuss issues which were thought to be resolved at our last meeting in July. You will recall that at the conclusion of that meeting both sides agreed that much progress had been made. Common areas of agreement had been determined. Both sides recognized that the negotiations had taken place in an atmosphere of trust and good faith. Based on that atmosphere of trust and good faith, we agreed that details of resolving these issues should be left to Colonel Pereverzev and Colonel Lajoie.
>
> I asked that this meeting be resumed so that we might discuss substantive differences which I believe, and my headquarters believes, are inconsistent with our previous talks. In this regard, let me state some facts. Colonels Pereverzev and Lajoie, I'm sure, worked diligently at arriving at a proposal for summarizing those issues on which we agreed. To accomplish this goal, various proposals and counterproposals were made. By 6 September 1985, your side submitted a draft, which we believed had finally begun to narrow the issues and state those issues on which we agreed. In response to that, on 11 September 1985, my headquarters submitted a counterproposal. No more was heard of this counterproposal until 3 December 1985, when, at our prodding, SERB indicated that our September proposal was acceptable with one change. That change required instruction of mission members as to the duties of a sentry. My headquarters viewed that change as important, but one which should be subjected to good faith negotiations.

On 16 December 1985, Colonel Lajoie was instructed to request a text of your position so we could be assured that we only differed on one point. You presented your original draft of 6 September 1985. We worked with that draft. Last Friday, at a meeting to work out administrative details for these discussions, we were presented yet another change. I do not understand such last minute changes, especially when they involve matters of substance. However, we will put that aside so we can move toward agreement in these staff talks.

I am sure you want to resolve this matter. I am willing to discuss, in good faith, each of these points. I trust you are instructed, as I am, to approach these talks in the same spirit with which we began these talks some 6 months ago.

I now turn to your proposal. I intend to go through and explain to you where we find areas of concern. As requested, we can discuss each point in turn. Again, we view these as substantive issues and not a question of mere semantics. We both realize that this proposal is made up of words, and each word, therefore, becomes important. This is especially so when the proposal is viewed in the context of the tragic circumstances of 24 March 1985. We should also appreciate that this document will, in the future, constitute the written results of our talks.

( ) General Price first explained why the US side did not want to use the Soviet phraseology for the preamble, and recommended that they accept the following wording: "The parties have agreed as follows:" As this had been agreed to in prior discussions, he asked how the Soviets could find such language objectionable.

( ) At first, General Bugrov side-stepped the question:

General Price, I would like to say that in your words I have found many bitter, yet just virtues. We would like to hear that you are inclined to finally discuss and sign a document. We in our command believe that this

problem prevents good relations between us. Our Presidents have managed to agree on many things -- perhaps we should follow suit. As you suggest, we should lay aside our claims and now get down to business and look at this agreement....I agree in principle. You are right. The problem is settled; one to nothing in your favor, Comrade General.

( ) General Price responded: "We accept the first paragraph, as you propose." "One to one, Comrade," added Colonel Lajoie.

( ) General Bugrov noted that both sides had the same wording for the first paragraph, and asked if it was even necessary to discuss points 1, 2, 4, or 6? He recommended they move on to point 5, where he said there was a minor discrepancy between the two texts.

( ) General Price agreed in general, but said that they needed to clarify point 4. General Bugrov read the text with the US side's word "similar" inserted, which had been the main point of contention. General Price said that they were in agreement on point 4, and that it was time to proceed to the more difficult things.

( ) General Bugrov said that agreeing on point 5 would not be so difficult. General Price said he thought they could agree but, as the US side had made clear on numerous occasions in the past, Article 10 of the Huebner-Malinin Agreement went to the very heart of the matter: "Smooth operation of the Huebner-Malinin Agreement is impossible without a good faith interpretation of Article 10." He added that the US side already had serious reservations about point 5, even before Colonel Pereverzev had presented the new wording. He asked for an explanation and justification for the new proposal.

( ) General Bugrov responded that the US side's use of the wording to take "reasonable" steps had been questioned by GSFG's higher headquarters. He proposed that they discuss the wording and try to find a solution. He added, "We understand that you question the motivation."

( ) Colonel Lajoie interjected: "No, we object to it."

( ) General Bugrov said that he would explain Soviet motivations for the new statement:

> The first study of the draft of this document revealed that the document had a number of essential [drawbacks]....This item is overly obscure and nonspecific and can be interpreted arbitrarily....Secondly, it could be perceived as a supplement to the Huebner-Malinin Agreement, and I'm sure neither of us wants anything of the sort. We do not want to change the original agreement....In consideration of that,...we offered the [16 December] wording. In response to [your] "reasonable steps," we included the notion of "separate measures." We felt that "reasonable steps" could be interpreted differently and lead to problems. We need no new misunderstandings. Specifically, the words "separate measures" in our proposal imply Permanent Restricted Areas, Temporary Restricted Areas, and mission restriction signs [MRS]. We dedicated much time and effort to this in our previous meetings and reached certain agreement. In our opinion, our wording reflects the agreement of the previous meetings to a greater degree.

( ) General Price thanked him for being candid and coming right to the point. He said that the US side did not recognize the MRS as being within the spirit of the Huebner-Malinin Agreement: "The MRS are the same thing as imposing a TRA and failing to notify the other countries involved."

( ) General Bugrov said he understood, and asked if that was the only reason the US side did not recognize MRS. General Price said that they had the effect of limiting freedom of movement. Colonel Pereverzev charged that General Price had instructed Colonel Lajoie at the last meeting to agree to MRS in order to facilitate freedom of travel. Colonel Lajoie denied that there had been such instructions. General Price explained, "We agreed that impact area signs designed for Russian soldiers and others would be obeyed." They were recognized as common signs warning of danger, but he emphatically stated that the US side had never agreed to recognize the MRS.

( ) Colonel Pereverzev responded:

> Actually, your wording was, "We agree to the installation of such signs around firing ranges. Yet we are concerned that MRS are established everywhere around open areas."* We also told you that it would be impossible to limit such signs around military installations, because they warn the military liaison missions not to come too near. What you had in mind was placing installations in PRA.

( ) Colonel Lajoie said that if they wanted to protect such installations, they should put them in a PRA. Colonel Pereverzev responded that such a procedure would result in too large an area being covered by PRAs. He noted that PRAs and TRAs were not mentioned in the Huebner-Malinin Agreement either. General Bugrov added that they only erected temporary MRS on such things as testing ranges when they were in use, so that the areas could be used by East German citizens when they were not in use.

( ) General Price asked why the signs only said that the area was restricted for "military liaison missions." "That is a good question," answered General Bugrov.

( ) Colonel Pereverzev responded: "We say that this is our prerogative. Lajoie well understands where our areas are. If we placed all of our installations in PRAs, he would be restricted to Potsdam."

( ) Colonel Lajoie insisted: "That's not freedom of travel! You're trying to have it both ways."

( ) General Bugrov said that there were "many conflicts," and pointed out that their mission was to try to reach an agreement. He said it was his opinion that MRS were preferable to PRAs. He reiterated that the Huebner-Malinin Agreement did not mention PRA, TRA, or MRS.

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* ( ) This was one of several instances in which it appeared that the Soviets might have been engaging in surreptitious recording of the sessions, which was in violation of their own insistence that the sessions not be taped.

( ) General Price explained that, over a period of time, all four countries had accepted the concepts of PRA and TRA as restrictions on the MLMs' freedom of movement. However, the Soviets had unilaterally further restricted the freedom of movement of MLMs by the use of MRS. He asked the Soviets if they would be willing to consult with the Allies when they erected MRS, so that the Allies could take reciprocal action.

( ) General Bugrov said he understood that the US side did not have such signs, but they should understand that one side could not dictate to the other in this matter: "The introduction of such signs gives us a way to reduce PRA and to restrict the travel of the military liaison missions to preclude penetration of military areas."

( ) "Actually," interjected Colonel Pereverzev, "we have to admit that, had we accepted your wording, each side could do whatever they wanted."

( ) Colonel Lajoie responded: "That's why we added 'reasonable'."

( ) Colonel Pereverzev mused: "Reasonable steps can be interpreted any way we want, for example, limiting the number of guests or vehicles." He concluded, "So we have to make clear what we mean."

( ) General Price asked if they were trying to define something that had been clearly understood by both parties for 38 years.

( ) General Bugrov countered by asking if General Price was "trying to make it 3-to-0" in favor of his side.*

( ) "No, I am trying to reach an agreement," shot back General Price. He proposed they delete point 5 since the US side did not accept the use of MRS and they could not agree on the point.

( ) Colonel Pereverzev said the Soviet side did not dictate what signs the US side installed, and it was CINCGSFG's

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* (U) One of the Soviets' favorite negotiating tactics was to concede inconsequential points early on and then to demand subsequently, in the name of fairness, that the other side concede important points or issues.

prerogative to take whatever steps he saw fit to protect his troops.

( ) Colonel Lajoie repeated General Price's question: "How about eliminating point 5?"

( ) General Bugrov speculated that the problem might be a difference in approach to warning signs by the two countries. In Russia a sign that said "Warning! Firing!" was intended to warn of some danger: "We don't want anyone to be hurt." However, Soviet citizens were free to go there to pick berries or to swim, if they were willing to accept the consequences. He thought the American tradition was different in that an American reading such a sign would interpret it as meaning "no freedom of movement." It seemed to General Bugrov that the negotiators should recognize this difference, and should use wording in the summary that would allow each side to implement the Huebner-Malinin Agreement.

( ) Colonel Pereverzev added that all of the V Corps installations were behind warning signs.

( ) General Price said that they were talking about two different things: "We agree to the safety sign -- it applies to everyone." The US side was objecting to the MRS because they restricted only the movements of the MLMs.

( ) Colonel Pereverzev responded that they did not want to place their soldiers and USMLM members in the same category: "MLM members have certain objectives."

( ) General Bugrov intervened: "Let us consider it seriously. You say 'reasonable steps,' we say 'separate measures'." General Price responded that point 5 was redundant with point 1. General Bugrov said he was concerned that the Soviets would be asked what measures had been taken "to prevent such incidents as happened on 24 March." General Price replied that they had addressed that concern in points 1 and 3. Colonel Pereverzev asked if the US side was objecting to its own wording in point 5. Colonel Lajoie pointed out that the US wording had been proposed because of a Soviet concern.

( ) General Bugrov tried another tack:

> Further on, we will report to you on the proposal to reduce PRAs. Some problems may arise. Some military installations may be outside a PRA. We find it unreasonable to cover a small object with a large area. So,

the whole area may remain open, but the local headquarters may find it necessary to protect a certain area [with mission restriction signs].

( ) General Shevtsov said that a "radio-bearing installation" was an example.

( ) General Price returned to the attack: "When we have such a sign, it is in English and German -- it keeps both out."

( ) Colonel Lajoie asked: "What do we accomplish when we reduce PRAs and then come up with another scheme to accomplish the same thing?"

( ) Colonel Pereverzev responded that the Huebner-Malinin Agreement stated that areas of disposition of military units would be restricted.

( ) General Bugrov asked if they wanted to close off an entire area on a road with a PRA just because a small area required protection.

( ) Colonel Lajoie said that if they wanted to protect an area, then they should make it a PRA.

( ) Colonel Pereverzev asked what would be the purpose in closing an entire town with a PRA just to protect a small military installation.

( ) Colonel Lajoie said that the US side had problems with the MRS because they were scattered helter-skelter throughout the country: "They are not just at military installations."

( ) Colonel Pereverzev responded that they had agreed previously to come up with practical steps: "MRS would be a practical step. The card for the soldiers is a practical step. Reducing the PRAs is also."

( ) General Price asked if they were considering only the MRS in cities.

( ) Colonel Pereverzev said that the city MRS were being used only as an example. He noted the US side had said that it would use TRAs for brigades or larger elements during field exercises; he asked how the location of a company or a battalion should be marked when they were exercising in the field.

( ) General Price said the real point was that the US side did not know where the MRS were located.

( ) General Bugrov said they seemed to be going in a circle -- "we have made five approaches" -- and proposed they take a break.

( ) At the end of a 25-minute break, General Bugrov resumed the meeting with the following statement:

> So long as item 5 does not specify MRS or PRA or TRA, but says "reasonable" or "separate" measures, we should not focus any more attention on that. We can work it out later....In principle, the two wordings are almost identical -- there is a semantic difference.
>
> In principle, we have to give the headquarters the right to do something. Whichever measures you want to take, it is your business. You will notify us. Should we have a need, we will also coordinate with you on our measures. It would be wrong if we did not give our headquarters such prerogatives....We do not want to legitimize any signs. We are saying our headquarters may introduce measures. We have to take [MRS] up as a separate issue.

( ) General Price asked if this would be done in consultations with the Allies. General Bugrov replied: "How can it be otherwise?"

( ) Colonel Lajoie asked: "Just what are you proposing in wording?"

( ) "Our wording!" responded General Bugrov.

( ) Colonel Lajoie said that the US side still disagreed.

( ) General Bugrov offered to add "after obligatory consultation with other headquarters" to point 5. Colonel Pereverzev said the Soviets were taking into account that the US side might want to take similar steps as the MRS. He added that they were objecting to including the reference to Article 10 in point 5 because it might make the summary appear to be a supplement to the Huebner-Malinin Agreement.

( ) Colonel Lajoie said that it was so obvious that a headquarters could take measures to protect its installations that such a statement did not need to be added to the summary: "Let's drop it!"

( ) General Bugrov mischievously asked how point 5 had first appeared in the summary. General Price said that the US side had proposed it as an alternative to Soviet wording about MRS in the summary. Colonel Pereverzev emphasized that it was a US proposal. Colonel Lajoie replied: "If it's our proposal, then we withdraw it."

