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Folder Title: Nicaragua (06/02/1984 –

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Ronald Reagan Library

Collection Name EXECUTIVE SECRETARIAT, NSC: COUNTRY FILE

Withdrawer

MJD 7/17/2009

File Folder

NICARAGUA (06/02/1984-08/04/1984) [TOO LATE TO

FOIA

FILE]

S09-251

Box Number

33

					74		
ID Doc Type	Doc	ument Descriptio	on	No of Pages		Restrict	ions
74016 CABLE	WH04	4959 4/25/2017	M259/1	2	6/2/1984	B1	1
74017 MEMO		ER NORTH TO RO	DBERT MCFARLANE	2	7/12/1984	B1	
74018 MEMO	-		DBERT MCFARLANE ATOR MOYNIHAN	1	6/11/1984	B1	
74019 LETTER		NETH DAM TO SE ICARAGUA 4/25/2017	NATOR MOYNIHAN <i>M259/1</i>	5	ND	B1	
74020 MEMO		TER NORTH TO RO FT NSDD 4/25/2017	DBERT KIMMITT RE M259/1	1	9/18/1984	B1	200
74021 MEMO		SECRETARY TO H STRUCTIONS 4/25/2017	HARRY SHLAUDEMAN M259/1	1	7/27/1984	B1	
74022 DRAFT MEMO	PRES NSDI	O ATTACHED)	DRAFT NSDD (DRAFT	5	ND	B1	megafino)
74058 ROUTING SLIP	R	4/22/2019	M259/1	. 1	7/27/1984	B1 B	3
14030 ROUTING SLIP	R	1/4/2013	M259/1	1	1121/1904	DI E	

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

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B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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FOIA S09-251

Box Number

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74

ID Doc Type	Doo	cument Description	n	No of Pages	Doc Date	Resti	rictions
74024 DRAFT NSDD	RE N	ICARAGUA		4	ND	B1	
	R	4/22/2019	M259/1				
74026 MEMO	STAT	ALD REAGAN TO S FE, ET AL RE NEXT RICA	SECRETARY OF STEPS IN CENTRAL	2	7/28/1984	B1	
	R	4/25/2017	M259/1				
74027 CABLE	WH0	6132		3	7/28/1984	B1	
	R	4/25/2017	M259/1				
74029 MEMO	CAP	TO BUD RE DRAFT	NSDD	1	7/28/1984	B1	
	R	7/19/2010	M259/1				
74031 DRAFT NSDD	RE N	ICARAGUA (ANNO	OTATED)	4	ND	B1	
	R	4/22/2019	M259/1				
74057 ROUTING SLIP				1	7/27/1984	В1	В3
	R	1/4/2013	M259/1				
74033 DRAFT NSDD	RE N	ICARAGUA		4	ND	B1	
	R	4/22/2019	M259/1				
74036 MEMO		SECRETARY TO H.	ARRY SHLAUDEMAN	1	7/27/1984	B1	
	R	4/25/2017	M259/1				

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NICARAGUA (06/02/1984-08/04/1984) [TOO LATE TO

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74040 MEMO

74044 MEMO

74053 MEMO

74055 MEMO

74051 MEMO

ID Doc Type

74038 DRAFT MEMO

74042 DRAFT MEMO

33

No of Doc Date Restrictions **Document Description Pages** THE SECRETARY TO HARRY SHLAUDEMAN 3 ND B₁ RE INSTRUCTIONS (ANNOTATED) 4/25/2017 R M259/1 CHARLES HILL TO DONALD GREGG, ET 7/26/1984 B₁ ALL RE ATTACHED PAPER (ANNOTATED) R 4/25/2017 M259/1 ROBERT MCFARLANE TO VICE PRESIDENT, ND B₁ 10 ET AL RE DRAFT NSDD (W/ANNOTATED ATTACHEMENTS) 4/22/2019 M259/1ROBERT MCFARLANE TO THE PRESIDENT 8/8/1984 B₁ RE STATE DEPARTMENT REPORT R 4/22/2019 M259/1KENNETH DAM TO THE PRESIDENT RE 8/4/1984 B₁ THIRD ROUND OF TALKS 4/25/2017 R M259/1 ROBERT MCFARLANE TO THE PRESIDENT 8/8/1984 B₁

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

RE STATE DEPARTMENT REPORT

KENNETH DAM TO THE PRESIDENT RE

M259/1

M259/1

4/22/2019

THIRD ROUND OF TALKS

4/25/2017

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MJD

7/17/2009

File Folder

NICARAGUA (06/02/1984-08/04/1984) [TOO LATE TO

FILE]

FOIA

S09-251

Box Number

33

ID Doc Type	Document Description	No of Pages	Doc Date	Restrictions
74056 MEMO	CONSTANTINE MENGES TO ROBERT MCFARLANE RE STATE DEPARTMENT REPORT R 4/22/2019 M259/1	1	8/6/1984	B1
74049 DRAFT MEMO	ROBERT MCFARLANE TO THE PRESIDENT RE STATE DEPARTMENT REPORT R 4/22/2019 M259/1	2	ND	B1

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UNCLASSIFIED UPON REMOVAL OF RECEIVED 19 JUN 84 10 CLASSIFIED ENCLOSURE(S)

OT

PRESIDENT

FROM SHULTZ, G

mp 104

DOCDATE 02 JUN 84

KEYWORDS NICARAGUA

EL SALVADOR

ORTEGA, DANIEL

SUBJECT: SUMMARY OF SHULTZ MTG W/ ORTEGA IN MANAGUA

ACTION: NOTED BY PRES

DUE:

STATUS C FILES SII

FOR ACTION

FOR CONCURRENCE

FOR INFO

NORTH

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SYSTEM II 90704

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TO ASHFORD CASTLE //SITTO OBG//
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ASHFORD CASTLE DELIVER BEFORE DEPARTURE TO GALWAY

DELIVER TO MR. KIMMITT FOR MR. MCFARLANE

THE FOLLOWING IS A RETRANSMISSION OF SECTO 6021 DATED 2 JUNE 1984

NODIS

E.O. 12356: DECL: ODAR

TAGS: OVIP (SHULTZ, GEORGE P.)

SUBJECT: MEMORANDUM FOR THE PRESIDENT: MEETING WITH ORTEGA

DEPT FOR S/S ONLY

WHITE HOUSE PLEASE PASS PRESIDEN'S PARTY EYES ONLY FOR MCFARLANE
MY FRANK TWO-HOUR DISCUSSION WITH DANIEL ORTEGA IN MANAGUA
JUNE 1 REVEALED BOTH SANDINISTA WILLINGNESS TO ENTER INTO
DISCUSSIONS AND THE DEEP GAP THAT SEPARATE US ON SUBSTANTIVE
ISSUES.

HOWEVER, WE AGREED AT THE END THAT OUR TALKS WERE "CONSTRUCTIVE" AND "WORTHWHILE." HE SUGGESTED "POSITIVE" AND I SAID THAT SEEMED TO GO FURTHER THAN WARRANTED BY THE SUBSTANCE, AS DISTINCT FROM THE GOOD TONE, OF THE MEETING. I CAREFULLY FOLOWED OUR AGREED TALKING POINTS AND EMPHASIZED OUR FOUR-POINT AGENDA AND THE NEED FOR AN OVERALL SOLUTION THAT INCLUDED ALL FOUR POINTS. I SUGGESTED WE PROCEED BY STAGES IN ALL AREAS SIMULTANEOUSLY.

WE BOTH AGREED TAHT OUR DISCUSSIONS MUST SUPPORT AND FIT INTO THE CONTADORA FRAMEWORK.

ORTEGA DWELLED ON OUR MUTUAL DISTRUST AND THEIR FEAR THAT MY PRIMARY MOTIVE WAS PROPAGANDA (READ: CONGRESSIONAL SUPPORT FOR COVERT ACTIVITIES). HE SHOWED STRONG CONCERN ABOUT THE CONTRAS AND STRESSED THE ECONOMIC DAMAGE NICARAGUA HAD SUFFERED BOTH FROM FIGHTING AND THE CLOSING OF U.S. MARKETS (SUGAR: "ECONOMIC AGGRESSION"). ORTEGA SOUGHT AN EARLY, SYMBOLIC MEETING WITH YOU, WHICH I SAID WAS NOT APPROPRIATE UNDER THE CIRCUMSTANCES. HE THEN REPHRASED HIS REQUEST AS MEANING A WILLINGNESS ON HIS PART TO VISIT WASHINGTON IN RECIPROCATION FOR MY STOP IN HIS COUNTRY.

