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(Third Session)

By JC, NARA, Date 5-30-01

MEMORANDUM OF CONVERSATION

SUBJECT: Negotiations with Israel - F-4 and Advanced Weapons

Participants:

Israeli Side

Ambassador of Israel, Lieutenant General Yitzhak Rabin
Minister Shlomo Argov, Israeli Embassy
Major General Hod, Commander, Israeli Defense Force Air Force
Brigadier General David Carmon, Defense and Armed Forces Attache

United States Side

Assistant Secretary of Defense (ISA), Paul C. Warnke
Deputy Assistant Secretary of Defense (ISA), Harry H. Schwartz
Deputy Director, NESA Region (ISA), Robert J. Murray

Time: 1810-1840, 8 November 1968

Place: Assistant Secretary Warnke's Office, The Pentagon

Ambassador Rabin began the conversation by asking whether Mr. Warnke had changed his mind with respect to the assurances we had requested of the Israeli Government. Mr. Warnke replied in the negative.

Ambassador Rabin, saying his words might not be diplomatic, read from a prepared talking paper as follows:

"I wish to address myself first to Article 3 of your proposed Memorandum of Agreement. I am now in a position to confirm that my original personal reaction upon first reading this paragraph -- namely, that it is completely unacceptable to us -- is indeed my Government's official position. We have come here for the purpose of purchasing 50 Phantoms. We have not come here in order to mortgage the sovereignty of the State of Israel, not even for 50 Phantoms. Furthermore, I wish to state that we consider Article 3 to be in the nature of a very major condition precedent to the sale of aircraft and it is therefore not acceptable to us also as

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a matter of principle. My Government's position is that the matters raised in Article 3 are extraneous to the question before us, namely, the terms for the sale of 50 F-4 aircraft. These matters have been the subject of separate discussions between our two Governments. Most recently, 28 October 1968, we submitted through the U.S. Ambassador to Israel a comprehensive statement concerning these issues, the contents of which I can make available to you now.

"Accordingly, I should like to propose that Israel's assurances in connection with the theoretical question of the use of the planes for the delivery of nuclear weapons remains as submitted to you in our original proposal, namely, that the Government of Israel agrees not to use any aircrafts supplied by the U.S. as a nuclear weapons carrier. I am also authorized to reaffirm, in this connection, that it is Israel's long-standing policy not to be the first to introduce nuclear weapons into the Middle East. Assurances to that effect can be incorporated into the agreement.

"May I also comment on the Preamble to Article 3 and state that the Government of Israel does not consider itself qualified to express an opinion on what constitutes an endangerment of the security interests of the U.S. This is the exclusive prerogative of the Government of the U.S. Similarly, with reference to subsection 2 of Article 2, the Government of Israel does not feel that it is qualified to comment on what is or is not a major tenet of U.S. policy. Again, this is the exclusive prerogative of the U.S. Government.

"This is my Government's position and the only basis on which we consider it possible to conduct negotiations for the purchase of military equipment -- in this case, 50 Phantoms."

Ambassador Rabin, having finished reading from his prepared text, observed that paragraph 1 of the American draft Memorandum of Agreement is an exact wording of the 1965 Memorandum of Understanding, and therefore adds nothing new. He reiterated that Israel did not believe that they were qualified to comment or to make judgments concerning the points covered in Article 2. Ambassador Rabin also thought that Article 5 on secrecy was not even as favorable as the paragraph on secrecy in the A-4 Agreement, which he thought was "more mutual." Rabin said, however, that this was not a major point.

(At this point, Ambassador Rabin passed to Mr. Warnke a copy of the Government of Israel's statement which had been given to Ambassador Barbour on 28 October 1968. Mr. Warnke glanced at it, confirmed that we already had a copy, and returned it to Ambassador Rabin.)

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Ambassador Rabin said that General Hod had met with the Air Force. General Hod said that, while he had one briefing, nothing more was being done, the Air Force was waiting for Mr. Hoopes. Mr. Schwartz explained that Mr. Hoopes had forwarded the Israeli requests to Mr. Warnke, but, because Mr. Warnke had just returned from Europe, he had not yet seen Mr. Hoopes' memorandum.

Ambassador Rabin said: "So there we are." Mr. Warnke said: "Yes, Mr. Ambassador. We have managed to isolate a major difference."

Mr. Warnke said he would like to take issue with two points raised by the Ambassador: first, that our request for assurances in connection with the sale of the F-4 aircraft is extraneous. What Israel does with strategic missiles and nuclear weapons affects the national security of the United States. "It is the national security of the United States that I am charged with protecting. By law I am required to consider the impact of the sale on the United States. You, from your vantage point, do not have to accept my judgments, but I am required to make them." Second, the assurances we have requested are not, and are not intended to be, an invasion of sovereignty. All international agreements impinge on absolute sovereignty. Our request is no different than other international agreements.

Mr. Warnke said that however these negotiations come out he has felt that this dialogue has been useful. "I have felt it was important to get across to you how we feel about Israel's acquisition of strategic missiles and nuclear weapons. As you know, there is a provision in our sales contract that permits cancellation of the contract by the United States for 'unusual and compelling circumstances.' To me, if Israel goes ahead with its missile and nuclear programs this would involve that paragraph; and while I can not speak for the next administration, I feel sure they will feel the same way too. Therefore, to a considerable extent, the arguments we are having about the wording of assurances are mere words and not substance. The substance remains the same."

Ambassador Rabin said: "I can understand you would like to have assurances about the way your hardware is going to be used -- not as a nuclear weapons carrier." But in Article 3 you ask for all the rights to know and for us to give agreement for you to inspect in our country. We were very careful not to use the word "inspect" with respect to Dimona. We see in the two words quite a difference. The word "visit" means you are a guest in our country -- not an inspector.

Mr. Warnke said: "I would be prepared to accept an amendment to our memorandum substituting "visit" for inspection."

Ambassador Rabin said: "We have an agreement today."

Mr. Warnke said: "Yes, but that applies only to Dimona, not to the sites where missiles are being produced" (nervous laughter from Israelis).

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Ambassador Rabin asked: "What do you call strategic missiles in the Arab-Israeli context?" Mr. Warnke replied: "Those capable of reaching the Arab capitals." Rabin agreed, saying: "At least we have the same definition." He also commented that the missiles "would not reach all the Arab capitals."

Mr. Warnke observed that the F-4 aircraft would be part of Israel's total defense environment; that they would be used, as the General well knew, to protect strategic missile sites as well as other possible targets. It is the totality of Israel's defense that we are involved in; it is not just a question of aircraft.

Ambassador Rabin said: "You are only selling arms. How do you feel you have the right to ask all these things?"

Mr. Warnke said: "I think I do. Otherwise I wouldn't bring it up."

Ambassador Rabin said: "We have promised not to carry nuclear weapons and that we do not would not be the first to introduce nuclear weapons into the Middle East."

Mr. Warnke replied: "We will think about what you have said and talk with Secretary Clifford and Secretary Nitze. I will talk with you again tomorrow."

Prepared by: R. J. Murray
Robert J. Murray

(Signed) PAUL C. WARD
Assistant Secretary of Defense
(ISA)
draft
RJM.

Date: 8 November 1968

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