( ) Colonel Pereverzev said the US side had suggested that all places where a military unit was located be designated as a restricted area. He contended this was not possible.

( ) Colonel Lajoie reminded him the US side had not said that all places where military facilities were located should be protected by restricted areas: "...we compromised. We gave in." The US side simply was insisting that restricted areas be designated as PRA or TRA, which would facilitate reciprocal action by the US side when it drew its PRA map.

( ) General Price proposed a compromise:

> If we eliminate paragraph 5, you have the authority to do whatever you want, just as if we included it. My headquarters will accept that position, because it avoids legitimizing the MRS. At one time we were ready to agree to marking installations in cities only. But you insist on marking any place in East Germany with such signs, just as if it were in a city. So, can we omit that point? We will have secured security and safety of both missions by the other points and the card in point 3. We have already agreed to the provisions in the HMA that ensure freedom of movement by reducing PRA.

( ) General Bugrov said that it was an enticing proposal. However, Colonel Pereverzev jumped in and insisted that GSFG would have to be able to use the MRS to ensure freedom of travel. He said the Soviets were prepared to reduce their numbers, "leaving them in place only where necessary to protect the missions and installations." Pereverzev continued: "Why throw this [point] away? We almost settled the issue." He

reiterated that the US side had offered the wording for point 5 in lieu of the Soviet wording, which had specified the MRS: "We agreed to your wording."

( ) Colonel Lajoie said the US side's general wording remained in the latest US proposal.

( ) Colonel Pereverzev changed gears and argued that the US side's new wording would allow SMLM vehicles to be followed and the number of its guests to be restricted.

( ) Colonel Lajoie said that eliminating point 5 would "do away with the misunderstanding."

( ) Colonel Pereverzev said that avoiding the issue of point 5 would lead to a return to the situation where SMLM members could not visit most of Frankfurt and their vehicles could be followed at any time, including by helicopters.

( ) Colonel Lajoie asked how many times SMLM tours had been followed by helicopters.

( ) General Shevtsov said the West Germans had followed SMLM tours in a helicopter. However, he was more concerned about the US restrictions on SMLM-F visits to Bonn and the other SMLM compounds. He thought accepting these sanctions would legitimize any future sanctions against SMLM.

( ) General Bugrov drew them back to the main point:

> We are getting away from the issue. We are not here to discuss shopping [in Frankfurt] and helicopters. Let's get back to the basics. I'll report this item....Let's address ourselves to the document,...it must be signed, sealed, and delivered.

( ) After further skirmishing about the exact wording of point 5 or whether it should be left in the document, General Bugrov said he would report the US proposal to delete the point.

( ) General Price suggested they defer discussing point 5 and move to discuss point 3. General Price wanted the Soviets to provide safety for MLM members at all times, not just during detentions, and he wanted to delete the Soviet provision that USMLM members would be continuously briefed on the duties of a Soviet sentry.

( ) General Shevtsov started to say that there might be situations involving MLM safety that did not involve detentions, but he was interrupted by General Bugrov. General Bugrov contended that practical experience had shown that safety was endangered only during detentions. He did not understand why they wanted to delete the reference to detentions: "No one bothers the missions when they are moving." He added that the Soviet soldiers would have the new instruction cards, which would further improve safety.

( ) Colonel Lajoie rejected General Bugrov's statement and said he agreed with General Shevtsov: "There are many cases other than detentions where one's security is threatened."

( ) General Shevtsov provided an example: "Suppose our vehicle is on Autobahn 5 and [comes upon] a column. [The driver of one of the US vehicles] sees us and changes lanes. He did not try to detain us, but he endangered our safety."

( ) General Price stated that his mission was to arrive at an agreement that would improve MLM safety. The inclusion of the wording on detentions made it appear the Soviets were limiting their guarantees for safety: "By eliminating these words we enhance safety for both missions. There is no hidden agenda."

( ) General Bugrov candidly replied:

> We want our talks to be in an atmosphere of utmost sincerity. If someone wants to delude anyone, it is probably only Colonel Pereverzev and his colleague. There may be situations where some unnecessary, willful behavior occurs during a detention, and then it is unfortunate. They try to remove license plates, pry open trunks. It would not be bad to accentuate this with "when detaining Mission members." On the other hand, if we accept the second paragraph and focus on the responsibilities of the guard, then we can negotiate the deletion of the four words. I am informed that you object to the "sentry on his post" [provision]. If we were to remove both points, we would have to cancel our guard regulation. We must have the four words so that whoever is involved in a detention knows the rules. Without the words,

the mission could approach the guard or sentry, who could not use force as required by the regulations. If the US accepts the wording about sentries, then we might accept deleting the four words.

( ) Colonel Lajoie reminded the Soviets their proposal would be limiting the security for SMLM members also.

( ) General Bugrov said they wished to preclude such incidents as had occurred on 24 March. He claimed the incident had occurred because USMLM had not taken into consideration the duties of the Soviet guard and because the guard had not recognized the intruder as being a USMLM member. He insisted that they must keep the "sentry on his post" issue separate from a USMLM detention situation.

( ) General Price asked if they would delete the words that limited the guarantee of safety to detentions if the US side would agree to brief USMLM members on the Soviet guard's duties.

( ) General Bugrov carefully responded:

Our wording has to be very explicit as to the use of weapons. We want to make clear that weapons cannot be used in detentions. But to say that weapons cannot be used at all would not be right. Special rules apply to a sentry, and these have the force of law.

( ) Colonel Lajoie said USMLM members understood the duties of a sentry.

( ) General Bugrov said they had read the US guard regulations and the rules were practically the same.

( ) General Price agreed there were certain situations in which US guards were authorized to use deadly force. However, he did not understand why the Soviets were insisting on including the "sentry on his post" provision in the summary.

( ) General Bugrov replied that this was the central issue: "If a guard had not used his weapon, we would not be here today." He said there had to be an explicit provision for a situation where weapons could not be used. "I know that Lajoie never wants to be fired upon."

( ) General Price asked how USMLM was to know where the sentries were located, and if there was a difference between a sentry and a guard.

( ) General Bugrov said Colonel Lajoie knew where the sentries were. He defined a guard as "a person detailed to carry out his duties" and a sentry as "actually carrying out his duties."

( ) General Price asked if everyone who was called a sentry had live ammunition.

( ) Lieutenant Colonel Tetyakov answered: "Yes, we call a sentry an armed guard who defends the post entrusted to him."

( ) Colonel Lajoie interjected: "It is not correct to say that I know where all the guards are. Had Major Nicholson known there was a sentry there, he would not have been there."

( ) General Bugrov insisted the blame was Major Nicholson's: "Ignorance is no excuse -- if you do not know where the ford is, you should not cross the river."

( ) General Price stated: "You have other soldiers who carry rifles. They are the people who normally detain the missions."

( ) General Bugrov said that was why it was important to denote detentions in the summary. Soldiers who did not normally deal with MLM personnel might become involved in a detention, and the wording of the summary would be used as a basis for issuing instructions to Soviet soldiers on how to act during detentions. "The importance of this order will be stressed on the card, which will be carried by each soldier."

( ) General Price asked if a sentry would be bound by the instruction card. General Bugrov said no. General Price asked if the sentry would be bound by it if he was detaining a MLM member. Again, General Bugrov said no. General Price exclaimed: "Then the sentry is never bound by the card!"

( ) "Not exactly," responded General Bugrov. A person who was challenged by a sentry, and then did not come any closer, was free to depart the area: "The sentry has no right to shoot....Any person who obeys the command has no problem." However, if one got too close, the command would become: "Stop, or I'll fire!" If the person stopped, the guard would check his papers and either release him or hold him for the "Chief of

the guards." If the person obeyed all the guard's commands, then weapons could not be used: "The sentry may use his weapon only when commands are not obeyed."

( ) General Bugrov concluded:

> It may so happen that someone inadvertently enters the area; if he halts, then no one will fire at him. If he tries to run away, then the guard can fire. And then -- it depends on the sentry's skill. If he is a good shot, if he is a bad shot...

( ) General Price asked for confirmation that the sentry had separate instructions than those on the MLM instruction cards. General Shevtsov said the sentry instructions only applied when the sentry was on duty. General Bugrov agreed and added that "no instructions can supercede these [sentry instructions]." General Price said he was concluding from their statements that the rest of the Soviet force could never use force against MLM members. If that was true, then the reference to detaining MLM members could be dropped from point 3. He thought that under those circumstances, MLM members could be briefed on the special duties of the sentry.

( ) General Bugrov said that this was what they hoped to achieve: "Do you propose this?"

( ) General Price said he did not have the authority to accept the sentence requiring the briefing, but he did promise to recommend it be accepted if the Soviets would agree to delete the words that seemed to limit Soviet guarantees of MLM safety to detention situations.

( ) General Price explained why the US side did not want to agree to the briefing requirement:

> This is a particularly sensitive requirement. There are those who say that, if we accept the briefing requirement, we would be accepting responsibility for Nick's death. We do not want to discuss responsibility here, but you must understand our difficulty with the implication of what that says! We already do what it [the briefing requirement] says. That will help you to understand why I cannot accept this!

( ) General Bugrov asked what they should do under the circumstances. General Price said he would take the proposed compromise to USAREUR headquarters: "I cannot call on a telephone and ask this."

( ) Colonel Pereverzev said the sentence would not be clear in Russian if they dropped the four words.

( ) General Bugrov was concerned with the wording also. He said they must impress upon soldiers that weapons could not be used against MLM members because of the special status of the missions: "However, when a mission member crosses a sentry's post, his status changes. He is then an intruder."

( ) General Price told General Bugrov that he was not being consistent with what he had said earlier. He indicated that Lieutenant Colonel Kelley was working on wording to express what the US side thought had been proposed earlier.

( ) Colonel Pereverzev responded:

> We understand that your concern about this item is not associated as much with safety as it is political. Both of us are concerned with the political ramifications. But we must leave this room with the understanding that both USMLM and SMLM realize that a sentry has special rules. They must both understand this.

( ) General Price acknowledged that both sides understood this, but explained that this mutual understanding did not mean that higher-level US headquarters would agree to including the briefing requirement.

( ) Again, General Bugrov asked what they should do.

( ) General Price said he was not empowered to sign an agreement, but he could initial a summary that was an accurate reflection of what had been proposed at the meeting. They could then take the proposed summary to their CINCs for approval. At that point he showed the Soviets Lieutenant Colonel Kelley's draft proposal for point 3.

( ) General Bugrov agreed they would have to report back to their superiors that they had only a proposed summary.

( ) General Price said he would have to do the same.

( ) After looking over point 3, General Bugrov asked: "Have you accepted this version?"

( ) Colonel Lajoie asked: "Do you still need to call your headquarters?"

( ) General Bugrov said it would not be necessary to make a telephone call since he would be taking the proposal back with him. Suddenly, he changed course: "Wait, we come back to our wording for the first rendition."

( ) General Price pointed out that the US side had conceded on the briefing requirement, a major point, while the Soviet side had conceded only some words, which were not as significant. He asked: "Will you concede to drop point 5 and stop the uncertainty?"

( ) General Bugrov replied that they had agreed before the break that he would have to report to his superiors that the US side proposed to delete point 5.

( ) General Price asked if he would report that there was a linkage between the two compromises.

( ) General Bugrov responded:

> No, these items are different. We will report everything you suggest. I do not exclude the possibility of deletion. I will report the atmosphere of sincerity of our discussions. This is not a bargaining table, and I will present this item in the spirit of these negotiations. This is not as important as we might think.

( ) Colonel Pereverzev added:

> You may tell your headquarters that we will take steps to reduce the number of [mission restriction] signs, especially in cities and towns. But you may rest assured that Colonel Lajoie and his men will be detained if they are [caught] behind the signs.

( ) General Price replied:

> You can rest assured that we will not use MRS, but you must understand that we could use other measures. You must understand that we must reciprocate for reduced travel.

( ) After much cross-table talk about the exact wording for the points, General Price proposed that Colonel Pereverzev and Colonel Lajoie be entrusted to further refine the wording for points 3 and 5. If they could agree on the wording, the two generals would initial the English and Russian versions of the summary and present them to their CINCs for approval. General Bugrov asked if another meeting would be required to secure their initials. General Price said he was not sure: "Maybe we could do it by mail."

( ) At that point General Price again raised the issue of the Soviets providing an apology and compensation for the murder of Major Nicholson. He said he understood the issue was being negotiated in political channels, but he wanted them to understand that a return to normal relations between the two headquarters was tied to a resolution of this issue. Colonel Pereverzev asked what he meant by a return to normal relations. General Price said this included social contacts between the two headquarters and the missions.

( ) General Bugrov said his headquarters had forwarded all information concerning the incident to Moscow, and that the Soviet Government had already expressed its views in the TASS statements. The Soviets still contended that, although Major Nicholson's death was regrettable, the blame remained with Major Nicholson. He said they understood and sympathized with the plight of the Nicholson family, but it would not be logical to provide compensation when they were not at fault. "We regard this as an unlawful incident."

( ) Intriguingly, General Bugrov likened the Nicholson incident to the KAL shootdown incident, and said: "It is good if we are reminded that there are some issues that are not negotiable." He asked if there was an applicable international law for providing compensation in such a situation.

( ) Major Elliott said there were international laws and customs requiring the payment of compensation when an individual had been wronged. Since the Soviet Union claimed to comply with international law, it should apologize and pay compensation

to the family of the victim. He realized this issue was outside of the GSFG negotiators' competency, but the Soviet obligation remained, and the issue could not be closed until their government had addressed the apology and compensation issue.

( ) Colonel Pereverzev said that if Major Elliott was correct, then Major Nicholson had not been wronged. He did not explain this statement, but it can be assumed he meant some variation of the Soviet assertion that Major Nicholson had caused his own death by his rash actions, and thus was not a victim.