ON THE NEGOTIATION PROCESS, HE NAMED VICTOR TINOCO (THEIR ABLE VICE FOREIGN MINISTER) TO BE HARRY SHLAUDEMAN'S COUNTERPART, AND WE AGREED ON A PROCESS OF SMALL, HIGHLY CONFIDENTIAL MEETINGS. ORTEGA MADE A MAJOR EFFORT TO INVOLVE THE MEXICANS AS A THIRD PARTY "WITNESS" FOR OUR TALKS, WHICH

END OF PAGE 01

SECRE

DECLASSIFIED

NLRR M 259 11 # 74016

BY MW NARA DATE 4 25 14

I TURNED ASIDE. AS A GESTURE, I AGREED THAT SHLAUDEMAN AND TINOCO MEET NEXT IN MEXICO, TENTATIVELY ON JUNE 11. THE LOCATION OF FUTURE TALKS WILL BE DETERMINED BY OUR NEGOTIATIONS AND MAY ALTERNATE BETWEEN OUR TWO CAPITALS. ORTEGA THEN PROPOSED AS A COMPROMISE THAT WE KEEP THE MEXICANS INFORMED ON A PERIODIC BASIS. I POSED NO OBJECTION BUT SAID I WOULD ALSO KEEP AT LEAST THE CORE FOUR GENERALLY INFORMED AS WELL.

THE CONTADORA AND CORE FOUR MINISTERS, EXCEPT FOR SOME EXPECTED HONDURAN RESERVATIONS, WERE PLEASED AT OUR INITIATIVE WHEN I DISCUSSED IT WITH THEM IN SAN SALVADOR. SHALUDEMAN AND THE NSC'S RAY BURGHARDT STAYED IN THE AREA TO BRIEF OUR FRIENDS AND WILL VISIT SUAZO TOMORROW.

OUR DIFFERENCES SEEMED HIGHLIGHTED BY TWO ISSUES: THE APPROPRIATENESS OF DISCUSSING THEIR INTERNAL POLITICAL AFFAIRS AND THEIR DEDICATION TO A STRONG REVOLUTIONARY BOND WITH THE GUERRILLAS IN EL SALVADOR. AT THE SAME TIME ORTEGA WAS NONPOLEMICAL AND POLITE. THE U.S. FLAG AS WELL AS THEIR OWN WAS PLACED BEHIND US IN THE MEETING ROOM. ORTEGA THREE TIMES CALLED THE VISIT "VERY POSITIVE." THE ATMOSPHERE WAS CLEARLY IMPROVED OVER RECENT MEETINGS. WE HAVE BEGUN A PROCESS THAT MIGHT LEAD TO SERIOUS TALKS, BUT THIS IS STILL A VERY LONG SHOT. 0586

NNNN



SECRET

ID 8490782

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W/ATTCH FILE

RECEIVED 13 JUL 84 11

TO

DISPATCH

MCFARLANE

FROM NORTH

DOCDATE 12 JUL 84

UNCLASSIFIED UPON REMOVAL OF CLASSIFIED ENCLOSURES WON

KEYWORDS. NICARAGUA

SUBJECT	NEGOTIATIONS	& PERSECUTION	THE NICARAGUAN	PARADOX	
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NICARAGUA (06/02/1984-08/04/1984) [TOO LATE TO FILE]

S09-251

Box Number

33

74

ID Document Type

Document Description

No of Doc Date

pages

Restrictions

74017 MEMO

2 7/12/1984 B1

OLIVER NORTH TO ROBERT MCFARLANE RE NEGOTIATIONS

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
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S09-251

Box Number

33

74

ID Document Type

Document Description

No of Doc Date pages

Restrictions

74018 MEMO 1 6/11/1984 B1

OLIVER NORTH TO ROBERT MCFARLANE RE RESPONSE TO SENATOR MOYNIHAN

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TAB

S/S 8416864

WALTHE B HARRISTON OF JOSEPH R BOOK AR BEL BANKE, & MODITE HEMBO PATRICE J LEARY OF LOTE MERTER PER LAW HARRISTON

WHEN I BUILD IN AF ET BUILDO

THE PERSONS STATE BURGLING

United States Senate

SELECT COMMITTEE ON INTELLIGENCE WAS HIM GOOD D.C. 20510

June 11, 1984

URGENT

84-2067

The Honorable Kenneth Dam-Deputy Secretary of State Department of State Washington, D.C.

Dear Secretary Dam:

On My 10, the International Court of Justice indicated certain provisional measures with which the United States should comply pending its final decision in the proceeding instituted by Nicaragus.

I would appreciate a written statement from the Department of State as to whether the United States is now, and intends to remain, in compliance with those measures, in particular paragraphs B(l) and B(l). Please include the complete factual and legal basis for the Department's position.

As the Select Committee on Intelligence will be considering this matter on Tuesday, June 11, 1 ask that the statement be delivered at or before our meeting.

Sincerely,

Daniel Patrick Hoynihan Vice Chairman

Enclosure

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TAB II

Should Cease and Refrain

in the complaint filed by Nisangua against the THE HAGUE, May 10 (AP) - Pallaming is the afficial rest of today's World Court interior ruling CHE STE

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t. Unanimously.

used by the removal of the case from the last polycoloum filed by the Mapublic of Michaelu SE SA AMPENDE a 5 April 1984, and on the request filed the dication of provinces as ne day by the Republic o: Nicosagus for the 五 温泉 the property THE P. LEWIS CO. Charles Charles

Teles & al sugar MALE A MATTERSON B Indicator, pending he fund of 2 Asserted, Nicolates Nicolates Traine 8 1884 by the UNIT

district come and refrom from any action re-stricting, blocking or endingering assess to or from Niceroguen perfe, and, in particular, the The United States of America should imme-

Layung of mines.

2 By 14 votes to cass.

The right is mercantigately and to positional in-dependence passessed by the Republic of Nicthe principle that states should refrain in their not us any wey be proposed the world, should be fully sespected and should eraque, like any other state of the region or of ciple concerning this duty not be lettered force against the terriberial international relations from the though or use of by principles of internated state, principles emission llucal independence of any eta and paramilitary ectivisism which are probabilised Muon of Arms Hors Charter and the Ch late, principles embedded in the United No. nd are, to perfecular mental and on Total and it is THE RES CO and and F E

Fevor. President Bles. Va 五 V

Nagendra Singh, Ruda, Mosler, Oda, Agu, El Khani, Sir Rubert Jennings, de faichirrieri, Mbuye, Birdjunat Sir Richart Jeimings, de faichirriert,

Against Judge Schwebei

3. Unanumously,

meth of them ensure that no action of any kind is taken which might aggravate or extend the The governments of the United States of America and the Republic of Nicaragus should dispute submitted to the court.

4 Chanusously,

which might prejudice the rights of the other America and the Republic of Nicaragua should decision the sourt may render in the case party in respect of the carrying out of whatever sech of them ensure that no action is taken The governments of the United States of

C. Unanimously.

keep the matters covered by this order contin-uously under review. its finel judgment in the present case, it will Decries further that, until the court delivers

D. Unanimo d

of the court to entertain the diapute and of the first be addressed to the question of jurisdiction admissibility of the application. Decides that the written proceedings shall

quent procedure, for further decision. the said written proceedings, and the subse-And reserves the fixing of the time limits for

Benuncy Council States of America, the government of the Rechives of the court, and the others transmitted Hegue, this 10th day of May, 1984, in four copies, one of which will be placed in the arbeing authoritative, at the Peace Palace, The of the United Nations for public of Nicaragua, and the Secretary-General respectively to the government of the Done in English and French, the English lext Camamasson to

(Signed) T.O. Elles, President

Torres Bernardes, Regue

16

TAB

III

SECKET/SENSITIVE/CODEWORDS

bear Senator Moynihan:

This is in response to your letter of June 11, 1984 requesting a statement as to whether the United States is now, and intends to remain, in compliance with the provisional measures indicated by the International Court of Justice on May 10, 1984 in the proceedings instituted against the United States by the Republic of Nicaragua.

As you know, the United States considers the International Court to be without jurisdiction in this matter. Nevertheless, as indicated in the Department's statement of May 10, the United States respects the Court and the rule of law and intends to act accordingly.

