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Authority E.O. 12958
By PRO NARA Date 8/19/03

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A/ISS/IPS, Department of State
E.O. 12958, as amended
October 11, 2007

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

~~TOP SECRET/SENSITIVE~~

MEMORANDUM OF CONVERSATION

PARTICIPANTS: Ambassador T. N. Kaul of India
Dr. Henry A. Kissinger, Assistant to the
President for National Security Affairs
Peter W. Rodman, NSC Staff

TIME AND DATE: Tuesday, August 21, 1973
10:00 - 10:45 a.m.

PLACE: Dr. Kissinger's Office
The Western White House
San Clemente

[Dr. Kissinger first gave Ambassador Kaul a brief walking tour of the Western White House compound, including the President's office. Along the way he introduced the Ambassador to General Haig, Ron Ziegler, and Pat Buchanan.]

Kaul: First of all, let me thank you for introducing me to this place. I really appreciate it.

Kissinger: We are serious about this improvement in our relations.

Kaul: We are, too. The Prime Minister sent me a message yesterday to tell the President.

Kissinger: For your information only, there is a press conference tomorrow and the President is in seclusion now because of it. I haven't seen him today myself. I keep telling you this, but I mean it: I'll get you to see him.

Kaul: What news are you getting from Pakistan about the talks?

Kissinger: I have no news. I made a special point of talking to the Pakistani Ambassador after our talk [on August 15]. I told him not to make an issue now of the trials. We could understand their refusal to

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see them tried, but perhaps, my instinct was, Bangladesh's feelings could be satisfied if the others were freed first and they were kept separated and were perhaps the subject of some amnesty or something. He checked with Islamabad. I had the impression the Pakistanis were willing to be quite constructive. The problem that seemed to bother them most was the Biharis.

Kaul: I heard from Haksar on the talks. The morning session went well but the afternoon session was hard. Aziz Ahmed tried to deal with the prisoners by categories. They added up to a total of 69,000. He stuck with this and wouldn't budge. Haksar said the number verified by the ICRC who want to go is much higher. Aziz Ahmed said, "I can't increase this figure; maybe if Mujib and Bhutto meet, it can be higher."

Kissinger: I thought they had agreed on 200 - 300,000.

Kaul: This is one of the obstacles. Bangladesh is taking back 250,000 Bengalis out of 400,000 who want to go back. You know we are keeping 100,000, from Sind, who want to go back, but we're not making an issue of this. On this point, Pakistan has to accept figures that are verified by the ICRC.

Then they came to war crimes trials. Aziz Ahmed said, "Why can't we skirt it?" Haksar said we would consider the matter of skirting it, but first let the proper atmosphere be created by the repatriation of all the rest. Then Aziz Ahmed said he'd nevertheless keep the 203. This smacks of reprisals.

Kissinger: It is reprisals.

Kaul: It's trumped-up charges.

Kissinger: No question.

Kaul: If they stick to this, it only stiffens the attitude of Bangladesh.

Kissinger: Should we talk to Bangladesh about this?

Kaul: Well, it is really a matter between Bangladesh and Pakistan. If you want to tell Bangladesh to go slow on the trials, you can. They're very sensitive. We cannot really tell them. But I have the feeling that if Pakistan won't insist on these reprisals, this will put Bangladesh in a weak position.

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My suggestion is to tell Pakistan, on one hand they must not continue to jiggle with the figure of 200,000 Bengalis. To use that as a bargaining point will create difficulties. Second, to assure them that the 195 will be kept in India, if they do not insist on reprisals.

Kissinger: My understanding of what you are saying is: If they drop the reprisals, you will undertake to keep the 195 until the other issues are settled.

Kaul: Not undertake, but you can say it's your impression.

Kissinger: In effect you are saying there won't be trials, though.

Kaul: We will keep them until Bangladesh and Pakistan settle this matter between them.

The Pakistanis have the impression that Bangladesh desperately wants to be recognized. This is a misconception.

Kissinger: Does Bangladesh have a Foreign Minister?

Kaul: Yes, he is a very nice man.

I am not giving you an undertaking on this, just giving you my impression.

Kissinger: If they'd agree to give the 200,000 Bengalis and take back the Pakistanis, and return the 203...

Kaul: That is included.

Kissinger: Then there will be no trials. Is recognition part of this too?

Kaul: That can be part of a package. It can be traded.

Kissinger: These talks are now going on?

Kaul: Yes. Aziz Ahmed created a deadlock. But then he added, "If you have some other proposal we can consider it." Haksar said, "We have no other."

Kissinger: My impression is I could use my influence with Bhutto. Or should I do it with their Ambassador, who reports to Aziz Ahmed? I can send a message to Bhutto.

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Kaul: It would show Pakistan's reasonableness and put Bangladesh in a difficult position.

Kissinger: Your point is, if Pakistan agrees to accept 260,000 Biharis, let's go an equivalent number of Bengalis -- including the 203 -- you'll release all prisoners except the 195, and it's my personal understanding that those 195 will be kept in India until there is some understanding between Pakistan and Bangladesh. And we can of course add whatever views we have on that question.

Kaul: That's fair enough. Except you can't mention my name.

Kissinger: But I have to say it's from high Indian sources that I trust.

Kaul: Yes.

Kissinger: I'll send a message today.

Kaul: It would have an electric effect if done while Aziz Ahmed is in Delhi. Otherwise Bhutto will say he won't make concessions except in a summit meeting. That will only delay it all.

Kissinger: When will there be another summit meeting?

Kaul: That's just it. This is an opportunity to break a deadlock and we shouldn't miss it. If you can bring this about, I will come and congratulate you for another victory. This will be no less significant than your other diplomatic victories.

Kissinger: I can't guarantee I will bring it about, but I can pass a message. Will Haksar make this proposal?