( ) General Bugrov concluded the discussion on the apology and compensation issue by stating that Major Elliott knew international law better than the GSFG representatives at the negotiations and that such a discussion was beyond their competency.

( ) General Bugrov stated they were prepared to develop a document that would bring the two sides closer to closing the Nicholson incident: "Let higher headquarters resolve the other issues. Let us make some conclusions." He understood the US side did not like some of his answers, but they should understand he did not have the authority to cancel decisions of the Soviet Government. He insisted that point 3 must make it clear that weapons would not be used against MLM members, except by a sentry on his post. They did not need agreement upon wording on point 5, because they were going to recommend its deletion.

( ) General Bugrov said both sides were in agreement that there were too many restricted areas. He announced that GSFG had prepared a new PRA map that had reduced PRA coverage from 40 percent to 25 percent. He said GSFG headquarters had abided strictly by the provisions of point 6 of the proposed summary. As soon as the Allies had prepared their maps with reciprocal reductions, his headquarters was prepared to simultaneously exchange PRA maps. He proposed that each headquarters be prepared to make compromises when drawing up their maps.

( ) Colonel Pereverzev said that discussions would be required if either side violated the provisions of point 6.

( ) General Price asked if the Soviets wished to simultaneously exchange proposed maps or finished maps. It was his understanding that the two sides would only be studying each others' maps simultaneously, not publishing them simultaneously.

( ) Colonel Pereverzev said the exchange would be simultaneous this time.

( ) General Bugrov said, "By now you have probably concluded that we are..." "...Confused...," suggested Colonel Lajoie. "No, just slow in acting," finished General Bugrov.

( ) Lieutenant Colonel Gambolati asked for clarification:

> You are saying that you have prepared a map with 25 percent PRA coverage? You want us to prepare a similar map of 25 percent, at which time there will be an exchange of maps? Then we will have the opportunity to study each others' maps?

( ) General Bugrov said they were prepared to exchange maps and that their map complied with point 6. Colonel Pereverzev added that there would be no dictation of what was covered by PRAs outside of the requirements of point 6. He asserted that the Soviet side was in full agreement with point 6.

( ) Lieutenant Colonel Gambolati reiterated that this was a departure from past procedures. Colonel Pereverzev said that sometimes the Soviets recognized their mistakes also. Lieutenant Colonel Gambolati said he saw no problems for the US side, but he could not speak for the British or the French.

( ) General Price said: "I take it that your map is ready now." General Bugrov said that GSFG headquarters had acted very swiftly after the Geneva Summit in November. He thought the map could be presented to the Allies on 3 or 4 January, but there was still a matter of technical reproduction. He asked how long it would be before the US side's map would be ready.

( ) General Price asked Lieutenant Colonel Gambolati how long it would take. Lieutenant Colonel Gambolati answered that the US map would have to be measured carefully. Turning to the Soviets, Lieutenant Colonel Gambolati told them that they had

been working on their PRA map for 18 months without providing any information on PRA coverage percentages. Now they were proposing that PRA coverage be limited to 25 percent. If they had told him that 18 months ago, he would have had a US PRA map ready for exchange.

( ) General Shevtsov claimed that General Otis had said the US side could have its PRA map ready in 1 to 2 days. General Price asked Lieutenant Colonel Gambolati for a realistic estimate. Lieutenant Colonel Gambolati said it would take at least a week.

( ) General Bugrov asked that they not create any inaccessible open areas by surrounding them with PRAs.

( ) General Bugrov summarized their progress. He claimed they had reached a "complete understanding on the document." Each side would seek deletion of point 5, and Colonel Pereverzev and Colonel Lajoie would work out the exact wording on the other issues. "The colonels can meet and, if necessary, we can meet again."

( ) The meeting was concluded at 1550.[57]

( ) Each side forwarded the following "proposed summary document" to its headquarters:[58]

> Agreed summary of joint USAREUR and GSFG staff discussions concerning the Military Liaison Missions accredited to the Soviet and United States Commanders in Chief in Germany.
>
> With the goal of preventing incidents involving members of the Military Liaison Missions accredited to the staffs of CINCGSFG and CINCUSAREUR, staff representatives have held joint discussions on ensuring the safety and freedom of movement of such Mission members. As a result of these discussions, the parties have agreed as follows:
>
> 1. To confirm that the 1947 Huebner-Malinin Agreement remains valid and unchanged and ensure that all its provisions are strictly observed.

2. That Mission members enjoy special status as a result of being accredited to the respective Commanders in Chief. They will respect the law and order of the country within which they are located and will not commit provocative acts.

3. That all military personnel will be instructed on the legal status of Mission members and receive instruction cards which address the procedures to be followed with regard to them. At a minimum, the cards will stipulate that the use of force or weapons against Mission members or the commission of other acts which could threaten their safety is categorically prohibited. The search of Mission members or their vehicles is also prohibited. Mission members will be continuously briefed on the special procedures which apply to a sentry on his post.

4. To establish similar procedures for investigating detentions of MLM members. Upon completion of an investigation, the detained Mission members will be permitted to continue their travel.

5. [Both sides would recommend deletion of point 5. The following are the final US and Soviet versions of point 5.]

US version: To recognize the right of each headquarters to take reasonable steps deemed essential to implement the provisions of Article 10 of the Huebner-Malinin Agreement, but without unduly restricting freedom of movement.

Soviet version: To recognize the right of each headquarters to take the particular steps deemed essential to prevent members of the Military Liaison Missions from inadvertently intruding onto the places of disposition of military units or military facilities.

6. To reduce on a mutual basis the Permanent Restricted Areas (PRA) and open for free movement by Mission members the cities

where the Missions are located and the roads which provide entrance to or exit from them. With the introduction of new PRA maps, abolish the existing restrictions on movement by Mission members along autobahns and roads which border restricted areas.

This summary is written in English and Russian, both texts being authentic.

(U) Assessment of Round Three

( ) Round three had been conducted in an atmosphere of minimal formality, with both sides sometimes being remarkably candid. General Bugrov, the new head of the Soviet delegation, appeared very much in control of his group and keenly interested in concluding the negotiations. Despite his lack of extensive experience in MLM affairs, General Bugrov proved to be well-briefed and conversant with the shooting incident and MLM activities. He gave the impression of a problem solver who knew well the limits of his authority, but he was willing to make decisions and not just refer matters back to GSFG headquarters for resolution. It also appeared that his headquarters had given him more latitude to conclude the negotiations than had been given to his predecessor.

( ) The third round of discussions had led to a tentative agreement on the text of a summary document with which the negotiating process could be concluded. The text worked out by the negotiators contained compromises on several contentious points, which had long separated the two sides.

( ) The most significant feature of the document hammered out on 30 December was the tradeoff inherent in point 3. The USAREUR negotiators succeeded in removing a constraint on MLM safety by deleting the phrase "during detentions," while the GSFG negotiators succeeded in retaining the "sentry on his post" provision. The former enhanced the operational safety of USMLM personnel, while the latter was a begrudging, formal recognition of a well-known fact. The USAREUR negotiators considered the agreement that both negotiating teams would propose the elimination of point 5 a victory, in that its acceptance would have implied recognition of the Soviet mission restriction signs. Although the USAREUR formulation for point 5 had been vague enough that the command could have claimed it still did not recognize the signs, the deletion of point 5 altogether was the preferred solution.

( ) The Soviets still refused to provide either an apology or compensation for the murder of Major Nicholson, and it was clear from General Bugrov's statements that they did not intend to budge on this issue. General Bugrov's surprise announcement that GSFG's PRA map would soon be ready for dissemination was offset somewhat by the Soviet demand that finished PRA maps be exchanged simultaneously.[59]

( ) Once again, it appeared that USAREUR and GSFG were on the brink of concluding the staff-level negotiations with an agreed-upon summary of the proceedings. As will be seen in the next chapter, the negotiations on the summary were not yet complete, and it would be some time before it could be assessed if the Soviets would abide by the provisions of the agreed-upon summary.

CHAPTER EIGHT FOOTNOTES

1. Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 291900 Jul 85, subj: 29 Jul Meeting With CSERB. OADR.

2. (1) Note, MAJ Browder to CofS, 30 Jul 85, no subj. No file. (2) Note, w/GEN Gordon cmt, GEN Price to CofS & DCSI, 30 Jul 85, no subj. No file. (3) Memo, COL Parnell to CofS, 31 Jul 85, subj: USAREUR-GSFG Negotiations - Nicholson Incident. AEAGS. (4) Memo, w/notes, GEN Gordon to CofS, 30 Jul 85, subj: USMLM 29 July Meeting with SERB. AEAGB. (5) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 311630 Jul 85, subj: SAB. All & OADR.

3. Msg, USCINCEUR (ECDC) to JCS (CJCS/J-5), 021030 Aug 85, subj: Update. OADR.

4. (1) Matrix, ODCSI, 31 Jul 85, subj: Allied Positions vis-a-vis Soviet Proposal. No file. (2) Memo, Mr. C.C. Cheney, A/C SMLM Section, ODCSI, to C/Coll Div, ODCSI, 31 Jul 85, subj: USAREUR-FFA Discussions 31 Jul 85. (3) Msg, BAOR to USAREUR, 311315 Jul 85, subj: USAREUR-GSFG Negotiations. All & OADR.

5. (1) MFR, MAJ Wyckoff, 2 Aug 85, subj: Meeting With Chief, SMLM-F. AEAGX-ACS. (2) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 021714 Aug 85, subj: GEN-MAJ Shevtsov/MAJ Wyckoff Meeting 2 Aug 85. Both & OADR.

6. Msg, ODCSI (AEAGB) to Chief, USMLM, 010825 Aug 85, subj: Guidance for 2 Aug 85 Meeting With SERB. OADR.

7. USMLM Unit Hist, 1985, p. 120. OADR.

8. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 022100 Aug 85, subj: 2 Aug Meeting With CSERB. (2) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 071401 Aug 85, subj: CUSMLM-CSERB Meeting on 2 Aug 85. Both & OADR.

9. Msg, ODCSI (AEAGB-C[HO]) to CUSMLM (AEUS), 081500 Aug 85, subj: Info for Chief. OADR.

10. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 082100 Aug 85, subj: 8 Aug Meeting With SERB. (2) Memo, GEN Gordon to CofS, 9 Aug 85, subj: USMLM-SERB Meeting on 8 Aug 85. AEAGB. (3) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 091700 Aug 85, subj: SAB. All & OADR.

11. (1) 091700 Aug 85 CINCUSAREUR Msg. (2) Msg, USCINCEUR (ECDC) to JCS (CJCS/J-5), 101230 Aug 85, subj: Update on GSFG-USAREUR Negotiations. Both & OADR.

12. (1) Memo, w/incls (wire stories on CINC intvw), COL Hahn to CINC, 12 Aug 85, no subj. AEAPA. (2) The Stars & Stripes (Eur ed), 13 Aug 85, p. 2. Both UNCLAS.

13. Msg, DCSI (AEAGB-C[HO]) to CUSMLM (AEUS), 131730 Aug 85, subj: USAREUR-GSFG Negotiations -- Final US Position. OADR.

14. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 141830 Aug 85, subj: 14 August Meeting With SERB. (2) MFR, MAJ Wyckoff, 16 Aug 85, subj: Meeting with Chief SMLM-F. AEAGX-ACS. Both & OADR.

15. Msg, USAREUR to USEUCOM, 151420 Aug 85, subj: Update - USAREUR-GSFG Negotiations. OADR.

16. (1) Ltr, GEN Otis to GEN P.G. Lushev, CINCGSFG, 6 Aug 85, no subj. No file. UNCLAS. (2) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 151530 Aug 85, subj: CUSMLM 15 August Meeting With CINCGSFG. OADR. (3) Memo, "G" (GEN Gordon) to COL McFadden, 15 Aug 85, subj: Para X for Backchannel to CINC. OADR.

17. Memo, "PLM" (COL McFadden) to CofS, 15 Aug 85, subj: Discussion with General Otis, 15 August 1985. AEACC. OADR.

18. Memo, GEN Gordon to CINC, 17 Jul 85, subj: Veterans of Foreign Wars (VFW) Award. AEAGB. UNCLAS.

19. DF, w/incls, COL Gillespie, ADCSI, to DCSOPS, et al., 16 Aug 85, subj: USAREUR Position -- USAREUR-GSFG Staff Negotiations. AEAGB-C(HO). (info used). OADR. (2) Msg, CINCUSAREUR (AEAGX) to 380th BW (Personal for GEN Otis), 220815 Aug 85, subj: USAREUR-GSFG Negotiations -- Proposed USAREUR Position. OADR.

20. Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 221539 Aug 85, subj: USAREUR-GSFG Negotiations -- Proposed USAREUR Position. OADR.

21. Msg, USCINCEUR (ECDC) to CINCUSAREUR (AEAGX), 281836 Aug 85, subj: USAREUR-GSFG Negotiations. OADR.

22. Msg, CINCUSAREUR (AEAGB-CI) to CINCBAOR (G2INT/G2SY) & CECFORAL (BCL), 281003 Aug 85, subj: USAREUR-GSFG Negotiations -- Proposed USAREUR Position. OADR.

23. Msg, Berlin (AEUS) to Heidelberg (AEAGB/AEAGC), 292000 Aug 85, subj: 29 Aug 85 Meeting With SERB. OADR.

24. Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 062000 Sep 85, subj: 6 September 1985 Meeting With CSERB. OADR.

25. Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 101510 Sep 85, subj: USAREUR-GSFG Negotiations. OADR.

26. Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 111300 Sep 85, subj: 11 Sept Meeting With SERB. OADR.

27. Msg, CUSMLM (AEUS-AT) to CINCUSAREUR (AEAGB-C[HO]), et al., 081030 Sep 85, subj: USMLM Detention 85-02, 07 Sep 85. OADR.

28. Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 091300 Sep 85, subj: 9 Sept Meeting With SERB. OADR.

29. MFR, Maj Wyckoff, 10 Sep 85, subj: Negotiation Issues. AEAGX-ACS. OADR.

30. Msg, USCINCEUR (ECJ2) to JCS (J5), 091950 Sep 85, subj: USMLM Detention. OADR.

31. (1) 101510 Sep 85 CINCUSAREUR Msg. (2) Memo, LTC Johnson to DCSI, ca. 9 Sep 85, subj: Detention of USMLM Tour -- 7 Sep 85. AEAGB-C(HO). (3) Memo, w/MG Fiala & MAJ Smith notes, COL Gillespie to CofS, 11 Sep 85, subj: Protest. AEAGB. (4) Msg, ODCSI (AEAGB-C[HO]) to CUSMLM, 121630 Sep 85, subj: Update Comments for CUSMLM. All & OADR.

32. (1) Memo, XO (COL McFadden) to MG Fiala, 25 Sep 85, no subj. AEACC. UNCLAS. (2) Memo, MG Gordon to CINC, 26 Sep 85, subj: Detention of USMLM Tour -- 7 Sep 85. AEAGB (3) Msg, USCINCEUR (ECDC) to JCS (CJCS), 301631 Sep 85, subj: Reporting on Incidents Involving US-Soviet Personnel. (2) - (3) & OADR.

33. The Stars & Stripes (Eur ed), 17 Sep 85, pp. 1 & 28. UNCLAS.

34. Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 191000 Sep 85, subj: Soviet Press Reaction to SECDEF Statement on USMLM Detention. OADR.

35. (1) Memo, MG Gordon to CofS, 24 Sep 85, subj: Soviet Use of MLM Information Card. AEAGB. (2) Memo, USAREUR ODCSI (AEAGB-C[HO]) to USEUCOM J2 (ECJ2-P), 27 Sep 85, subj: SAB. AEAGB-C(HO). (3) Memo, MG Gordon to CINC, 18 Oct 85, subj: SAB. AEAGB. (4) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 181209 Oct 85, subj: SAB. All & OADR.

36. (1) The Stars & Stripes (Eur ed), 21 Sep 85, p. 2. UNCLAS. (2) Memo, MG Gordon to CofS, 18 Sep 85, subj: Posthumous Promotion of LTC Nicholson. AEAGB. (info used UNCLAS.).

37. Transcript, 19 Sep 85, subj: Remarks by Secretary of Defense Caspar W. Weinberger at the Posthumous Promotion Ceremony for Arthur D. Nicholson, Jr. UNCLAS.

38. The Stars & Stripes (Eur ed), 21 Sep 85, p. 2. UNCLAS.

39. Msg, USMISSION Berlin to SECSTATE & AMEMBASSY Bonn, 071555 Nov 85, subj: Berlin: November 5 Meeting Between US and Soviet Ambassadors. OADR.

40. Msg, Berlin to USAREUR (AEAGB-C[HO]), 162230 Dec 85, subj: GSFG Final Proposal for Summary of Staff Negotiations. OADR.

41. (1) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 220711 Oct 85, subj: SMLM-F Great Socialist Revolution Reception, 7 Nov 85. (2) Msg, USCINCEUR (ECCS) to JCS (J5), 240424 Oct 85, subj: Great October Revolution Reception, 7 Nov 85. Both & OADR.

42. (1) Memo, MG Gordon to CofS, 7 Aug 85, subj: Guidance for Relaxing Sanctions Against Soviets. AEAGB. (2) Memo, w/CofS note, COL McFadden to CofS, 15 Aug 85, subj: Discussion With GEN Otis, 15 August 1985. AEACC. (3) Msg, USAREUR to USEUCOM, 141055 Aug 85, subj: Guidance for Relaxing Sanctions Against Soviets. (4) Msg, USCINCEUR (ECDC) to JCS (CJCS), 201247 Aug 85, subj: British-Soviet Social Contacts. (1) - (4) OADR. (5) Msg, SECSTATE to AMEMBASSY Bonn, 201723 Aug 85, subj: Military Liaison Missions: UK Concerns. OADR. (6) Ltr, BAOR CofS to USAREUR CofS, as quoted in Msg, USCINCEUR (ECCS) to JCS (DJS), 151624 Nov 85, subj: Chief of Staff, BAOR, Letter. OADR.

43. Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 230900 Nov 85, subj: USMLM Vehicle Accident. OADR.

44. Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 041730 Oct 85, subj: USAREUR-GSFG Negotiations -- Update. OADR.

45. Msg, USCINCEUR (ECDC) to JCS (CJCS/J-5), 051915 Oct 85, subj: USAREUR-GSFG Negotiations Update. OADR.

46. Msg, CINCUSAREUR (AEAGB-C) to USCINCEUR (ECJ2/ECJ5), 091430 Oct 85, subj: USMLM Inquiry to SERB Regarding Negotiations. OADR.

47. Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 241225 Oct 85, subj: USMLM-SERB Meeting -- 23 Oct 85. OADR.

48. (1) Memo, COL Gillespie to CofS, 30 Oct 85, subj: Negotiations Discussion, 29 Oct 85. AEAGB. (2) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS), 070744 Nov 85, subj: Negotiations Information. Both & OADR.

49. Msg, USCINCEUR (ECCS) to JCS (J5), 120900 Nov 85, subj: Negotiations Information. OADR.

50. (1) Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 141500 Nov 85, subj: 14 Nov 85 Meeting With CSERB. (2) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 151515 Nov 85, subj: USMLM-SERB Meeting -- 14 Nov 85. (3) Memo, COL R.E. Myers, ODCSI C/COLL Div, to DCSI, ca. 19 Nov 85, subj: USAREUR-GSFG Negotiations -- Current Status. AEAGB-C. All & OADR.

51. (1) Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 032000 Dec 85, subj: 03 December 85 Meeting CSERB. (2) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 041215 Dec 85, subj: USAREUR-GSFG Negotiations. Both & OADR.

52. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 081630 Dec 85, subj: Letter to CINCGSFG. (2) Memo, w/incls & notes, GEN Gordon to CINC, 10 Dec 85, subj: USAREUR-GSFG Negotiations. AEAGB. (3) DA 751 (FONECON Record), GEN Price to LTC Johnson, 120640 local Dec 85, subj: USAREUR-GSFG Negotiations. All & OADR.

53. (1) Msg, Berlin to USAREUR (AEAGB-C[HO]), 162230 Dec 85, subj: GSFG Final Proposal for Summary of Staff Negotiations. (2) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 181056 Dec 85, subj: USAREUR-GSFG Negotiations. (3) Msg, USEUCOM (ECDC) to JCS (CJCS/J-5), 190915 Dec 85, subj: USAREUR-GSFG Negotiations. All & OADR.

54. (1) CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 241200 Dec 85, subj: USAREUR-GSFG Negotiations. (2) Msg, USCINCEUR (ECJ2) to JCS (CJCS/J-5), 271421 Dec 85, subj: SAB. Both & OADR.

55. (1) Msg, USAREUR to Berlin, 241000 Dec 85, subj: Opening Statement. (2) Msg, Berlin (AEUS) to USAREUR (AEAGB), 291300 Dec 85, subj: Opening Statement. Both & OADR.

56. (1) Msg, Berlin (AEUS) to USAREUR (AEAGB-C[HO]), 272230 Dec 85, subj: 27 Dec 85 Meeting With CSERB. (2) Msg, CINCUSAREUR (AEAGB) to USCINCEUR (ECJ2), 281140 Dec 85, subj: USAREUR-GSFG Negotiations. Both & OADR.

57. As had been done after the prior meetings, the USAREUR negotiators subsequently compiled from their notes a close-to-verbatim transcript of the session: "USAREUR-GSFG Staff-Level Discussions, Round Three - Record," 30 Dec 85. OADR.

58. Ibid. OADR.

59. (1) Msg, Berlin (AEUS) to USAREUR (AEAGB) & USAINTCTREUR, 302000 Dec 85, subj: 30 Dec 85 USAREUR-GSFG Negotiating Session. (2) Msg, USAREUR (AEAGB) to USEUCOM (ECJ2), 310744 Dec 85, subj: SAB. Both & OADR.

CHAPTER NINE

CONCLUDING THE NEGOTIATIONS

(U) Resolving Final Issues

( ) At the beginning of 1986 there was a consensus that the USAREUR-GSFG staff-level negotiations would soon be concluded. Major issues that remained to be resolved by the USAREUR-GSFG negotiators were agreement on point 3 of the agreed summary document and when the new PRA maps and GSFG instruction cards would be disseminated. Resolution of these issues, however, would require over 3 months of intensive, away-from-the-table negotiations. Although securing an apology and compensation for the death of Major Nicholson remained an important goal, it was understood that this issue would have to be resolved in political channels.

( ) On 2 January Colonel Lajoie began the long process of concluding the negotiations by asking Colonel Medved, Deputy Chief of SERB, if General Lushev had approved the agreed summary text worked out at the 30 December session. Colonel Medved said that no official decision had been made, and he asked in turn if General Otis had approved the document. Colonel Lajoie said that General Otis was "inclined to recommend approval of the summary document to his superiors."

( ) Colonel Lajoie also inquired about the status of the PRA map and the instruction cards. Colonel Medved reiterated the Soviet position that PRA maps would have to be exchanged simultaneously. He said he would be informing both the British and French MLMs of the simultaneous exchange proposal later in the day.[1]

( ) That same day USEUCOM informed JCS that the USAREUR and GSFG negotiators had tentatively reached agreement on the text on 30 December, that General Otis had reviewed the text and was awaiting General Lushev's response, and that, as soon as the two CINCs had agreed on the text, it would be forwarded to Washington for approval.[2]

( ) The first major setback occurred on 3 January when Colonel Lajoie was informed by Colonel Pereverzev that, although General Lushev had approved the changes to the text agreed to at the 30 December session (including the elimination of point 5), he thought the final sentence of point 3 should be separated from the main paragraph and that additional clarifying words should be added. General Lushev proposed that

the final sentence read as follows: "Mission members will be continuously briefed on the special procedures which apply to a sentry on his post; the requirements of the instruction card do not extend to his actions."

( ) Colonel Pereverzev said that General Lushev was aware of the political implications of this sentence -- that it implied Major Nicholson might have been responsible for his own death -- but he wanted to eliminate any linkage between the instruction cards and the "events of 24 March" and concentrate instead on the technical issues of protection and safety. General Lushev had said that GSFG's willingness to issue the instruction cards should satisfy General Otis' concerns about safety. Colonel Pereverzev stated that, should General Otis agree to the change, General Lushev was prepared to sign the summary document immediately.

( ) Colonel Pereverzev reported that the British and French had been informed of the simultaneous exchange requirement for PRA maps, and if all four parties were in agreement, the exchange could occur sometime between 15-20 January. The instruction cards, however, would not be issued until the agreed summary had been accepted by both sides. He stated unofficially that the first paragraph of point 3 would be on the card, but that the "sentry on his post" statement would not be included on the card.

( ) Colonel Lajoie thought the last sentence of point 3 had been bad enough when it was lost in the paragraph, but separating it from the paragraph and adding the clarifying words would signal to everyone that it was a significant exception to the safety requirements of point 3. He recommended that General Otis send a letter to General Lushev telling him that the US side had only reluctantly accepted the previous wording of point 3 and that he should approve the text agreed upon at the 30 December session.[3]

(U) General Otis sent the following letter to General Lushev on 9 January:[4]

> Our staffs have made significant progress in negotiating an agreement to ensure the safety and freedom of movement of members of our respective military liaison missions.
>
> Throughout our negotiations we have agreed that the use of force, weapons, or other acts threatening the safety of mission

members would be categorically prohibited. Nevertheless, your side insisted that a provision be included regarding special procedures pertaining to a sentry on his post. While not understanding the reasons for this provision, believing it to be superfluous since rules applicable to sentries are generally well known, I reluctantly agreed to its inclusion.

It is now my understanding that you concur in the proposals developed by our staffs on 30 December 1985, with the exception that you want to further modify and define the rules applicable to sentries on their posts. Since this point is contentious I would recommend the following:

- Eliminate any reference to sentries on their post, since all professional soldiers understand this significance. Or,

- Accept the work contained in the draft prepared and agreed to by our staffs on 30 December 1985.

Should you concur in either of the alternatives above, I am prepared to endorse such course of action at my level. I am confident such action would represent a significant step forward in our mutual goal of ensuring the safety and freedom of movement of respective military liaison missions.