The Department's statement further indicated that nothing contained in the measures indicated by the Court is inconsistent with current United States policy or activities with respect to Nicaragua. Without prejudice to the position of the United States that the Court lacks jurisdiction in this case, I am prepared to offer the following comments concerning the decision of the Court.

SECRET SENSITIVE CODEWORDS

DECLASSIFIED

NLRRM25911#7409

BY WARA DATE 4 25 1

SECRET/SENSITIVE / ODEWORDS

- 2 -

The Court, in paragraph 41.B.1. of its decision, called upon the United States to refrain from "any action restricting, blocking or endangering access to or from Nicaraguan ports, and, in particular, the laying of mines." As the Committee is aware, U.S. activities in support of mine laying by anti-bandinista forces in Nicaragua terminated prior to the decision of the Court.

Paragraph 41.8.2, of the decision of the Court is not directed expressly at the U.S. or any alleged U.S. activities. Rather, the Court in this paragraph reiterates the principles of the U.N. and OAS Charters prohibiting the unlawful threat or use of force (Article 24) of the Charter of the United Nations: Article 18 of the OAS Charter) without finding that the United States or any other party has violated these principles. Indeed, the Court expressly disclaimed any intent to prejudge any questions relating to the merits. (Paragraph 40 of the Decision of the Court). Nor did the Court, in reiterating these principles, in any way imply that it intended to restrict or qualify the inherent right of individual and collective nelf-defense, which is expressly recognized in both charrers, or to restrict other actions permitted by international law. Thus, this measure would not preclude the conduct or support of any military or paramilitary activities

SECRET/SENSITIVE/CODEWORDS

- 1 -

which constitute a legitimate and proportionate exercise of collective self-defense to bring about the cessation of Nicaraguan armed attack, whether through overt or covert means.

This is, in fact, the explicit basis upon which the Congress has authorized the use of funds to support military or paramilitary operations in Nicaragua. In Title I of the Intelligence Authorization Act for Fiscal year 1984, the Congress found that:

training, and logistical, command and control, and communications facilities) to groups seeking to overthrow the Government of El Salvador and other. Central American governments, the Government of National Reconstruction of Nicaragua has violated article 18 of the Charter of the Organization of American States which declares that no state has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other state. . . .

This statute authorizes funding for intelligence activities

"for the purpose of or which would have the effect of

*upporting, directly or indirectly, military or paramilitary

operations in Nicaragua. . . . Presumably, the Congress saw

the provision of such support as an exercise of collective

self-defense not inconsistent with the international

oblightions of the United States.

- 4 -

Paragraphs 41.B.3. and 4. of the decision repeat the general admonitions to both parties which the Court customarily adds to any indication of provisional measures to preserve the status quo pending further proceedings.

In considering the intented acope of the Court's decision, it is important to note that the Court did not indicate the provisional measures requested by Nicaragua which would have crecluded any U.S. support for military or paramilitary activities against Ricaragua, whether or not permitted by the right of individual and collective self-defense. This was Ricaragua's specific intention, in particular, Ricaragua's counsel repeatedly referred to the pending Administration request for funding of intelligence activities, and asked the Court to take action that would prevent the appropriation and use of such funds for any actavities against Ricaragua.

The Court declined to do so, and instead adopted the more general formulation in the second provisional measure that clearly preserves the possibility of support of military or paramilitary activities that are consistent with the principles of international law. Nothing in the Court's opinion suggested in any way that it intended to go beyond this or to reach the result desired by Nicaragua.

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- 5 -

In sum, the question of mining Nicaraguan ports is a moot issue. The Court did not in the remainder of its decision purport to preclude U.S. support for lawful uses of rorce directed against Nicaragua, and in fact rejected a Nicaraguan request for measures precluding the activities to be tinanced from the funds being requested by the Administration. The bepartment continues to believe that continued funding for lawful activities is essential to support our diplomatic efforts to bring about a comprehensive resolution of the problems of Central America.

Sincerely,

Kenneth W. Dam

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RECEIVED 28 JUL 84 09

PRESIDENT

FROM SHULTZ, G DOCDATE 27 JUL 84

KIMMITT

27 JUL 84

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KEYWORDS: NICARAGUA

SUBJECT INSTRUCTIONS FOR TALKS & DRAFT NSDD RE DIALOGUE W/ NICARAGUA

ACTION: KIMMITT SGD MEMO TO AGENCIES DUE: 28 JUL 84 STATUS D FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

NORTH

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COMMENTS ** ORIGINAL SHULTZ MEMO W/ MCFARLANE

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RECEIVED 28 JUL 84 09

TO

PRESIDENT

FROM SHULTZ, G DOCDATE 27 JUL 84

KIMMITT

27 JUL 84

UNCLASSIFIED UPON REMOVAL OF ASSIFIED ENCLOSURE(S)

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National Security Council The White House

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Paul Thompson			
Bob Kimmitt	2		
John Poindexter			
Tom Shull			
Wilma Hall			
Bud McFarlane	-		
Bob Kimmitt		-	
NSC Secretariat	3		N
Situation Room			
I = Information A = Act	tion R = Retain	D = Dispatch	N = No further Action
cc: VP Meese B	Baker Deaver Oth	er	
COMMENTS	Should be se	en by:	
			(Date/Time)



NATIONAL SECURITY COUNCIL

SYSTEM II 90832 Follow-on

74620

September 18, 1984

SENSITIVE

ACTION

MEMORANDUM FOR ROBERT M. KIMMITT

FROM:

OLIVER L. NORTH

SUBJECT:

Instructions for Talks and Draft NSDD regarding

Dialogue with Nicaragua

The package at Tab I was forwarded for staff action. Within the attachment are the instructions provided by Secretary Shultz to Ambassador Shlaudeman for the July 31-August 1 bilateral discussions with the Nicaraguans. Also attached is a copy of our original NSDD as forwarded to the agencies for comment.

At Tab II is the memorandum signed by the President aboard Air Force One. Also enclosed in Tab II is a message copy of the President's memorandum and DOD's proposed changes to our original draft of the NSDD.

No further action is required on this issue. The President's signature on the memorandum at Tab II constitutes a decision on this action.

RECOMMENDATION

That you have this placed in the file for the record.

Approve K

Disapprove

cc: Constantine Menges

Constantine Menges
Raymond Burghardt
Jacqueline Tillman

Thats, Ollie. I'm glad

Domeone on the stoff successives

the importance of a complete record.

Tab I - Shultz Memo to the President of July 27, 1984

Attachments

w/attachments

Tab II - Presidential Memo of July 28, 1984

w/attachments

SECRET Declassify: OADR

DECLASSIFIED

NLRR M259 1 # 74020

SUPER SENSITIVE 8421411

THE SECRETARY OF STATE
WASHINGTON

SYSTEM II 90832

84 JUL 27 P8: 53

July 27, 1984

MEMORANDUM FOR: THE PRESIDENT

From:

George P. Shultz

Subject:

Talks with Nicaragua

Pursuant to today's NSC meeting, I have given Ambassador Harry Shlaudeman the enclosed instructions for the conduct of his July 31-August 1 talks with the Government of Nicaragua.

Attachments: As stated.

Separtment of State Guidelines, July 21, 1999

By MIP NARA, Date 7/19/9

SECRET/SENSITIVE DECL: OADR

TAB

I

THE SECRETARY OF STATE WASHINGTON

SYSTEM II 90832

44021

MEMORANDUM SECRET/SENSITIVE July 27, 1984

TO:

S/SE - Harry W. Shlaudeman

FROM:

The Secretary

SUBJECT:

Instructions for the July 31-August 1 Bilateral

Dialogue with the Government of Nicaragua

You are authorized to hold talks with the representatives of the Government of Nicaragua in Manzanillo, Mexico July 31-August 1.

In these talks you should attempt to focus discussion on substance. Specifically, you should:

- 1) Raise and seek Nicaraguan comment on and agreement to the end-situation objectives described previously by you in the June 25-26 talks in Manzanillo.
- 2) Seek Nicaraguan agreement to pursuit and joint development of a calendar of reciprocal steps to be taken by the Central American and Contadora nations and the United States that would create the environment for a successful outcome of the Contadora process.
- 3) Discuss the methodology behind development of a calendar of reciprocal steps, but you should not provide details of specific steps beyond the description of categories previously provided. You should not state or imply that implementation of first steps can be begun before negotiations are completed on all steps.