Kaul: If we have an assurance they'll accept.

Kissinger: What will ruin it is if Bhutto says he's already heard it and turned it down. Can you tell Haksar not to be any more specific than this?

Kaul: Haksar will be careful.

Kissinger: It would be better if we can do it as trying to be helpful. It would be in his interest if we take some of the moral responsibility for it. But you realize it means that if they try them after all, you will be in

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a brawl with us. Because if it turns out they feel they've been tricked, we will have been participants. We will have told them there would be no trials except by agreement between Bangladesh and Pakistan.

Kaul: No, it's our expectation and hope that if repatriation of the rest takes place, the atmosphere will be such that Bangladesh will be in a difficult position with respect to the trials.

Kissinger: But you can't turn them over to Bangladesh either.

The problem is this: We have an interest in an amicable settlement. We don't like the detention of Pakistani prisoners, as I have told you. But we have not made a public issue of it. On the other hand, if we engage ourselves in mediation that turns out to be wrong, we will have to take a stand. I understand you won't give me a formal undertaking; your formulation is deliberately subtle, but the practical consequence is that they will stay in India.

Kaul: We will keep them with us until the issue is resolved between Bangladesh and Pakistan.

Kissinger: You are asking me to substitute our assurance for the pressure that the 203 represent.

Kaul: Yes.

Kissinger: We're willing to do it. Over what period of time would they be released?

Kaul: Four to six weeks? Two weeks? Naturally it will have to be staged.

Kissinger: Who are the Biharis racially?

Kaul: They are not Muslims, but they are loyal to West Pakistan. They are an Urdu-speaking people.

I still hope to be getting the transcript of the last meeting.

Kissinger: You'll have it. When it's done, shall I send it to Delhi or should it wait until you get back?

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Kaul: It can wait until I get back.

Kissinger: Is it possible for you to check with your Foreign Minister again to check what your assurance is?

Kaul: I can do it, but your message should go as soon as possible. And I don't want to delay it. I can check anyway and call you or come down to confirm it.

Kissinger: Please.

Kaul: How is the rupee thing coming? Anything from Pat?

Kissinger: I gave him a brief report on our discussion, and he said he thought everything was working out.

Kaul: Have you given instructions on debt rescheduling?

Kissinger: No, but you'll have it. By September. When you need it. We have this cliffhanger every year! Actually, you don't need aid; you can get by with just rescheduling the debts. [to Rodman:] Peter, can you get something on this today?

Kaul: I have been talking to businessmen and investors out here.

Kissinger: Is there any possibility of oil in India?

Kaul: There may be. We've thrown it open to the whole world. Usually we give 40-60 but we're prepared to increase that, or reverse it, if necessary. If the companies will take the risk of all exploration.

Kissinger: Our oil companies are a rapacious lot. Their rapaciousness is equalled only by their stupidity. Have any of them gone after it?

Kaul: We just opened it up. On the food thing, I have stopped purchases.

Kissinger: I noticed that.

Kaul: The Agriculture Department couldn't be helpful. I'm not blaming them. They asked us not to buy before August 9, when prices would fall. But prices then skyrocketed! So the one week when we could have bought at a lower price, we didn't.

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Kissinger: They're idiots. We would never have sold this much to the Soviets last year if they had accurately predicted our supply situation and the Soviet supply position. In every one of their predictions they've been consistently wrong.

Kaul: If there are export controls.... I'm going to Minneapolis tomorrow.

Kissinger: You're in favor of export controls.

Kaul: Definitely.

Kissinger: You want 2 million tons set aside for you.

Kaul: Yes.

Kissinger: I can't commit it but we will make a major effort.

Frankly, for your information, our Agriculture Department has to be totally reorganized. They are accustomed only to selling and to dealing with unlimited supply. They never checked with us for foreign policy aspects. It was just assumed we had all we needed. Other countries raised the possibility of combining on surplus commodities; our experts told us it was insanity and against American tradition and unconstitutional. We'll have the NSC control over this now. This will put a limit on it.

Kaul: How are things in Cambodia?

Kissinger: I don't think anything will happen until a new balance of forces is established.

Sihanouk has delusions of grandeur. He keeps saying he doesn't want to see me. But he's sitting in Peking; how do I know he controls anything? If he doesn't, I'll talk to the Khmer Rouge instead.

Kaul: Even if you see him, he'll have the Khmer Rouge with him.

Kissinger: Exactly.

Kaul: He will be useful for a neutral facade.

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Kissinger: We would like a neutral reality.

Kaul: Has the present Government any chance?

Kissinger: It has the resources but the key is whether it has the will.

Kaul: He can be the symbol of neutralism.

Kissinger: Yes, and we're willing to use him. But it is not worth my while to go to Peking on Cambodia alone. We will have other things to talk about.

Kaul: Is Chou coming to the U.S.?

Kissinger: I doubt it.

Kaul: I don't think he will come to the UN either. Probably their Foreign Minister will come.

Kissinger: It's a great arrangement they have. Their Foreign Minister does nothing but travel.

Kaul: Or Chiao Kuan-hua will come.

Kissinger: He's very good. You're off to Delhi now.

Kaul: On the 29th.

Kissinger: I'll get that message off today. But if you could confirm it...

[On leaving the office, Dr. Kissinger resumed the tour of the compound and introduced Ambassador Kaul to Mr. Laird, Bryce Harlow, and Anne Armstrong.]

Kissinger: Mr. Ambassador, I want you to know we get reports of problems in India, and if in a discreet way we can do anything, we want to do what we can to make the Prime Minister's tasks easier. We want her to succeed.

Kaul: I appreciate it, and we reciprocate it. We don't want to do anything to embarrass the President.

[Dr. Kissinger then walked the Ambassador to his car.]

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