( ) While General Otis waited for General Lushev's reply, he was made aware that securing acceptance of the 30 December text up through the US chain of command would be even more difficult than with GSFG. The USAREUR staff had learned through informal communications channels that the proposed agreed summary would not resolve the Nicholson incident as far as Washington was concerned. A successful conclusion of the USAREUR-GSFG negotiations would have to include: a new PRA map, the GSFG instruction card, and an agreement regarding the treatment of mission members. General Otis would be expected to forward an analysis of the agreed summary that would sell the package to JCS, which, in turn, would have to sell it to Secretary Weinberger. These same sources said that the agreed summary would not be considered a formal agreement until the apology and compensation issues

were resolved. It would not be signed or initialed by either side; it would be treated as an informal gentlemen's agreement. In the interim, USAREUR was to continue pressing for an early resolution of the apology and compensation issues.[5]

( ) During this same period, all three of the Allies had expressed their desire to get on with the PRA map exchange in order to reap the expected collection benefits. However, the British did not want to agree to the simultaneous map exchange requirement because it would break with precedent and because they were worried that the Soviets would find some way to secure an advantage from such a procedure. General Sir Martin Farndale, CINCBAOR, proposed to General Otis that the Allies seek to exchange "draft" PRA maps with the Soviets in order to be able to ascertain in advance if they were making a good-faith reduction in PRA coverage.[6] The issue of when and how the PRA maps would be exchanged remained unclear at this point.*

( ) When General Lushev answered General Otis' letter on 18 January, he introduced yet another twist to the ongoing controversy over point 3. He agreed to delete the additional verbiage in the last sentence, but still insisted that it be separated from the main paragraph. What was more distressing, however, was that he had reinserted the "when detaining" phrase back into point 3, which the USAREUR negotiators had succeeded in eliminating during the 30 December session by accepting the "sentry on his post" statement. His latest proposed text for point 3 read as follows[7]:

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* ( ) The simultaneous exchange of maps should not have been a significant problem as the Soviet plan called for a delayed implementation date, which would have allowed either side to put implementation of the map on hold if the other side had not met the 25 percent goal or violated other agreements made during the negotiations. Unfortunately, the issue became clouded as each side "remembered" the discussions differently. General Farndale would subsequently agree on 26 February to BAOR participating in a simultaneous exchange of PRA maps. SOURCE: (1) MFR, MAJ C.D. Wyckoff, C/ACS, 10 Feb 86, subj: Negotiations. AEAGX-ACS. (2) Msg, BAOR (G2) to HQ USAREUR, 271000 Feb 86, no subj. Both OADR.

> That all military personnel will be instructed on the legal status of Mission members and receive instruction cards which address the procedures to be followed with regard to them. At a minimum, the cards will stipulate that when detaining Mission members the use of force, weapons, or the commission of other acts which could threaten their safety is categorically prohibited. The search of Mission members or their vehicles is also prohibited.
>
> Mission members will be continuously briefed on the special procedures which apply to a sentry on his post.

(U) General Otis did not consider this a satisfactory solution and on 22 January he proposed to General Lushev that they meet at Heidelberg between 23 and 30 January in order "to discuss personally the remaining issue." He concluded by stating: "As two soldiers who desire to insure the safety of our liaison teams, I am certain that a face to face meeting would be worth the investment of our time."[8]

( ) General Lushev did not reply to General Otis' letter until 29 January, and then it was to regret that he would be unable to meet due to circumstances beyond his control. He did say that a meeting might be arranged at a later date after the specifics of the meeting had been coordinated by the MLMs. He also stated that he had ordered a "thorough review of all variants of point 3" and that USAREUR would be informed promptly of the results of this work. USAREUR was unsure what this move meant, but Colonel Lajoie speculated that it might mean General Lushev was ready to agree to the 30 December text for point 3 and was looking for a face-saving way to concede the issue.

( ) During delivery of the Lushev letter, Colonel Pereverzev once again probed for a means of concluding the negotiations without actually formally ratifying the agreed summary. Colonel Lajoie thought that only initialing the document as being "correct" would make it a "nonagreement agreement." However, Colonel Lajoie still thought that orally agreeing to its implementation would be the best alternative.[9]

( ) On 3 February Colonel Pereverzev had the uncomfortable task of telling Colonel Lajoie that General Lushev had decided to agree to the 30 December text for point 3. General Lushev had said that a review of the discussions between General Price and General Bugrov, as well as the 9 January statement by General Otis that the "rules applicable to sentries are generally well known," made it clear that the US side understood the importance of the "sentry on his post" sentence as phrased in the 30 December text.

( ) Colonel Lajoie said that the US side would be pleased with General Lushev's decision, but the Soviet side must understand that General Otis would have to convey the concluding document to his superiors before taking final action. Colonel Pereverzev noted that General Lushev already had the authority to decide such issues.

( ) At this same meeting Colonel Lajoie and Colonel Pereverzev continued their ongoing discussion of the means of concluding the negotiations. Colonel Pereverzev stressed GSFG's desire to minimize the formalities of such proceedings and to avoid the necessity of grappling with the difficulties of a formal protocol.

( ) Colonel Pereverzev asked when the US side's PRA map would be ready for exchange. He stated that it was the Soviet side's understanding that each of the Allied zones would have the same percentage of PRA coverage as the Soviet zone, rather than an overall equality for the Allied zones, as had been hinted at during previous discussions. He also noted that the US side did not seem to be able to fulfill its promise to deliver a map as soon as had been promised at the 30 December meeting.

( ) Although Colonel Lajoie had to concede that the US side's PRA map was not yet ready for exchange, he did not indicate that he already knew USAREUR would have problems complying with Soviet demands for a simultaneous exchange of PRA maps and for an exact equality of PRA coverage in each Allied zone.

( ) Still another uncomfortable subject for Colonel Lajoie was a probe by Colonel Pereverzev as to what USMLM's response would be to a Soviet invitation to attend the Soviet Army-Navy Day celebration scheduled for 19 February. Colonel Lajoie responded that he would notify USAREUR of the expected invitation, but he was not optimistic that he would be allowed to attend. Colonel Lajoie subsequently pointed out to USAREUR

that it seemed inconsistent to successfully conclude the USAREUR-GSFG negotiations and still continue to boycott Soviet social events. He had been told that the British and French MLMs would be sending representatives to the event.[10] (On 8 February Colonel Lajoie would tell SERB that USAREUR headquarters had determined it would not be appropriate at that time for USMLM members to attend Soviet social events.[11])

( ) On 7 February USAREUR forwarded the JCS-required defense of the agreed summary up the chain of command. USAREUR began by stating that it had complied with JCS guidance:

- To insist on written confirmation from the Soviets of their instructions that force or weapons would not be used against members of MLM regardless of reason.

- That positions agreed upon would not reduce freedom of operation and movement by USMLM personnel below the level existent prior to Major Nicholson's murder, nor would they detract from the US Government's position that Major Nicholson was entirely within his rights under the Huebner-Malinin Agreement when he was killed.

- That the agreement would insure the physical safety of all MLM personnel, irrespective of circumstances or conditions.

- That CINCGSFG would be reminded that the apology and compensation issues had been raised at the political level and that the US Government continued to expect a positive response.

( ) USAREUR provided a lengthy, legal defense of the various points of the agreed summary and insisted that it reflected the best position that was likely to be achieved at the negotiations. The command was "convinced [that] this document and [the] practices which it would initiate are in [the] best interest of [the] US Army and US Government, and will serve to prevent future incidents such as that resulting in [the] shooting of Major Nicholson."

( ) USAREUR noted that the Soviets had continued to refuse to apologize or provide compensation for Major Nicholson's murder, but pointed out that the Soviet negotiators had expressed regret at each of the sessions. USAREUR thought that this was the best that could be obtained at the GSFG level.

( ) USAREUR had been informed that CINCGSFG was authorized and ready to approve the concluding document and recommended that the document be approved as written, as any changes would have to be renegotiated with the Soviets. USAREUR proposed that the negotiations be concluded by having the two CINCs or their designated representatives authenticate the agreed summary as an accurate reflection of the results of the staff-level discussions.[12]

( ) During a meeting with Colonel Pereverzev on 8 February, Colonel Lajoie was informed that the Soviet side did not want to initial the agreed summary, but preferred to exchange signed copies.[13]

( ) In its 7 February report, USAREUR had offered to send a knowledgeable individual to Washington to discuss the background and rationale for the points contained in the agreed summary. Although it appeared initially that this would not be required, by 15 February it was apparent that Colonel Lajoie would have to go to Washington to explain and defend the agreed summary. Colonel Lajoie flew to Washington on 18 February and, after a series of briefings and discussions with various interested agencies, he was able to convince the Interagency Group that the text of the agreed summary was the best that could be achieved and that the agreements in the document were beneficial to the US side.

( ) Although the Interagency Group supported the document, when Colonel Lajoie left for Berlin on 23 February the agreed summary still had not been approved by Secretary Weinberger or the National Security Council staff. The Interagency Group did not think the document should be held hostage to the apology and compensation issue and, as a consequence, recommended that the State Department develop a scenario for pursuing the issue in order to persuade Secretary Weinberger to support the agreed summary. It was still uncertain if the document would be signed, initialed, or placed under a signed cover letter authenticating its contents.[14]

( ) When the Interagency Group met on 28 February, it was agreed that State would draft a memo for President Reagan to sign which would direct that the agreed summary be signed at the 2-star level and that no linkage would be made between approving the agreed summary and resolution of the apology and compensation issue.[15]

( ) By 6 March all members of the Interagency Group had approved the content and wording of the agreed summary, but they still could not agree on how to conclude the negotiations.

( ) The State Department wanted to treat the document as a "summary of discussions" under the Huebner-Malinin Agreement and have it signed at the 2-star level. State also wanted a verbal statement made at the signing ceremony that the apology and compensation issues were still outstanding. The Soviets were to be asked to agree verbally to exchanging PRA maps and MLM instruction cards.

( ) The Office of the Secretary of Defense (OSD), in contrast, thought that authentication of the document should be limited to initials. As a precondition to initialing the document, OSD would insist that the Soviets provide:

- Specific procedures they would use to train their soldiers in the treatment of MLM members, to include procedures for training new soldiers rotating into GSFG.

- A specific date for the exchange of PRA maps.

- Specific dates for the issuance and exchange of MLM instruction cards.

- Specific procedures for the prompt notification of the chief of USMLM of incidents involving USMLM members.[16]

( ) Subsequent informal discussions with Secretary Weinberger's staff indicated he was delaying approval of the agreed summary to insure that the State Department would vigorously pursue the apology and compensation issues. He understood the document would provide some measure of additional safety for USMLM members, which was the only reason he was allowing the process to continue at all. His aides said he was aware it was unlikely the Soviets would ever apologize or provide compensation, but he would insist that a short statement be made at the signing ceremony that the matter of apology and compensation was still outstanding. In addition, he had changed his position and would now agree to the document being signed.[17]

( ) In the meantime, the USAREUR Public Affairs Office was working on public affairs guidance in anticipation of the signing of the agreed summary. The combination of the upcoming 24 March ceremony in Berlin to memorialize the first anniversary

of Major Nicholson's death, and a visit by Secretary Weinberger to Germany made it likely that there would be media interest in the outcome of the USAREUR-GSFG negotiations. The USAREUR plan called for providing no information to the media prior to the signing of the agreed summary. An "active release" of information would be provided after the signing only if the Soviets made a news release or there was a substantial news "leak" on the US side. The USAREUR public affairs guidance plan was forwarded to USEUCOM on 19 March. USEUCOM reiterated on 20 March that DoD policy would continue to require all queries on the negotiations be referred to the OSD Public Affairs Office.[18]

( ) A major topic of discussion among the Allies throughout March centered around the mechanism for exchanging PRA maps. Colonel Lajoie had been allowed a brief look at the new Soviet PRA map on 4 March, and he was eager to expedite the exchange and implementation of the new maps.[19] It was determined at a 7 March Allied tripartite meeting that a note verbale should be presented to the Soviets in the latter half of March, which would state that a new PRA map was being prepared which would reduce PRA coverage to approximately 25 percent. The note would propose that the new PRA maps be exchanged on 30 April. The maps were to be implemented as presented and would become effective at 2400 hours on the day they were exchanged. The Soviets were to be informed that Allied acceptance of the current procedure for simultaneously exchanging PRA maps would not set a precedent for future exchanges.[20]

( ) On 19 March Colonel Lajoie pointed out that it had been understood by both the Soviet and US negotiators that there would be a built-in delay for implementing the new PRA maps which would "allow both sides to reassure themselves that they were not victims of the other's chicanery." He had already met with the British and French MLM chiefs, and they agreed that a better plan would be to exchange maps on 20 April and implement them on 30 April.[21]

( ) General Gordon informed Colonel Lajoie on 26 March that USAREUR headquarters was unaware of any agreement with the Soviets for a built-in delay in implementing the maps. He said it had been decided at the 7 March tripartite meeting that the maps would be implemented at 2400 hours on the day they were exchanged. General Otis had decided to support the tripartite position and Colonel Lajoie was told that, from the USAREUR standpoint, "the decision has been made."[22]

( ) On 1 April the Joint Chiefs of Staff informed USEUCOM and USAREUR that the National Security Council had approved the text of the agreed summary and that USAREUR was authorized to conclude the negotiations by signing the agreed summary as soon as possible. The signed document was to be characterized as an agreed summary of the staff-level negotiations and not as an international agreement that would be binding under international law -- it was not to be referred to as an "agreement."

( ) The document was to be signed by USAREUR's chief negotiator (2-star level), but his signature block was to contain only his name and title. There were to be no words that would indicate he was signing "on behalf of" the United States Government or the Department of Defense. He was to inform the Soviets that he was signing the document as an accurate reflection "of the results of the military staff discussions on operating procedures for the safety and operation of the military liaison missions."

( ) JCS said that specific information on MLM safety instructions to be provided to Soviet soldiers, as well as copies of the new MLM instruction cards and PRA maps, could be exchanged at a later date. And finally, the Soviets were to be informed that signing the agreed summary would not resolve the apology and compensation issue. The issue would continue to be pursued in political channels.