With respect to procedure, you may agree to continue, for the foreseeable future, with the procedural arrangements agreed to for the July 31 meeting: a Mexican venue but no third-country participation. You have discretionary authority to work toward a less formal negotiation and may agree to a somewhat expanded unsigned joint minute if the Nicaraguans agree to revert to the note-taking practice of the first two meetings. You should not agree to use of stenotype machines or tape recorders. You should restate the U.S. position on confidentiality.

ARA/CEN: JRHamilton/ARA: LCJohnstone

Cleared: ARA/CEN: NSSmith

S/SE: HWShlaudeman

SECRET/SENSITIVE DECL: OADR

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BY DW NARA DATE 4

THE WHITE HOUSE

WASHINGTON

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MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE

THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

THE DIRECTOR OF CENTRAL INTELLIGENCE THE UNITED STATES REPRESENTATIVE TO THE

UNITED NATIONS

THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT:

National Security Decision Directive on Dialogue with Nicaragua (NSDD-) (S)

The President has formally approved the National Security Decision Directive on Dialogue with Nicaragua, discussed at the National Security Council meeting held on July 27, 1984. Because of the sensitivity of the document, we will hand-deliver one copy. We request that you make no copies and limit knowledge of this document to the absolute minimum number of people due to the extreme sensitivity of the NSDD. (S)

FOR THE PRESIDENT:

Robert C. McFarlane

Attachment NSDD- NLRRM259/1# 74022
BY PU NARA DATE 4/22/19

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THE WHITE HOUSE

WASHINGTON

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National Security Decision Directive



Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

These same elements have guided our policy toward Nicaragua. Strength -- We have provided assistance to friendly governments to help them resist Nicaraguan threats and aggression. Realism -- We have recognized the problems and the risks posed to U.S. security interests, and faced up to them. Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to achieve a peaceful solution. The continuing dialogue with Nicaragua must also support our policy objectives in Latin America:

- -- to support democracy;
- -- improve living conditions; and
- -- help friendly governments defend themselves against Soviet Bloc/Cuban subversion and aggression. (S)

V.S. Objectives

Meetings between the President's Special Envoy for Central America and representatives of the Government of Nicaragua will be conducted for the purpose of supporting the attainment of a verifiable comprehensive regional settlement which meets all twenty-one Contadora objectives. The dialogue must also be designed to achieve our requirements for normal relations with Nicaragua as stated in NSDD-124:

- -- genuine implementation of democracy;
- -- verified end to export of subversion;
- -- verified removal of Soviet Bloc/Cuban personnel; and
- -- verified reduction of Nicaragua military forces to regional parity. (S)

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These negotiations with the Nicaraguan Government representatives should be oriented toward obtaining early agreement on our ultimate goals in Central America, as outlined in the twenty-one Contadora objectives. In the course of the meetings, the Special Envoy should explain the benefits which would be available to Nicaragua, if Nicaragua would reach agreement with the other countries of Central America on verifiable implementation of the Contadora twenty-one points. (S)

Principles Guiding the U.S. Approach

In conducting these talks, the U.S. side must be guided by certain inviolable principles. These principles will be applied throughout the process and govern all discussions with the Core Four and the Nicaraguans: (S)

- Safeguarding U.S. Security Interests in Central America.

 The talks must protect our strategic political and military position in Central America. (S)
 - Preserving U.S. Flexibility. Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - -- Keeping Cuba, the Soviets, and Others Outside the
 Region Out of the Negotiation Process. It would be
 contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central
 America by admitting them to the negotiating process.
 (S)
 - Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)







- Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries between each session with the Nicaraquans and before each session at which the U.S. side intends to put forward new proposals. views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S)
- Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each stage, soliciting their assistance in urging Nicaragua to be more forthcoming both procedurally and substantively. The objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)
 - -- Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals.

 (S)
 - -- May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty. (S)
 - -- Is in no way inhibited in its ability to act in the event of need: (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)

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SENSITIVE



- Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)
- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

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THE WHITE HOUSE

To the state of th

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THE WHITE HOUSE

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WASHINGTON

National Security Decision Directive DRAF

Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

These same elements have guided our policy toward Nicaragua. Strength -- We have provided assistance to friendly governments to help them resist Nicaraguan threats and aggression. Realism --We have recognized the problems and the risks posed to U.S. Dialogue -- We have at security interests, and faced up to them. all stages been willing to sit down and discuss with our adversaries their concerns and ours to achieve a peaceful solution. The continuing dialogue with Nicaragua must also support our policy objectives in Latin America:

- to support democracy;
- improve living conditions; and
- help friendly governments defend themselves against Soviet Bloc/Cuban subversion and aggression. (S)

U.S. Objectives

Meetings between the President's Special Envoy for Central America and representatives of the Government of Nicaragua will be conducted for the purpose of supporting the attainment of a verifiable comprehensive regional settlement which meets all twenty-one Contadora objectives. The dialogue must also be designed to achieve our requirements for normal relations with Nicaragua as stated in NSDD-124:

- genuine implementation of democracy;
- verified end to export of subversion;
- verified removal of Soviet Bloc/Cuban personnel; and
- verified reduction of Nicaragua military forces to regional parity. (S)

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Principles Guiding the U.S. Approach

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- Safeguarding U.S. Security Interests in Central America.

 The talks must protect our strategic political and military position in Central America. (S)
 - Preserving U.S. Flexibility. Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - Region Out of the Negotiation Process. It would be contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central America by admitting them to the negotiating process.

 (S)
 - Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)

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- Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new proposals. Core Four views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S)
- Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each stage, soliciting their assistance in urging Nicaragua to be more forthcoming both procedurally and substantively. The objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)
 - -- Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals.

 (S)
 - -- May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty. (S)
 - -- Is in no way inhibited in its ability to act in the event of need (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)

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- Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)
- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

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TAB

II

THE WHITE HOUSE

WASHINGTON



SY II 90832

SECRET

July 28, 1984

Historical File

MEMORANDUM FOR THE SECRETARY OF STATE

THE SECRETARY OF DEFENSE

THE DIRECTOR OF CENTRAL INTELLIGENCE THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT:

Next Steps in Central America

My policies for the achievement of our goals in Central America are thoroughly elaborated in previous NSDDs. Recently, as an adjunct of these policies, I authorized efforts to renew a high-level dialogue with the Government of Nicaragua. My purposes were to determine whether such a dialogue might facilitate progress toward our four basic goals for the relationship and also to explore whether Nicaragua might agree, over time, to a regional accommodation as contained in the Contadora 21 points. I continue to believe that these exchanges can be of value. (S)

As we move from procedural to substantive issues, our negotiator, Ambassador Shlaudeman, should seek over time to develop a calendar of reciprocal steps which if agreed in toto by the Core Four countries and Nicaragua could form the basis of a multilateral treaty. As Ambassador Shlaudeman works toward this end, he is to be guided by certain principles. (S)

- A. Globality: No commitments should be made to implement any step in the sequence of reciprocal steps until negotiations have been completed and agreement reached on all steps. (S)
- B. Links to Contadora: It is essential that our efforts be, and be seen to be, directly related to the Contadora process. Specifically, in advancing positions we must have the support of the Contadora countries and in particular the Core Four. (S)
- C. <u>Verification</u>: Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. (S)
- D. Protecting the U.S. Position in Central America: We must use the talks to safeguard our strategic political and military position in Central America. Specifically, we should (1) take no action which would interfere with the ability of the U.S. military to operate, exercise, or respond to the

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threats in the region from or through Nicaragua and threats from the Soviets or Cuba not involving Nicaragua; (2) keep Cuba, Soviets, and the U.N. out of the negotiating process; (3) assure that interim stages are time-limited to maintain our flexibility and are contingent upon satisfactory compliance by Nicaragua; and (4) ensure that the talks are limited to Central America and in no way impinge on U.S. treaty obligations with, or presence in, Panama. (S)

Ambassador Shlaudeman is further directed to make a special effort to increase the real and perceived involvement of the Core Four countries, such as by seeking to establish regular visible meetings of the four foreign ministers together at which the status of the talks would be assessed and next steps agreed. As a variant, perhaps Contadora "perm reps" could be designated to meet routinely as a standing advisory body. These are only ideas. The objective is to establish a visible functioning regional process of multilateral diplomacy. (S)

