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DEPARTMENT OF STATE
BRIEFING MEMORANDUM

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TO: The Deputy Secretary
THROUGH: P - Mr. David Newsom
FROM: S/P - Paul H. Kreisberg, Acting *PK*
SUBJECT: A Mediator for the South Asian Nuclear Problem

An idea we discussed this morning, of asking a mediator or emissary using his good offices to help negotiate a settlement on the subcontinent, may have merit. Finding the right person and the right time to put him forward will not be easy.

The Paks, Indians, and Chinese will all have reservations about any kind of mediation at all. Mediation will remind the Indians of the UN involvement in the Kashmir dispute following the war of 1947-48. The Indians, of course, claimed that the accession of Kashmir to India was not open to question at all, and by internationalizing the issue, the Pakistanis cleverly gained support for their illegal occupation of part of the territory. The Pakistani leadership, on the other hand, will remember that even a successful mediation outcome can be used by disgruntled or opportunistic opponents to embarrass the government. Bhutto charged Ayub with "giving away the store" a few years after the Tashkent conference in 1965 was mediated by the USSR, which even then had closer ties to India. India also recalls the abortive effort by the US in 1963 to mediate the Kashmir dispute using the leverage gained by our support at the time of the Sino-Indian war. Indian rejection of a multilateral approach to an Eastern Waters project involving Nepal and Bangladesh is another example

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of Indian insistence on dealing with regional matters bilaterally. The model for dispute-settlement for India was the Simla conference between India and Pakistan which was a completely bilateral effort involving no mediators at all. Nevertheless, it is possible that an approach by a widely-respected individual of international reputation designed to act as a conciliator and relying on his good offices, rather than a formal mediator, might receive support from India and Pakistan in order to achieve some agreement on nuclear development on the subcontinent. In addition, India probably would object to a "mediator" or "arbitrator" because this would imply that we are again equating India and Pakistan. The concept of the selected person being designated as special envoy or emissary probably would be acceptable, however.

Although the Paks and Indians would be the principal participants in a South Asian settlement, the Chinese will almost certainly have to be included as part of the inducement to the Indians, and perhaps to reassure Pakistan as well. (Assurances of some kind from the other nuclear weapons states may also be necessary.) This should be kept in mind in selecting the mediator and in developing a scenario about how to proceed.

The scenario would presumably begin with soundings in all three capitals. While no time for such an effort is likely to look very good with the NAM and Pak elections approaching, delay for very much longer will also present problems. If the heart of a settlement is to be an arrangement addressing the nuclear issues, then one must be reached before the Pak program advances too far, or it will be technically too difficult to design and politically very hard to accept.

Ideas could be solicited from the allies on the merits of the proposal and suggestions for the emissary or mediator. Some possible non-official candidates, in no particular order, are: Paul Warnke, Elliot Richardson, William Fulbright, Dean Rusk, Ellsworth Bunker, Abe Chayes, Inga Thorsson (successfully chaired 1975 NPT Review Conference), Connor Cruise O'Brian, Walter Scheel, Dennis Healy, Willy Brandt, Lord Mountbatten, and Olaf Palme.

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Rather more delicate would be an effort at mediation by President Zia of Bangladesh or Prime Minister Jayewardene of Sri Lanka. Neither might be willing to take the risk of antagonizing their giant Indian neighbor or of complicating their relations with China or Pakistan. An international leader from a Third World country might also be a possibility.

Given Desai's statement that the US is overemphasizing Pakistani nuclear developments in order to force Indian acceptance of full-scope safeguards, it probably would be better that the mediator or special envoy not be an American, as this might promote a greater Indian receptivity to any proposal involving inspection or verification.

We can explore this further within the Department but you might wish to consider raising it in general terms at the PRC to see whether there is any sentiment for examining the prospects in more detail.

Concurrences:

S/AS - Amb. Smith ✓ OES - Mr. Pickering ✓
NEA - Mr. Miklos ✓ NEA/PAB - Mrs. Coon ✓
IO - Mr. Helman ✓

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