( ) The National Security Council expected a report by 1 October on the extent of Soviet compliance with the provisions of the agreed summary and on how well the procedures were working.[23]

( ) On 3 April Colonel Lajoie was instructed by USAREUR to meet with Colonel Pereverzev as soon as possible to arrange for a concluding meeting on 9 April. USAREUR's preference for locations were: at the command building in Heidelberg, on the CINC's train at Herleshausen-Warta, or the Officers' Club in Frankfurt. He was instructed to have US and Soviet translators double check the English and Russian versions to insure accurate texts were ready for signature in advance of the general officer meeting.[24]

( ) Colonel Lajoie informed Colonel Medved on 3 April that the text of the agreed summary had been approved by Washington and that General Price had been empowered to sign it

for the US side. He proposed that General Bugrov and General Price meet in Heidelberg on 9 April to sign the agreed summary. Colonel Lajoie presented Colonel Medved with English and Russian texts of the agreed summary, which represented the US side's understanding of the language agreed to at the 30 December meeting and during the interim discussions. Colonel Medved said he would forward the texts to GSFG immediately, but he did not know if General Bugrov would be able to meet that quickly.[25]

( ) Colonel Medved reported to Colonel Lajoie on 5 April that the Soviet side was prepared to conclude the negotiations on 9 April in Heidelberg. The Soviet delegation would be headed by General Bugrov. However, GSFG had noted a certain "inexactness" in the texts previously provided by the US side, specifically that the title agreed to at the 30 December meeting had been "Agreed Summary of Joint USAREUR and GSFG Staff Discussions" rather than the longer one in the US text and that the word prebyvaniia (presence or residence) had been left out of point 2 in the Russian text. The first objection was more of an embarrassment than an issue -- both sides had been so busy discussing the wording of the various points in the agreed summary, they had not noticed that each was using a different title for the same document. The US side agreed to use the shorter title. The added Russian word would make the English version read "in country of residence within which they are located," which was redundant but not objectionable. Consultations with GSFG headquarters resulted in a compromise where the word would be used in the Russian text, but not in the English text.

( ) The Soviets then presented a final copy of the texts for the US side's inspection. At that point an even thornier difference was discovered: The Soviets had split off the "sentry on his post" sentence from the main body of point 3 and it now stood as a separate paragraph.[26]

( ) While the import of this latest Soviet move was being discussed in US channels, USAREUR assumed the document still would be signed and once again raised the question of how it should handle the public affairs aspect of concluding the negotiations. In the notification to USEUCOM on 7 April that the Soviets had agreed to come to Heidelberg, USAREUR requested concurrence on the public affairs plan forwarded on 19 March. The OSD Public Affairs Office responded on 8 April that there would be no public release of information on the negotiations until after the agreed summary had been signed. If pressed by the media after the signing, OSD was prepared to make the following response:

> For the past year USAREUR and GSFG staffs have discussed methods whereby the safety of all members of the military liaison missions can be enhanced and their operations facilitated. These discussions have led to an agreed summary outlining a number of positive steps which, when carried out, will accomplish this goal.

OSD reiterated that all media queries on this subject should be referred to its public affairs office.[27]

( ) Colonel Lajoie and Colonel Pereverzev agreed at a meeting on 7 April that there were no substantive differences between the Russian and English texts and that it would be acceptable for each side to use its own text -- the English text would have one paragraph in point 3 while the Russian text would have two. At this meeting, Colonel Pereverzev resurrected the idea of only shaking hands and exchanging the texts, but Colonel Lajoie rejected this proposition since permission already had been received to sign the document.[28]

( ) USAREUR headquarters, however, would not accept the USMLM-SERB compromise on point 3. On 8 April Colonel Lajoie was instructed to tell the Soviets that their delegation should come to Heidelberg prepared to sign the US version of the texts -- no separate paragraph -- or not to bother coming at all. Later that day, Colonel Lajoie and Colonel Pereverzev worked out a compromise: the two delegations would meet in Heidelberg with the chief negotiators empowered to discuss the issue and come to a final agreement. USAREUR accepted this compromise solution, but it was too late to hold the meeting on 9 April and the meeting was slipped one day.[29]

(U) Round Four

( ) The concluding session of the USAREUR-GSFG staff-level negotiations began at 0930 on 10 April in USAREUR headquarters' Keyes Building Conference Room. The USAREUR delegation was composed of the same members as had attended the prior sessions. The GSFG delegation was the same, except that, once again, the Soviets had replaced their translator -- this time with Major Yevgeniy V. Zyurin.

( ) General Price began the meeting with an opening statement:

> It is unfortunate that we meet for the fourth time for yet another negotiating session. I had hoped that the document

summarizing the results of our efforts would have been finalized yesterday. This session is necessitated by the numerous changes to, what I believe, had been an agreed text. At our 30 December meeting it was clear to both sides that agreement had been reached on the text. Since 30 December several pieces of correspondence have been exchanged between General Otis and General Lushev relating to the wording of that text. The USAREUR side believed an agreement had been reached and therefore called for a session in which that text might be signed. Monday evening we were presented with yet another change.

Let me reiterate the chronology of events since our 30 December meeting. On 3 January, the Chief, SERB, informed the Chief, USMLM, that General Lushev had approved changes made and incorporated in the 30 December draft, but that he still had some concern over paragraph 3. That 3 January meeting prompted a letter from General Otis to General Lushev on 9 January, again suggesting that the wording of paragraph 3 be reexamined. In that letter General Otis suggested the elimination of any reference to sentries on their post, in effect deleting the last sentence of paragraph 3; or, as an alternative, accepting our work and the draft prepared and agreed to by the staffs on 30 December. On 17 January 1986, Chief, SERB, passed to Chief, USMLM, a letter from General Lushev to General Otis which stated that paragraph 3 had been changed in consideration of General Otis' letter. However, General Lushev's formulation of paragraph 3 retained a limitation on the safety of Mission members by stating that, when "detaining members," use of force is prohibited. In response, on 22 January 1986, General Otis again wrote General Lushev and suggested that there was still a problem with the wording of paragraph 3 and that a meeting in Heidelberg or in Helmstedt might resolve the differences. On 29 January 1986, General Lushev responded by saying that he could not attend such a meeting but that he had ordered a thorough review of all the variants of point 3 so as to permit a "final

decision on this matter." On 3 February, at a meeting between the Chief, USMLM, and Chief, SERB, the Chief, SERB, stated that General Lushev had decided to accept the formulations as developed on 30 December, including that for point 3.

It was, therefore, the 30 December document which we presented for approval. When that approval was received, we immediately called for the signing formalities, at which time, on 4 April, we were informed that there were certain changes to be made. The first change proposed related to the title. Apparently both sides had accepted a title which included the purpose of these discussions; the Soviet side asked that the title be shortened. General Otis, on his own initiative, agreed to that shortened title. He viewed this as not changing the substance of the document. Another proposed change was to add, in the Soviet version, the Russian word which essentially means "country of residence." This also was viewed as a change of no substance, which only accommodated a language difference for the Russian version of the document and, therefore, caused no problem. With those changes in mind, we called for the signing formalities -- only to find 3 days later on Monday, 7 April, yet more changes. First was an objection to the word "joint" in the English title. Second, you insisted that the last sentence of point 3 be placed so that it now appears as a separate paragraph within point 3 of the Russian text.

General, this negotiating session is necessary so that we might finally resolve the differences in the texts. Perhaps these are not matters of substance to your side or to ours. But we, as the staff principals, must be certain. Hopefully, we can set the stage for conclusion of this long, difficult process. Let me then ask you to explain your differences and concerns. I am willing to negotiate these matters with you. But I must

know your position on the text differences. Such differences in the text are particularly important with regard to point 3, a point which we spent so many long hours discussing. It is difficult for me to understand the motivation in separating the briefing requirements, which both of us agreed to, from the general issue of safety of Mission members. General I am extremely interested in your explanation for the necessity of these changes.

( ) General Bugrov responded by asking: "Is this preparation for a chess match? You have the white pieces and first move." He said he had texts ready for signature and he would like to emphasize that their positions were equal. "We have the same assessment of the value of today's meeting and we expect the same results. Are we agreed?" When General Price nodded, he continued: "Then we have complete understanding." He added that they had come to Heidelberg prepared to sign a final document that would end the "long process."

( ) General Bugrov pointed out that they had compared every line of the agreed summary on 30 December -- "except [for] the title" -- and reminded General Price that he had said it would be difficult to get the document approved by the US headquarters, but that he would try. General Bugrov said he also had had to get approval from his headquarters and that process, along with several translation difficulties, had caused them to "fine-tune the texts." He said it had not been an attempt "to put something over on anyone." Although there had been a problem, the two sides had settled all differences. He said he was authorized to conclude the negotiations by signing the document.

( ) General Price said that he had the same authority.

( ) General Bugrov said he thought they had agreed on all issues. Colonel Lajoie interjected that the only remaining difficulty was with the last sentence of point 3: Could they accept the US side's version of the paragraph?

( ) General Bugrov outlined a plan for concluding the discussions: First, they should discuss the issues surrounding paragraph 3; second, the translators should go over the entire text; third, the negotiators should discuss all points to insure they agreed on the issues; and, finally, they should sign the document.

( ) General Bugrov said that the Soviet side had been surprised by the misunderstanding about separating the last sentence from the paragraph. Their position was that the first part of the paragraph applied to all soldiers and officers, and that it would appear on the instruction card. The last sentence applied only to sentries and MLM members, and it would not be on the card. He thought they had agreed to this separation at the 30 December meeting.

( ) General Price said that the US side had agreed to the words, but had not agreed to setting the sentence off by itself.

( ) General Bugrov said that there had been several misunderstandings about the 30 December meeting, which he did not understand since they had given the US side a copy of the text.

( ) Colonel Lajoie corrected him: "No, you gave us a copy on 16 December. There were changes made [to that text] at the 30 December meeting."

( ) At that point there was a brief discussion among the Soviets, after which General Bugrov told the USAREUR delegation that he had thought they were in agreement on the text, but he was willing to discuss any misunderstandings. Colonel Pereverzev showed the US delegation a copy of their proposed text.

( ) Colonel Lajoie noted that all of the other points were complete paragraphs. Point 3 was different: "The second part -- you call it a paragraph, we call it a sentence."

( ) General Price asked if there was a difference in wording, or only in the placement of the last sentence.

( ) General Bugrov claimed that both sides had agreed to the text and content of the agreed summary; if the US side had raised the issue about the location of the last sentence earlier, they could have already come to an agreement.

( ) Colonel Lajoie protested that Monday was the first time that the Soviets had given him a text that separated the last sentence of point 3, and that Monday's text was not the same as the text he had given to Colonel Medved on an earlier date.

( ) General Bugrov said in mock humor: "This is a real misunderstanding. This is your problem, not ours."

( ) Colonel Lajoie asked if he had any objection to point 3 being all in one paragraph in the English text.

( ) General Bugrov replied by asking if they wanted the Russian text to only have one paragraph.

( ) Colonel Pereverzev interrupted to say he had told Colonel Lajoie at their 3 January meeting that the Soviet side was separating the last sentence from the rest of the paragraph of point 3. He claimed that no questions had been raised about this since their 3 January meeting.*

( ) Colonel Lajoie stated that it had always been a problem. Colonel Pereverzev responded that Lieutenant Colonel Kelley's translation of the text had contained two paragraphs for point 3.

( ) General Bugrov interrupted: "All this is history. Where do we go now?"

( ) Colonel Lajoie continued pressing the point:

> It has always been a problem. We accepted words about the sentry reluctantly on 30 December. That was a major US concession. We believed you would allow it to be placed where [it would be] least objectionable.

( ) General Bugrov said this point had been brought out previously, but it should be remembered that the document was not an agreement or a treaty. It was a document that reviewed points that would help to avoid another "incident of 24 March 1985." That was why it had to include the sentence about the sentry on his post. He continued, "This document must not change the Huebner-Malinin Agreement." He reasserted that

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* ( ) Actually, both sides were incorrect on this issue: Colonel Pereverzev had said at the 3 January meeting that they intended to separate the last sentence of point 3 into a separate paragraph, but General Otis had rejected all such substantive changes in his 9 January letter to General Lushev. Soviet reluctance to exchange draft texts was the most likely cause of this misunderstanding.

it would be better to approve the 30 December text. He had thought that all differences were behind them, and then he had received the US side's statement about point 3.

( ) Colonel Pereverzev added: "Candidly speaking, the points need separation." He did not think it stood out enough when it was integrated into a single paragraph. He asked the US side, "Isn't that your position?"

( ) General Price responded:

> I disagree. We agreed to the briefing requirement. We had our position approved. Through an error, we had a different way of presenting this idea. For our mentality and writing, for the US [side] it makes sense as one paragraph. We are no less bound by what it says. We have agreed on the text.

( ) Colonel Pereverzev claimed it was a grammatical point and that there was a need to separate the two concepts. Colonel Lajoie said it was not a problem in English. General Bugrov thought they would have to rewrite point 3 to insure the proper meaning if they made it one paragraph.

( ) General Price reasoned:

> You agree to produce a card to instruct soldiers that use of force or weapons is prohibited and that they cannot search vehicles. In order to qualify for this protection, we must brief MLM members on duties of sentries. In our mentality, we cannot separate these issues. We need to keep them together.

( ) General Bugrov said they were not interrelated.

( ) General Price asked: "Would you accept our version in English and yours in Russian? The words are identical and have been approved."

( ) General Bugrov said that at first glance it was possible, but logically it would not be right. How would he explain two versions to higher headquarters? He thought there must be another way.

( ) Colonel Lajoie interjected: "Now he is recanting."

( ) General Bugrov repeated that they would be ridiculed by higher headquarters if they signed two different versions and that there must be some way to combine the two versions.

( ) It was 1040 and they broke for 35 minutes. When discussions resumed at 1115, General Price began: "Let me review your position. The last sentence is separated and is not included in the instruction card...."

( ) Colonel Pereverzev interrupted:

> Taking into consideration your difficulties, we must officially agree that this document is only for our superiors and MLM members. It should be kept in respective headquarters and not be used as a foundation for any profiteering by political circles. We expect the same from you. This is a military document and must be treated as such. The first section of paragraph 3 applies to all military -- to the soldiers. The second applies to mission members, and MLM members must know it.

( ) General Price agreed that "the same remarks apply to the US version." He thought they were at odds over a grammatical difference: "One part applies to all military, the other only to MLM members."

( ) General Bugrov said that they were two separate ideas.