At the next meeting with Nicaraguan representatives, July 31-August 1, Ambassador Shlaudeman should proceed as follows:

- 1) Raise and seek Nicaraguan comment on and agreement to the end-situation objectives described previously in the June 25-26 talks in Manzanillo. (S)
- 2) Seek Nicaraguan agreement to pursuit and joint development of a calendar of reciprocal steps to be taken by the Central American and Contadora nations and the United States that would create the environment for a successful outcome of the Contadora process. (S)
- 3) Discuss the methodology behind development of a calendar of reciprocal steps. Do not provide details of specific steps beyond the description of categories previously provided. Do not state or imply that implementation of first steps can be begun before negotiations are completed on all steps. (S)

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cc: The Vice President

The Director of USIA





NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Room 3E813, Pentagon

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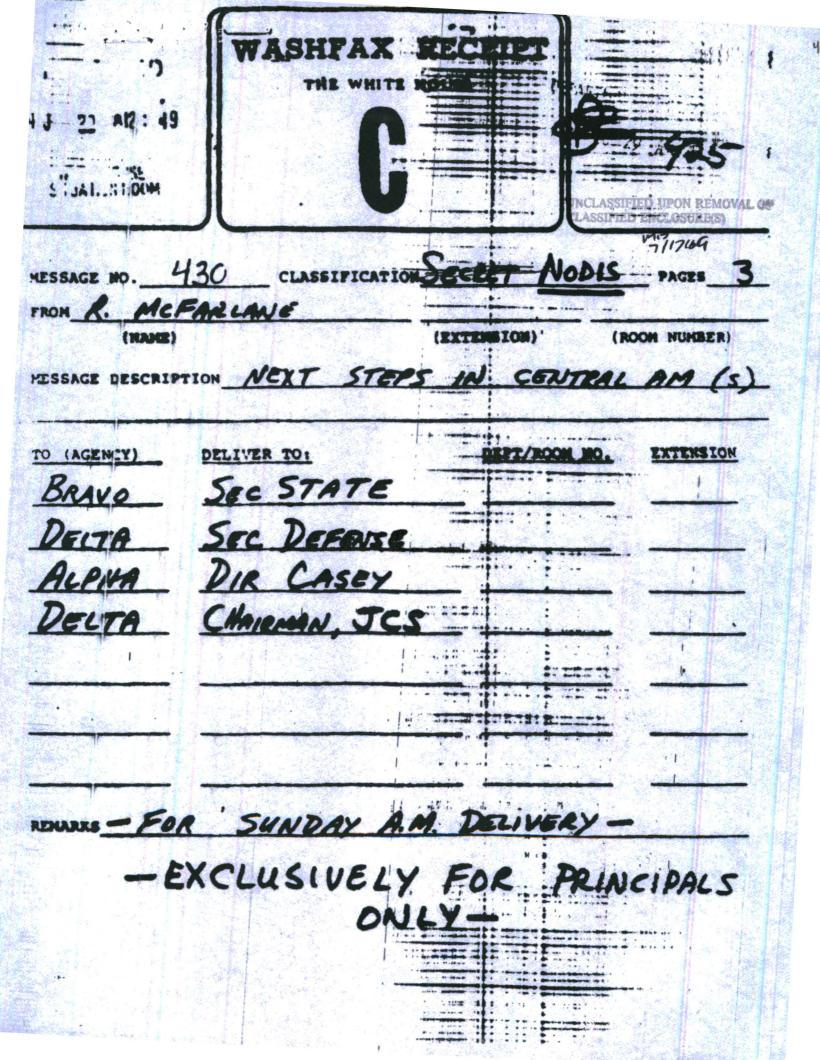
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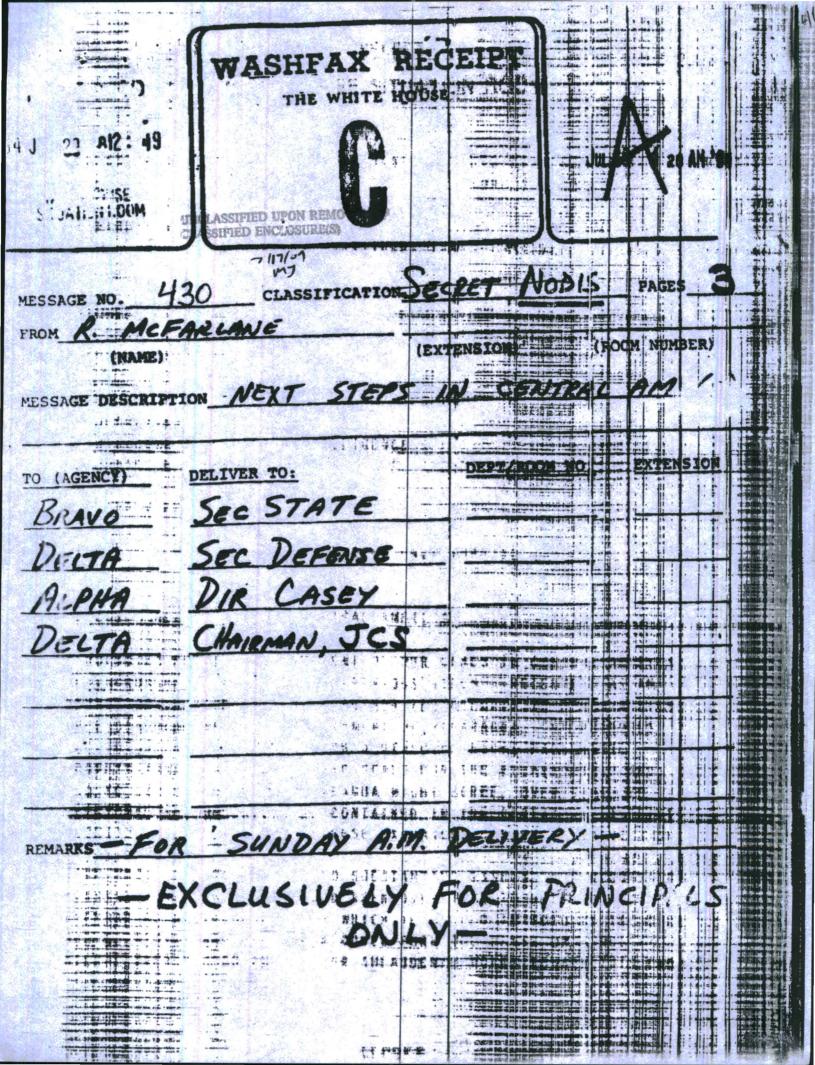
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MU7/178 CENTRAL AMERICA Subject: SECRET CONFIDENTIAL UNCLASSIFIED TOP SECRET **DOCUMENT CLASSIFICATION:** INTERNAL DISTRIBUTION - Amb. McFarlane Ms. Dornan Mr. R. Lehman Mr. Pollock Mr. Teicher Adm. Poindexter Cmdr. Dur Mr. Levine Mr. Raymond Cmdr. Thompson Col. Lilac Ms. Reger Mr. Tyson Mr. Fontaine Ltc. Linhard Mr. Wettering Mr. Robinson Mr. Fortier Sit. Room Gen. Russell - Exec. Secretary Mr. Beal Mr. Helm Mr. Martin Ltc. Childress Mr. Kemp Mr. Matlock Col. Rye **NSC Secretariat** Mr. Menges Cpt. Shull **NSC Registry** Ltc. Cox Mr. Kraemer Mr. McMinn Mr. Sigur NSC Admin. Mr. De Graffenreid Mr. Laux Ltc. North Mr. Sommer **NSC MSG Center** Ms. Dobriansky Mr. C. Lehman Received/Signed For By: **EXTERNAL DISTRIBUTION:** #CYS Date Time THE VICE PRESIDENT THE SECRETARY OF STATE Exec sec/Room 7241 THE SECRETARYOF THE TREASURY Main Bldg/Room 3422 THE SECRETARY OF DEFENSE The Pentagon DIRECTOR, ACDA Room 5933/Dept. of State **CHAIRMAN US START DELEGATION** C/o ACDA, 5933 State CHAIRMAN US INF DELEGATION C/o ACDA, 5933 State DIRECTOR, CIA Langley, Va/or Pickup CHAIRMAN, JCS The Pentagon DIRECTOR, OMB Room 252 OEOB U.S. REPRESENTATIVE TO UNITED NATIONS Room 6333, State Dept. THE SECRETARY OF COMMERCE 14th & Const. Ave. NW, Room 5851 THE SECRETARY OF, ENERGY GA257, Forrestal Bldg DIRECTOR, AID Room 5942, Dept. of State THE ATTORNEY GENERAL Dept. of Justice, Room 5119 DIRECTOR, OSTP Room 360, OEOB DIRECTOR, USIA 400 C Street, S.W. THE SECRETARY OF INTERIOR 18th & E. Street NW THE SECRETARY OF AGRICULTURE Independence & 14th SW UNITED STATES TRADE REPRESENTATIVE Room 209 Winder Bldg 17 & F St NW THE DIRECTOR, FEMA 500 C Street, DIRECTOR, DMSPA

DATE, TIME & SIGN THIS RECEIPT & RETURN TO: BT MERCHANT, SITUATION ROOM, WHITE HOUSE

Pages





WASHFAL WASHFAX RECEIPT THE WHITE HOUSE ____ 23 U. 1981. C" ST 84 J == A12: 49 IVAL OF MESSAGE NO. 430 CLASSIFICATION SECRET NODIS PAGES 3 FROM R. MCFARLANE (EXTENSION) (ROOM NUMBER) (NAME) MISSAGE DESCRIPTION NEXT STEPS IN CENTRAL AM (S TO (AGENCY) DEPT/ROOM NO. EXTENSION DELIVER TO: SEC STATE BRAVO SEC DEFENSE DELTA DIR CASEY ALPHA CHAIRMAN, JCS HEMARKS - FOR SUNDAY A.M. DELIVERY -- EXCLUSIVELY FOR PRINCIPALS DNLY-

74027 OUTGOING

SECRET

WHITE HOUSE SITUATION ROOM

PAGE 01 OF 03 THE WHITE HOUSE 0003

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OP IMMED 0 281950Z JUL 84 ZFF-1 ZFF-4 FM THE WHITE HOUSE

TO THE SECRETARY OF STATE THE SECRETARY OF DEFENSE THE DIRECTOR OF CENTRAL INTELLIGENCE THE CHAIRMAN, JOINT CHIEFS OF STAFF

INFO THE VICE PRESIDENT

DECLASSIFIED

NLRR M259/1#

S F C R F T NODIS EXCLUSIVELY EYES ONLY WHØ6132

SUBJECT: NEXT STEPS IN CENTRAL AMERICA

MY POLICIES FOR THE ACHIEVEMENT OF OUR GOALS IN CENTRAL AMERICA ARE THOROUGHLY ELABORATED IN PREVIOUS NSDDS. RECENTLY. AS AN ADJUNCT OF THESE POLICIES. I AUTHORIZED EFFORTS TO RENEW A HIGH-LEVEL DIALOGUE WITH THE GOVERNMENT OF NICARAGUA. MY PURPOSES WERE TO DETERMINE WHETHER SUCH A DIALOGUE MIGHT FACILITATE PROGRESS TOWARD OUR FOUR BASIC GOALS FOR THE RELATIONSHIP AND ALSO TO EXPLORE WHETHER NICARAGUA MIGHT AGREE. OVER TIME. TO A REGIONAL ACCOMMODATION AS CONTAINED IN THE CONTADORA 21 POINTS. I CONTINUE TO BELIEVE THAT THESE EXCHANGES CAN BE OF VALUE. (S)

AS WE MOVE FROM PROCEDURAL TO SUBSTANTIVE ISSUES. OUR NEGOTIATOR. AMBASSADOR SHLAUDEMAN, SHOULD SEEK OVER TIME TO DEVELOP A CALENDAR OF RECIPROCAL STEPS WHICH IF AGREED IN TOTO BY THE CORE FOUR COUNTRIES AND NICARAGUA COULD FORM THE BASIS OF A MULTI-LATERAL TREATY. AS AMBASSADOR SHLAUDEMAN WORKS TOWARD THIS END.

SECRET WHITE HOUSE SITUATION ROOM

PAGE Ø2 OF Ø3 THE WHITE HOUSE ØØØ3 DTG: 28195ØZ JUL 84 PSN: Ø593Ø2

HE IS TO BE GUIDED BY CERTAIN PRINCIPLES. (S)

- A. GLOBALITY: NO COMMITMENTS SHOULD BE MADE TO IMPLEMENT ANY STEP IN THE SEQUENCE OF RECIPROCAL STEPS UNTIL NEGOTIATIONS HAVE BEEN COMPLETED AND AGREEMENT REACHED ON ALL STEPS. (S)
- B. LINKS TO CONTADORA: IT IS ESSENTIAL THAT OUR EFFORTS BE. AND BE SEEN TO BE. DIRECTLY RELATED TO THE CONTADORA PROCESS. SPECIFICALLY. IN ADVANCING POSITIONS WE MUST HAVE THE SUPPORT OF THE CONTADORA COUNTRIES AND IN PARTICULAR THE CORE FOUR. (S)
- C. VERIFICATION: GIVEN THE "UNILATERAL ENFORCING NATURE" OF ANY AGREEMENT FOR US, BUT NOT FOR NICARAGUA, WE MUST ASSURE VERIFICATION PROVISIONS WHICH ARE EFFECTIVE AND WHICH THE CORE FOUR COUNTRIES INDICATE ARE COMPLETELY ACCEPTABLE TO THEM. (S)
- D. PROTECTING THE U.S. POSITION IN CENTRAL AMERICA: WE MUST USE THE TALKS TO SAFEGUARD OUR STRATEGIC POLITICAL AND MILITARY POSITION IN CENTRAL AMERICA. SPECIFICALLY, WE SHOULD (1) TAKE NO ACTION WHICH WOULD INTERFERE WITH THE ABILITY OF THE U.S. MILITARY TO OPERATE, EXERCISE, OR RESPOND TO THE THREATS IN THE REGION FROM OR THROUGH NICARAGUA AND THREATS FROM THE SOVIETS OR CUBA NOT INVOLVING NICARAGUA: (2) KEEP CUBA. SOVIETS. AND THE U.N. OUT OF THE NEGOTIATING PROCESS; (3) ASSURE THAT INTERIM STAGES ARE TIME-LIMITED TO MAINTAIN OUR FLEXIBILITY AND ARE CONTINGENT UPON SATISFACTORY COMPLIANCE BY NICARAGUA: AND (4) ENSURE THAT THE TALKS ARE LIMITED TO CENTRAL AMERICA AND IN NO WAY IMPINGE ON U.S. TREATY OBLIGATIONS WITH, OR PRESENCE IN, PANAMA. (S)

AMBASSADOR SHLAUDEMAN IS FURTHER DIRECTED TO MAKE A SPECIAL EFFORT TO INCREASE THE REAL AND PERCEIVED INVOLVEMENT OF THE CORE FOUR COUNTRIES. SUCH AS BY SEEKING TO ESTABLISH REGULAR VISIBLE MEETINGS OF THE FOUR FOREIGN MINISTERS TOGETHER AT WHICH THE STATUS OF THE TALKS WOULD BE ASSESSED AND NEXT STEPS AGREED. AS A VARIANT, PERHAPS CONTADORA "PERM REPS" COULD BE DESIGNATED

OUTGOING

SEGRET WHITE HOUSE SITUATION ROOM

PAGE 03 OF 03 THE WHITE HOUSE 0003 DTG: 281950Z JUL 84 PSN: 059302

TO MEET ROUTINELY AS A STANDING ADVISORY BODY. THESE ARE ONLY IDEAS. THE OBJECTIVE IS TO ESTABLISH A VISIBLE FUNCTIONING REGIONAL PROCESS OF MULTILATERAL DIPLOMACY. (S)

AT THE NEXT MEETING WITH NICARAGUAN REPRESENTATIVES. JULY 31-AUGUST 1. AMBASSADOR SHLAUDEMAN SHOULD PROCEED AS FOLLOWS:

- RAISE AND SEEK NICARAGUAN COMMENT ON AND AGREEMENT TO THE END-SITUATION OBJECTIVES DESCRIBED PREVIOUSLY IN THE JUNE 25-26 TALKS IN MANZANILLO. (S)
- (2) SEEK NICARAGUAN AGREEMENT TO PURSUIT AND JOINT DEVELOP-MENT OF A CALANDAR OF RECIPROCAL STEPS TO BE TAKEN BY THE CENTRAL AMERICAN AND CONTADORA NATIONS AND THE UNITED STATES THAT WOULD CREATE THE ENVIRONMENT FOR A SUCCESSFUL OUTCOME OF THE CONTADORA PROCESS. (S)
- (3) DISCUSS THE METHODOLOGY BEHIND DEVELOPMENT OF A CALENDAR OF RECIPROCAL STEPS. DO NOT PROVIDE DETAILS OF SPECIFIC STEPS BEYOND THE DESCRIPTION OF CATEGORIES PREVIOUSLY PROVIDED. DO NOT STATE OR IMPLY THAT IMPLEMENTATION OF FIRST STEPS CAN BE BEGUN BEFORE NEGOTIATIONS ARE COMPLETED ON ALL STEPS. (S)

SIGNED

RONALD REAGAN

Ø736

. — II 90832

North/NSDD on Dialogue with Nicaragua
7/28 - RCM prepared memo fm Pres to SecState
SecDef, DirCI, & Chm, JCS
subject: Next Steps in Central America.
RR signed memo and memo was transmitted
from AF One (26000) to Washington for
delivery to addressees

National Security Council The White House System # Package # 90832 **SEQUENCE TO HAS SEEN DISPOSITION** N = No further Action A = ActionR = Retain D = Dispatch Baker Deaver Other Should be seen by: (Date/Time)

This is OBE but your might want to route to staff brings

Paul Thompson

John Poindexter

Bob Kimmitt

Tom Shull

Wilma Hall

Bud McFarlane

Bob Kimmitt

NSC Secretariat

Situation Room

I = Information

COMMENTS

cc:



SYSTEM II 90832 Response

74029

WASHINGTON, THE DISTRICT OF COLUMBIA

2 8 JUL 1984

4 JUL 30 P3: 55

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

SUBJECT: Suggested Changes to draft NSDD on Dialogue with

Nicaragua

The attached copy of the draft NSDD on Dialogue with Nicaragua contains my suggested changes. The last two bullets (on page 4) are particularly important, in that they reflect the President's views at the NSC that none of the steps should be implemented unless the whole package is in place. Also, the requirement for prior coordination with the Core Four is responsive to the President's position at the NSC that we ought to make sure the Contadora countries don't think we are bargaining ahead without them.

It would be desirable to have instructions issued soonest on the problem of the Honduran-El Salvador border dispute. As I recommended in my memo to you, we should make a major effort to induce Honduras and Nicaragua quickly to reach an agreement that would permit their military cooperation in the border region. Such an agreement could be to protect the legal case of either side from being affected by their willingness to collaborate militarily. A way of facilitating this important military cooperation would be to have General Gorman instructed to work with the two countries, with the support of our Ambassadors in order to work out such an agreement. Cooperation in this border region could be a major advantage to us in the event of a fall offensive of the insurgents.



NLRR MD9-259/1 #74029
BY RW NARA DATE 7/19/10

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THE WHITE HOUSE

WASHINGTON

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SYSTEM II 90832

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National Security
Decision Directive

Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

These same elements have guided our policy toward Nicaragua.

Strength -- We have provided assistance to friendly governments to help them resist Nicaraguan threats and aggression. Realism -- We have recognized the problems and the risks posed to U.S. security interests, and faced up to them. Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to achieve a peaceful solution. The continuing dialogue with Nicaragua must also support our policy objectives in Latin America:

- -- to support democracy;
- -- improve living conditions; and
- -- help friendly governments defend themselves against Soviet Bloc/Cuban subversion and aggression. (S)

U.S. Objectives

Meetings between the President's Special Envoy for Central America and representatives of the Government of Nicaragua will be conducted for the purpose of supporting the attainment of a verifiable comprehensive regional settlement which meets all twenty-one Contadora objectives. The dialogue must also be designed to achieve our requirements for normal relations with Nicaragua as stated in NSDD-124:

- -- genuine implementation of democracy;
- -- verified end to export of subversion;
- -- verified removal of Soviet Bloc/Cuban personnel; and
- -- verified reduction of Nicaragua military forces to regional parity. (S)

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These negotiations with the Nicaraguan Government representatives should be oriented toward obtaining early agreement on our ultimate goals in Central America, as outlined in the twenty-one Contadora objectives. In the course of the meetings, the Special Envoy should explain the benefits which would be available to Nicaragua, if Nicaragua would reach agreement with the other countries of Central America on verifiable implementation of the Contadora twenty-one points. (S) A COMPLETE AND

Principles Guiding the U.S. Approach

In conducting these talks, the U.S. side must be guided by certain inviolable principles. These principles will be applied throughout the process and govern all discussions with the Core Four and the Nicaraguans: (S)

- Safequarding U.S. Security Interests in Central America.

 The talks must protect our strategic political and military position in Central America. (S)

 OUR

 CONTEMPLATE ARRANGEMENTS THAT WOULD
 - Preserving U.S. Flexibility. A Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - Region Out of the Negotiation Process. It would be contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central America by admitting them to the negotiating process.

 (S)
 - Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)

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Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new proposals. Core Four views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S) THE PROPOSALS TO THE LORE FOUR, INTENDED FOR PRESENTATION to NICARAGUA, WILL be FIRST COORDINATED WITHIN the INTER-AGENCY PROCESS Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each MIGHT stage, soliciting their assistance in urging Nicaragua (to) become 5 more forthcoming both procedurally and substantively. The objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)

- -- Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals.

 (S)
- -- May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty. (S)
- -- Is in no way inhibited in its ability to act in the event of need (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)

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PROVISION

Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective, and which the Core Four countries, indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)

- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. V Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

IN JUCH A PHASED IMPLEMENTATION AN EFFECTIVE VERIFICATION SYSTEM MUST BE IMPLEMENTED FIRST.

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THE WHITE HOUSE



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B- State	C. Hill		
D-Defense	RJ. Affourtit		
A-CIA	DUANE CLARRIG	Ε	
D-JCS	ART MOREAU		
REMARKS Need	Secretarial comments	by 0900 5	aturday,
7/28			

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NLRR M09-259 1 # 74057

BY FW NARA DATE 1/4/13



THE WHITE HOUSE

WASHINGTON

74033

SYSTEM II 90832

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SECRET

National Security Decision Directive

Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

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- -- to support democracy;
- -- improve living conditions; and
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- -- verified end to export of subversion;
- -- verified removal of Soviet Bloc/Cuban personnel; and
- -- verified reduction of Nicaragua military forces to regional parity. (S)

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SENSITIVE

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Principles Guiding the U.S. Approach

In conducting these talks, the U.S. side must be guided by certain inviolable principles. These principles will be applied throughout the process and govern all discussions with the Core Four and the Nicaraguans: (S)

- Safeguarding U.S. Security Interests in Central America.

 The talks must protect our strategic political and military position in Central America. (S)
 - Preserving U.S. Flexibility. Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - -- Keeping Cuba, the Soviets, and Others Outside the Region Out of the Negotiation Process. It would be contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central America by admitting them to the negotiating process.

 (S)
 - Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)

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- Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new proposals. views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S)
- Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each stage, soliciting their assistance in urging Nicaragua to be more forthcoming both procedurally and substantively. The objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)
 - Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals. (S)
 - May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty.
 - Is in no way inhibited in its ability to act in the event of need (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)







- Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)
- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

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National Security Council The White House

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THE SECRETARY OF STATE WASHINGTON

July 27, 1984

MEMORANDUM FOR:

THE PRESIDENT

From:

George P. Shultz 4

Subject:

Talks with Nicaragua

Pursuant to today's NSC meeting, I have given Ambassador Harry Shlaudeman the enclosed instructions for the conduct of his July 31-August 1 talks with the Government of Nicaragua.

Attachments: As stated.

DECLASSIFIED

Separtment of State Guidelines, July 21, 1992

NARA, Date 7/17/05

SECRET/SENSITIVE DECL: OADR

74036

THE SECRETARY OF STATE WASHINGTON

MEMORANDUM SECRET/SENSITIVE July 27, 1984

TO:

S/SE - Harry W. Shlaudeman

FROM:

The Secretary 475

SUBJECT:

Instructions for the July 31-August 1 Bilateral

Dialogue with the Government of Nicaragua

You are authorized to hold talks with the representatives of the Government of Nicaragua in Manzanillo, Mexico July 31-August 1.