( ) Colonel Lajoie responded:

> Then you should have argued for a separate point. You could have done that on 30 December. There should be a single protection paragraph. We can assure you the last sentence will not appear on our cards.

( ) Colonel Pereverzev said that they had expressed their position on 30 December and that they had no idea these differences existed until 6 April.

( ) General Bugrov reiterated that it was too late to discuss the past. They now had 3-1/2 versions and they should be trying "to find the best version and sign a mutually acceptable version." He asked about adding "At the same time,..." or similar words to the last sentence.

( ) General Price said that he was not authorized to add words. He asked if they could accept the US version without going to Moscow.

( ) Colonel Lajoie added: "Our argument addresses one issue -- safety. We need it all together in one paragraph."

( ) General Price continued: "I understand that your legal advisors recommended against two separate versions, one in English and one in Russian."

( ) "Not exactly," responded General Bugrov.

( ) General Price said he believed that both sides intended the same thing.

( ) General Bugrov stated: "Our intent is to conclude this effort. In English and Russian they have the same sense. We can confirm they are substantially identical."

( ) General Price agreed that both versions said the same thing, only the format was slightly different: "Given that rationale, I can accept two different versions."

( ) General Bugrov asked if General Price was suggesting that the same words meant different things when they were placed in a different format.

( ) General Price responded that General Bugrov could "go home and tell your superiors Americans don't think logically or consistently." Colonel Lajoie added: "There are no dishonest men at this table."

( ) General Bugrov said he was authorized to orally approve the two different versions, but that course of action would result in no signed documents.

( ) Colonel Lajoie replied that, if General Bugrov was prepared to orally approve the document, then he should be prepared to sign it also.

( ) General Bugrov agreed that it would be better to sign the document.

( ) Colonel Lajoie reminded them that the document only stated that both texts agreed; they would be agreeing that the form differed.

( ) Major Elliott provided a legal opinion on the issue:

> If the issue is whether to sign two versions, that is not the best practice. But given our discussions over the past months and the statement on authenticity, this is the best we can do. There is nothing illegal about signing two separate versions. The problem will be with our successors, as the issue will be subject to doubt.

( ) General Price thought they should discuss signing two different versions. He was authorized to state that both sides had agreed with all the points of the document.

( ) Colonel Lajoie reasoned that "the last sentence states that the documents are equally authentic. I think we can sign these and be done."

( ) "You have a lawyer," protested General Bugrov. "We have no lawyer here. Who will be responsible for the differences in the two versions? Lajoie leaves. Price leaves. Everyone leaves, and I am left holding the bag!"

( ) Colonel Lajoie said that it was a reasonable compromise.

( ) Colonel Pereverzev dogmatically repeated the Soviet position: "We are prepared to sign the 30 December document. All changes have been discussed."

( ) Colonel Lajoie rebutted: "There is no 30 December document here." He said there had been only an exchange of drafts. "Last week I gave you a document and your headquarters approved it. Let's sign that one."

( ) General Bugrov intervened:

> Frankly speaking, we were convinced by the beautiful words of Colonel Lajoie that the US [side] was ready to sign the 30 December version. We believed in his honesty. We were

ready to leave the GDR on 8 April and sign on 9 April. There was a last minute change. Our officer was excited and did not compare the texts. We found several changes.

( ) Colonel Lajoie said they were faced with three choices: They could approve the US version with the sentence included, the Soviet version with the sentence separated, or a compromise that would allow for both versions.

( ) General Price proposed that they sign the compromise versions -- the US version in English and the Soviet version in Russian.

( ) General Bugrov asked how long it would take to get oral approval from Washington for accepting the Soviet version of the texts. Colonel Lajoie replied negatively to that proposal.

( ) Colonel Pereverzev asked why the US side would not sign the Soviet version: "We must have the 30 December version. If not, we must tell Moscow why you won't sign."

( ) General Price explained that Washington already had approved one paragraph for point 3. He said he could not go back to Washington and say "same words, but leave a space."

( ) Colonel Pereverzev insisted that the 30 December version was the key to concluding the negotiations.

( ) Colonel Lajoie replied:

You repeat the 30 December version as something sacrosanct. This is a living document. We never agreed on an exact format. A lot has happened since 30 December, including my giving you two exact texts which your headquarters has accepted.

( ) "What texts?" asked Colonel Pereverzev.

( ) Colonel Lajoie responded: "I was officially informed that you accepted our text with two changes."

( ) "Your texts were not official," interjected Lieutenant Colonel Tetyakov.

"That's nonsense, Tetyakov," responded Colonel Lajoie. "I gave Medved two documents!"

( ) Colonel Pereverzev asked: "How long will it take Washington to approve changes -- approval for the Soviet position?" He claimed the Soviet side would have sought approval for the US position, but the US side had not presented any argument to cause them to change their position: "Your argument is not convincing."

( ) "How can it not be convincing when you tell us the same thing?" replied Colonel Lajoie.

( ) General Bugrov mediated: "General Price, we don't want to quarrel."

( ) Colonel Lajoie asked: "Why don't you call Moscow or Wunsdorf [GSFG headquarters] to see whether you can change or sign two versions?"

( ) General Bugrov replied:

> We have categorical instructions. We understand your problem with calling Washington and your position on two versions. I am concerned with our legal position -- I don't think two formats will be accepted. I realize there is a statement on authenticity. But two formats?

( ) "You're not ready to sign?" asked Colonel Lajoie. General Price added: "You can't accept the proposal for two formats?"

( ) General Bugrov said that it sounded like a good idea, "but we have to be sure that it is legal and binding."

( ) General Price explained:

> This is not an agreement in the State Department sense. It is a military document which summarizes what we agreed to do. We do not expect this document to be published. It is designed to guide our CINCs as well as the two Mission chiefs. The argument I use to defend two separate formats is that the US version is but for explaining in English the true intent of the staff meetings. The Soviet version,

with the separate paragraphs, is best, from their standpoint, to arrive at the same conclusion.

( ) The two sides broke for lunch at 1210 and ate together in the CINC's Dining Room. During the lunch break, General Bugrov told Major Elliott that Soviet lawyers had reviewed the Russian text. He asked Elliott what the legal consequences would be of signing two versions. Major Elliott said that a single version was preferable in order to avoid future misinterpretation, but that there was nothing illegal about using two different formats.*

( ) When the negotiations resumed at 1245, General Bugrov asked General Price what authority he had to conclude the negotiations.

( ) General Price stated that he had the authority to sign the US version or two separate versions.

( ) General Bugrov asked General Price what would happen if he called Washington and asked for authority to approve the Soviet version of the text.

( ) General Price responded: "It would take two months. We sent the original text to Washington in January and got an answer in March."

( ) General Bugrov continued the questioning: "What kind of answer could you expect from Washington?"

( ) General Price answered with a question: "Why? Why this change now?"

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* ( ) Major Elliott was arguing for one version for both texts because there was still some possibility at that point that the Soviets would agree to point 3 being one paragraph. He knew General Price had the authority to agree to any of the three positions -- to include accepting the Soviet position of separate paragraphs for both the English and Russian texts -- but, obviously, he did not want to reveal this information to General Bugrov. SOURCE: Intvw, MAJ H.W. Elliott, C/Intl Law Div, USAREUR OJA, 5 May 86. OADR.

( ) General Bugrov explained:

> If we call Moscow, we could get both an affirmative and negative answer. Consider today's tensions in the world. It takes a long time. May we take responsibility on ourselves for a decision? This document is ready to sign. We didn't report the events of Saturday and Sunday to our higher headquarters. We had informed Moscow that the US proposed a meeting on 9 or 10 April to sign the 30 December document. Moscow approved. We're sitting here all day to discuss a small point. Let's sign the 30 December document.

( ) Colonel Lajoie responded that he had given them copies of the US side's final document.

( ) General Bugrov said that he had described the above scenario to show what would happen in Moscow and Washington if they passed the decision to them.

( ) General Price asked: "You are telling me that you can't or won't sign two versions?"

( ) General Bugrov replied: "It is too early to discuss that. There are two documents in different formats."

( ) General Price reasoned:

> This is not an agreement between the US and the USSR. It is a summary of the discussions between the staffs of GSFG and USAREUR. Our CINCs are charged with the safety of the missions. Why should a single space -- the format -- cause us to throw it all away? I have great problems if I have to go back to Washington.

( ) Colonel Pereverzev reiterated that, from the Soviet standpoint, the texts were not official documents but were only military documents: "They are short and clear; they reflect the concerns of both sides."

( ) Suddenly, General Bugrov seemed to be agreeing to sign the texts with two different formats:

> Let our interpreters and the lawyer look at your version [of the texts with two formats] and report back to us that the documents are, in fact, authentic. Authenticity can be certified by the lawyer. Then we can have Lajoie and Pereverzev review the documents.

( ) General Price said that Major Elliott could certify the authenticity of the texts on a separate document, but he could not do it on the basic texts.

( ) General Bugrov asked if Major Elliott could sign on the back side of the texts' pages. He noted that it was standard procedure for Soviet lawyers to sign on the bottom of the page. At that point the Soviets had a short discussion among themselves about the legal sufficiency of Major Elliott signing the back side of the texts.

( ) General Price said he had instructions from Washington that he could sign the document, but none that said Major Elliott could sign the front side of the document.

( ) General Bugrov revised the plan: "Let the translators and the lawyer review the text. Major Elliott can sign on the back that both versions are the same."

( ) The translators and Major Elliott reviewed the text, and Major Elliott penned in the following statement on the back side of each text: "I confirm that the English and Russian texts are authentic."* He signed below the statement and hand printed his signature block.

( ) At 1410 they took a short break while the room was rearranged for the signing ceremony and a group picture. During the discussions, the two sides had faced each other across conference tables lined up end-to-end in the center of the room. The conference tables were moved to the side of the room next to the windows, which would allow the two generals to sit side-by-side while they signed the documents. A row of chairs and a display of crossed US and Soviet flags were set up on the raised platform at the end of the room for picture-taking.

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* ( ) Major Elliott assumed that, since he was not a translator, he was confirming that the document was legally sufficient. SOURCE: LTC Elliott Intvw. OADR.

( ) General Price read a short statement prior to the signing ceremony:

> I sign the agreed summary on a reciprocal basis as representing an accurate reflection of the results of the military staff discussion on operating procedures for the safety and operation of the MLM.

( ) The documents were signed at 1425. (Copies of the documents are in Appendix D.)

( ) General Price read a closing statement:

> Before this proceeding closes, I suggest that we have the Chief, US Military Liaison Mission, and the Chief, SERB, meet as soon as possible to discuss the content of the new cards and instructions relevant to their use. As our role as negotiators ends, I also suggest that the Chief of the US Mission and Chief, SERB, as well as the Chief, Soviet Military Liaison Mission, Frankfurt, and the Chief, Allied Contact Section, maintain contact in order to develop further ideas which might improve the safety of MLM members. For instance, they might work out the steps to be taken in case a Mission member suffers an injury because of an accident, negligence or intentional infliction of bodily harm.
>
> Finally, I should inform you that the signing of the agreed summary does not affect the position of the United States Government on the killing of Lieutenant Colonel Arthur Nicholson on March 24, 1985. As we have consistently stated, the United States Government will not consider that incident closed until appropriate Soviet authorities issue an apology and pay compensation for the unjustified killing of Lieutenant Colonel Nicholson. At the same time, I appreciate that the form of such apology and amount of compensation is a matter to be worked out by the political authorities of our respective governments. It is my fervent hope that the process of maintaining the safety of members of the military

liaison missions will continue in the spirit of these negotiations. Both General Otis and I hope that, with the signing of this agreed summary, we have entered a new era in USAREUR-GSFG relations.

( ) General Bugrov responded: "I expected such a statement and understand your position."

( ) The two sides broke again at 1430 to toast the successful completion of the USAREUR-GSFG staff-level negotiations. When they reassembled at 1500, the tables had been moved slightly away from the windows and the teams again sat across from each other. General Price asked General Bugrov if he had any other concerns he wished to discuss.

( ) General Bugrov replied:

I share your opinion that our final documents we worked out will further the cause of bettering relations between GSFG and USAREUR. We have discussed several nuances and the fact that these talks should continue at the Chief, MLM, level. The headquarters have their own duties and are too busy. We should leave the small discussions to the MLM. At this point I would like to address several issues.

The first point is the PRA maps. We must study the new maps to ensure that the principles worked out during the negotiations have been applied. We are considering exchanging two or three copies of each map. We want to remove any misunderstandings. We need to ensure that Autobahn travel is unrestricted and that there are fewer detentions. I suggest we exchange copies of the new maps and discuss them. Colonel Lajoie wants to exchange the final copy of the map.

( ) Colonel Lajoie stated that the US side would not negotiate on the map, but it would clarify any issues.

( ) General Bugrov said that his suggestion was flexible. He proposed that they study each other's maps to verify that the agreed-upon principles had been implemented -- "sort of a technical inspection." He agreed that there would be no negotiations on the maps.

( ) General Price asked if GSFG proposed to deal with all three Allies the same way. General Bugrov said that it did.

( ) General Price informed him that he could not give a yes or no answer to the proposal -- there were ongoing discussions with the Allies on this subject -- but the US side would take his proposal "under advisement and consider your suggestion."

( ) General Bugrov said they had already notified the British and French of the proposal.

( ) General Price reiterated that the US side could not act alone on the PRA map issue: "We don't control the entire country."

( ) General Bugrov continued: "My second point is in connection with the sad incident of last year -- several sanctions and limits have been imposed." General Bugrov said he understood the reason for the sanctions, but one current restriction was particularly bothersome to the Soviets. Rather than being able to go directly from Frankfurt to Bonn, SMLM personnel in Frankfurt had to travel first to the GDR and from there to Bonn. "This situation is both humorous and serious." He asked that the interzonal travel sanction be cancelled: "No one will be the loser."

( ) General Price turned to Lieutenant Colonel Gambolati: "Ron, do you want to address this issue?"

( ) Lieutenant Colonel Gambolati responded:

> Sir, I propose that, in view of the hour, we note the Soviet issues, pass them on to the CINC with our comments, and then get back to them through the Allied Contact Section and USMLM. That puts it in the perspective General Bugrov mentioned about discussions at the chief of mission level and saves time today in discussing issues for which we may not have immediate answers.

( ) General Price asked General Bugrov if that was acceptable.

( ) General Bugrov agreed that it was. He said the third point he wanted to bring up was SMLM's quarters in Frankfurt. Although he personally liked SMLM's quarters and

General Shevtsov was not complaining, Colonel Pereverzev had asked that the issue be raised. General Bugrov said SMLM needed more space while repairs were being made at the compound: "Would it be possible to find a new place?"

( ) Colonel Pereverzev added that SERB had repaired an old building on USMLM's grounds for their use while major repairs were being completed on the main building. He asked Colonel Lajoie to confirm this and that they had repaired other facilities at the compound.

( ) Colonel Lajoie said he could confirm that extensive renovation had taken place, but that it had taken longer than expected. He said it was very difficult to compare the two situations. He noted that USMLM had brought in such things as paint, bathroom equipment, and kitchen equipment in order to meet US specifications.

( ) Colonel Pereverzev claimed that the SMLM compound's heating system needed to be replaced.

( ) General Bugrov thought the SMLM compound was "small and dangerous." He had noted that there was exposed and faulty wiring, that the paint was peeling, and that all of the buildings needed major repairs.

( ) General Price said that his comments had been noted.

( ) General Bugrov's last point concerned the behavior of the Federal Republic's police when detaining SMLM tours:

> This is a dangerous practice....There are ethical problems when the police create dangerous situations. The FRG has nothing to do with SMLM -- it is a violation of the Huebner-Malinin Agreement.

General Bugrov said that in the spirit of the documents being signed that day, it would be well if they could avoid future incidents: "We must avoid improper detentions and take steps to correct the situation."

( ) Colonel Lajoie counterattacked:

> You realize the situation in the GDR is monstrous. The harassment by GDR police is always evident. When I complain to Colonel

Pereverzev, he says the special [license] plates attract curiosity -- [their conduct] is not harassment or surveillance.

( ) General Bugrov said that both sides must take the necessary steps toward "normalization."

( ) Colonel Lajoie stated that they must examine the problems on a mutual basis.

( ) Colonel Pereverzev interjected: "If you see a [GDR police] vehicle two or three times, let me know."

( ) General Shevtsov said SMLM previously had secured its movies and special food from the the Soviet Embassy in Bonn, but since the incident, it had been required to secure these items from the GDR. It had been much easier for SMLM personnel to go to Bonn.

( ) General Bugrov asked General Price what his views were on the points that had just been made by the Soviets. General Bugrov offered to listen to the US side's points.

( ) General Price promised that the US side would work together with the Soviet side -- "in the spirit developed during these negotiations" -- to meet their legitimate demands. He asked Lieutenant Colonel Gambolati if he wished to make any comments on the subject.

( ) Lieutenant Colonel Gambolati said that he had none, except that the USAREUR staff would look at the issues and would pass its comments to General Otis.

( ) General Price told General Bugrov he was not prepared to address their concerns, but they would be examined point by point and GSFG would receive a response. He noted that the agreed summary would affect many things, and these subjects would have to be considered carefully. General Price promised the Soviets that they would be kept informed through Colonel Lajoie and Major Wyckoff.

( ) General Bugrov thanked him for his consideration of the issues raised by the Soviet side.

( ) At 1620 the USAREUR and GSFG negotiators concluded the meeting by exchanging handshakes and farewells.[30]

(U) Initial Assessment of the "Agreement"

( ) Although both the United States and the Soviet Union did not characterize the agreed summary as an international "agreement," it would seem to fit the definition of an agreement between two sovereign states. Major Elliott believed the US Government certainly expected the Soviets to abide by the terms of the agreed summary. He reasoned that if the Soviets treated it as an international agreement, and the US did the same, it was in fact an international agreement. Army policy on international agreements, as outlined in AR 550-51, seemed to support Major Elliott's interpretation. He further reasoned that, since the agreed summary would be used to interpret the Huebner-Malinin Agreement, technically it should be considered a "protocol" to the underlying agreement. (Subsequently, in USMLM circles the agreed summary would be referred to informally as the "Nicholson Protocol.") If it was not an international agreement, it was certainly more than just "an agreement between two major generals," as General Bugrov had humorously suggested in an aside to General Price.[31]

( ) Agreement, protocol, understanding, or just plain agreed summary -- the document itself was the primary result of the USAREUR-GSFG staff-level negotiations. The most important consideration in assessing the agreed summary was, did it fulfill the JCS-directed goals of ensuring physical safety for MLM members while preserving their freedom of movement under the terms of the Huebner-Malinin Agreement? The USAREUR negotiators and other staff members involved in the MLM business responded in a series of contemporary interviews with an almost unanimous "wait-and-see" attitude. Their projections on future Soviet compliance ran the gamut from that of having little faith that they would -- or even could -- comply with the agreements, to assurances that it would be in the Soviet interest to comply with the agreements reached during the negotiations. Many thought the fact that the Soviets had bothered going through the process of negotiating and concluding the agreed summary indicated an interest in forestalling problems in this area in the future and a willingness to try to make the agreements work.

( ) USAREUR's report on the last session was low key. Basically, it stated that the meeting had taken place and that the agreed summary had been signed. The report said there had been a lengthy discussion on point 3, and blandly concluded that, although each side had insisted on retaining its version of the text, both texts were recognized as authentic and both sides had agreed to abide by all provisions of the document.[32]

( ) USAREUR also reported that General Price had made the required statement on the apology and compensation issue. The Soviets had refused once again to provide an apology or compensation for the murder of Major Nicholson. Secretary Weinberger would continue to insist that the issue be pressed at every opportunity and that it would have to be resolved before relations between USAREUR and GSFG could be normalized.

( ) The two most important subsidiary issues of the negotiations were the dissemination of the Soviet MLM instruction cards and the exchange of new PRA maps. The dissemination of the cards was important because they would be tangible proof that GSFG was taking positive steps to ensure the safety of MLM tour personnel. The exchange of new PRA maps should not have been a part of the negotiations, but became a discussion point because the Soviets chose to use it as a bargaining chip. Resolution of these two issues will be discussed in the next chapter.

( ) On 11 March USEUCOM retransmitted to Washington the information provided in the USAREUR report and promised that copies of the agreed summary, the instruction cards, and the new PRA maps would be forwarded when the latter two were received from the Soviets. USEUCOM concluded its report by stating:[33]

> This will complete our action related to the murder of Lieutenant Colonel Nicholson, although the apology and compensation issue will be raised at every opportunity (as a reminder) until that issue is resolved via diplomatic channels.

As will be seen in the next chapter, USAREUR and USEUCOM actions relating to the Nicholson incident and the staff-level negotiations were far from complete.

CHAPTER NINE FOOTNOTES

1. Msg, Berlin to USAREUR (AEAGB-C), 021630 Jan 86, subj: 2 Jan 86 Meeting With SERB. OADR.

2. Msg, USCINCEUR (ECCS) to JCS (DJS/J5), 021541 Jan 86, subj: USAREUR-GSFG Negotiations. OADR.

3. Msg, Berlin to USAREUR (AEAGB-C), 032000 Jan 86, subj: 3 Jan 86 Meeting With SERB. OADR.

4. Ltr, GEN Otis to GEN P.G. Lushev, CINCGSFG, 9 Jan 86, no subj. No file. UNCLAS.

5. Memo, COL Gillespie to DCSI, 12 Jan 86, subj: Negotiations With GSFG. OADR.

6. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 131600 Jan 86, subj: 13 Jan 86 Meeting with CFMLM and CBRIXMIS. OADR. (2) Note, GEN Otis to CofS, DCSI, & DCSOPS, 12 Jan 86, no subj. No file. UNCLAS.

7. Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 181630 Jan 86, subj: Response of GEN Lushev to 9 Jan CINCUSAREUR Letter. OADR.

8. Ltr, GEN Otis to GEN Lushev, 22 Jan 86, no subj. No file. UNCLAS.

9. (1) Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 291500 Jan 86, subj: 29 January 86 Meeting with CSERB. (2) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2), 311315 Jan 86, subj: USAREUR-GSFG Negotiations. Both & OADR.

10. Msg, Berlin (AEUS) to USAREUR (AEAGB-C[HO]), 031930 Feb 86, subj: 3 Feb 86 Meeting With CSERB. OADR.

11. Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 081700 Feb 86, subj: 8 February 86 Meeting with SERB. OADR.

12. Msg, CINCUSAREUR (AEACC) to USCINCEUR (ECDC), 071110 Feb 86, subj: USAREUR-GSFG Negotiations. OADR.

13. 081700 Feb 86 CUSMLM Msg. OADR.

14. (1) FONECON, LTC Bennet ("Pentagon," DA/ACSI) to CPT Heverly, USAREUR I&W Cen, 132245 Feb 86, subj: Msg for COL Gillespie. (2) Msg, Berlin (USMLM) to USAREUR (AEAGB-C), 151938 Feb 86, no subj. (3) Memo, COL Gillespie to CINC-USAREUR, 22 Feb 86, subj: Status of USAREUR-GSFG Paper. AEAGB. (4) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 241030 Feb 86, subj: Washington Trip Highlights. (5) Msg, CINCUSAREUR (AEAGB-C) to USCINCEUR (ECJ2-C), 071155 Mar 86, subj: Trip Highlights. All & OADR.

15. OF 41, CPT Ploen to MG Price, 3 Mar 86, subj: USAREUR-GSFG Negotiations. AEAGB-C(HO). OADR.

16. Memo, COL Gillespie to CofS, 6 Mar 86, subj: Status of USAREUR-GSFG Paper. AEAGB. OADR.

17. FONECON, LTC Bennet, DA/ACSI, to CPT Ploen, 141735L Mar 86, subj: Status of Negotiation Document. OADR.

18. (1) Memo, COL Hahn to CINCUSAREUR, 13 Mar 86, subj: Public Affairs Guidance - USAREUR-GSFG Summary Agreement. AEAPA-PI. (2) Msg, CINCUSAREUR to USCINCEUR (ECPAO), 190740 Mar 86, subj: USAREUR-GSFG Negotiations. (3) Msg, USCINCEUR (ECPAO) to JCS (DJS-PA), et al., 200957 Mar 86, subj: USAREUR-GSFG Negotiations. All & OADR.

19. Memo, MG Gordon to CofS, 10 Mar 86, subj: 4 Mar 86 Meeting With SERB. AEAGB. OADR.

20. (1) Msg, USCINCEUR (ECJ2/ECCS) to JCS (J-5), 181614 Mar 86, subj: Permanent Restricted Area (PRA) Maps. (2) Msg, ODCSI (AEAGB-C[HO]) to CUSMLM (AEUS), 191500 Mar 86, subj: Allied Note Verbale. Both & OADR.

21. Msg, CUSMLM (AEUS) to ODCSI (AEAGB-C[HO]), 251510 Mar 86, subj: New PRA Map Exchange. OADR.

22. Msg, USAREUR to Berlin, 261730 Mar 86, subj: Response to Questions. OADR.

23. Msg, JCS (ACJCS) to USCINCEUR (ECDC), 011700 Apr 86, subj: USAREUR-GSFG MLM Discussions. OADR.

24. Msg, CINCUSAREUR (AEAGB) to CUSMLM, 030600 Apr 86, subj: USAREUR-GSFG Negotiations. OADR.

25. (1) Msg, CUSMLM to ODCSI (AEAGB-C[HO]), 031700 Apr 86, subj: Meeting With SERB RE: Summary Document Approval. OADR. (2) Msg, ODCSI (AEAGB-C[HO]) to CUSMLM, 271430 March 86, subj: Agreed Summary Documents. OADR. (3) Russian & English texts as prepared by LTC Kelley, ca. 27 Mar 86. UNCLAS.

26. (1) Msg, Berlin (AEUS) to Heidelberg (AEAGB-C[HO]), 052230 Apr 86, subj: Meeting With SERB RE: Summary Document Approval. (2) USMLM Unit Hist, 1985, p. 126-27. Both & OADR.

27. (1) Msg, CINCUSAREUR (AEAGX) to USCINCEUR (ECCS/ECJ2/ECPAO), 071750 Apr 86, subj: USAREUR-GSFG Negotiations. (2) SECDEF (ASD-PA) to USCINCEUR (ECPAO), 082147 Apr 86, subj: USAREUR-GSFG Negotiations. Both & OADR.

28. USMLM Unit Hist, 1985, p. 127. OADR.

29. Ibid. OADR.

30. As had been done after the prior sessions, the USAREUR negotiators subsequently compiled from their notes a close-to-verbatim transcript of the session: "USAREUR-GSFG Staff-Level Discussions, Round Four - Record," 10 Apr 86. OADR.

31. (1) LTC Elliott Intvw. OADR. (2) AR 550-51, "Authority and Responsibility for Negotiating, Concluding, Forwarding, and Depositing of International Agreements," 1 May 85. UNCLAS. (3) USMLM Unit Hist, 1985, p. 128. OADR.

32. Msg, CINCUSAREUR (AEACC) to USCINCEUR (ECDC), 101650 Apr 86, subj: USAREUR-GSFG Negotiations. OADR.

33. Msg, USCINCEUR (ECDC) to JCS (CJCS/J-S), 111500 Apr 86, subj: Summary Document. OADR.

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