In these talks you should attempt to focus discussion on substance. Specifically, you should:

- 1) Raise and seek Nicaraguan comment on and agreement to the end-situation objectives described previously by you in the June 25-26 talks in Manzanillo.
- 2) Seek Nicaraguan agreement to pursuit and joint development of a calendar of reciprocal steps to be taken by the Central American and Contadora nations and the United States that would create the environment for a successful outcome of the Contadora process.
- 3) Discuss the methodology behind development of a calendar of reciprocal steps, but you should not provide details of specific steps beyond the description of categories previously provided. You should not state or imply that implementation of first steps can be begun before negotiations are completed on all steps.

With respect to procedure, you may agree to continue, for the foreseeable future, with the procedural arrangements agreed to for the July 31 meeting: a Mexican venue but no third-country participation. You have discretionary authority to work toward a less formal negotiation and may agree to a somewhat expanded unsigned joint minute if the Nicaraguans agree to revert to the note-taking practice of the first two meetings. You should not agree to use of stenotype machines or tape recorders. You should restate the U.S. position on confidentiality.

ARA/CEN: JRHamilton/ARA: LCJohnstone

Cleared: ARA/CEN: NSSmith

S/SE: HWShlaudeman#

SECRET/SENSITIVE DECL: OADR

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DECLASSIFIED

NLRR M259 1# 14036

NARA DATE 4/25/17

THE SECRETARY OF STATE WASHINGTON

MEMORANDUM SECRET/SENSITIVE

TO:

S/SE - Harry W. Shlaudeman

FROM:

The Secretary

SUBJECT:

Instructions for the July 31-August 1 Bilateral

Dialogue with the Government of Nicaragua

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- 1) Raise and seek Nicaraguan comment on and agreement to the end-situation objectives described previously by you in the June 25-26 talks in Manzanillo.
- 2) Seek Nicaraguan agreement to pursuit and joint development of a calendar of reciprocal steps to be taken by the Central American and Contadora nations and the United States that would create the environment for a successful outcome of the Contadora process.
- 3) Discuss the methodology behind development of a calendar of reciprocal steps, but you should not provide details of specific steps beyond the description of categories previously provided. You should not state or imply that implementation of first steps can be begun before negotiations are completed on all steps.

With respect to procedure, you may agree to continue, for the foreseeable future, with the procedural arrangements agreed to for the July 31 meeting: a Mexican venue but no third-country participation. You have discretionary authority to work toward a less formal negotiation and may agree to a somewhat expanded unsigned joint minute if the Nicaraguans agree to revert to the note-taking practice of the first two meetings. You should not agree to use of stenotype machines or tape recorders. You should restate the U.S. position on confidentiality.

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S/SE: HWShlaudeman **

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- A. Globality: No commitments should be made to implement any step in the sequence of reciprocal steps until negotiations have been completed and agreement reached on all steps.
- B. Links to Contadora: All understandings, agreements, etc., reached through bilateral dialogue should be funneled into the Contadora process. Ambassador Shlaudeman should maintain close contact with the Contadora countries, seeking their advice and exerting a constructive influence on the pace and direction of the Contadora talks.
- C. <u>Verification</u>: Given the unilateral enforcing nature of any agreement for us, but not for Nicaragua, we must accord high priority to assuring that for each step we have strong verification provisions.
- D. Protecting the U.S. Position in Central America: We must use the talks to safeguard our strategic political and military position in Central America. Specifically, we should (1) take no action which would interfere with the ability of the U.S. military to operate, exercise, or respond to the threats in the region from or through Nicaragua and threats from the Soviets or Cuba not involving Nicaragua; (2) keep Cuba, Soviets, and the U.N. out of the negotiating process; (3) assure that interim stages are time-limited to maintain our flexibility and are contigent upon satisfactory compliance by Nicaragua; and (4) ensure that the talks are limited to Central America and in no way impinge on U.S. treaty obligations with, or presence in, Panama.
- E. Building Domestic and International Support: We should continue to keep the initiative, putting forth serious and realistic proposals, which protect and promote U.S. interests in the region. Our approach should offer positive economic incentives, as well as the removal of anti-Nicaraguan measures.
- F. Enhancing the Core Four's Position: We should coordinate carefully with the Core Four countries at each stage of the talks. Fundamental fears must be allayed. The U.S. will not make or imply any commitments on the part of Core Four countries without their approval

The talks should remain confidential, without third-party mediation. Secretary Shultz will provide continuing guidance to Ambassador Shlaudeman, as needed. Ambassador Shlaudeman should report periodically to me through the Secretary of State.

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United States Department of State

Washington, D.C. 20520

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July 26, 1984 PIO:

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MEMORANDUM FOR

Mr. Donald P. Gregg - 8421323 Assistant to the Vice President for National Security Affairs Office of the Vice President

Colonel R. J. Affourtit - 8421324 Executive Secretary Department of Defense

Dr. Alton Keel - 8421325
Associate Director for
National Security and
International Affairs
Office of Management and Budget

SITUATION ROUM

Mr. Thomas B. Cormack - 8421326 Executive Secretary Central Intelligence Agency

Ambassador Harvey Feldman - 8421327 Washington Representative for U.S. Ambassador to the United Nations

Brig. General George A. Joulwan-8421328 Executive Assistant to the Chairman Joint Chiefs of Staff

Mr. Robert M. Kimmitt - 8421329 Executive Secretary National Security Council

SUBJECT: NSC Meeting on Negotiations with Nicaragua

Attached is a paper developed <u>ad referendum</u> by the Security Policy Working Group as a basis for discussion at the meeting of the National Security Council on July 27, 1984.

Charles Hill Executive Secretary Department of State

Attachement:
Dialogue with Nicaragua

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Central America Security Policy Group Working Paper for July 27 NSC Meeting

Subject: Dialogue with Nicaragua

The President's foreign policy is characterized by strength, realism and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve U.S. national objectives. We have not shrunk, when necessary, from challenging and testing the intentions of our adversaries. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world.

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These same elements have guided our policy toward Nicaragua. Strength -- We have used the instruments of pressure to achieve our objectives. Realism -- We have recognized the problems, the risks posed to U.S. security interests, and faced up to them. Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to see if a peaceful solution could be found.

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These three elements of our Nicaraguan policy are interrelated. Pressure is necessary to achieve results in dialogue. Dialogue is necessary to demonstrate the need for pressure. Realism must guide both pressure and dialogue. We must know what we want as well as what we can achieve.

In this sense the dialogue element of our Nicaraguan policy has been critical. It provides a peaceful alternative to the Nicaraguans should they realize that they have created a regime-threatening dilemma for themselves. By demonstrating publicly our flexibility, it has effectively reduced domestic and international pressure on us to go softer on Nicaragua. Thus the negotiations process has become an essential component of our pressure tactics. Over three years we have built a consistent record of periodic attempts at dialogue that demonstrates our good faith and willingness to deal -- provided Nicaragua is also ready to do so.

The latest U.S. initiative beginning with Secretary Shultz' June 1 meeting in Managua is an extension of this process. The new effort at dialogue, led by Ambassador Shlaudeman, is designed again to test Nicaraguan intentions, put some guts into the

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Contadora process, and publicly demonstrate U.S. willingness to seek a peaceful solution to the Central American conflict, supportive of the principles of the Contadora "21 points."

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U.S. Objectives

Our objectives have remained consistent. In both the Secretary's meetings and in the Shlaudeman-Tinoco talks, we have proposed a process of reciprocal steps designed to achieve a situation in Central America that would:

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- remove Cuban/Soviet Bloc military/security personnel from Nicaragua;
- 2) end external support for insurgencies;
- 3) limit the size of Central American military forces and restrict armaments; and
- 4) provide for free and fair democratic elections.

Aside from the U.S. proposals, the talks so far have focused almost exclusively on procedural issues. With those essentially resolved, the talks will turn to more substantive issues. The following guidelines will set the parameters for the U.S. position in future.

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U.S. Negotiating Principles

In conducting these talks the U.S. side has been, and should continue to be, guided by the following principles:

- A. Overall Approach: The principles of "comprehensiveness", "preservation of U.S. security interests", "strengthening Contadora" and "adequate verification" are key:
 - (1) <u>Comprehensiveness</u>. Any acceptable agreement must meet all of our essential concerns. In proceeding on the step-by-step approach, Ambassador Shlaudeman will preserve balance, comprehensiveness and simultaneity by ensuring that each of the four phases implements elements from each of the four basic U.S. objectives.

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(2) <u>Balance</u>. It is essential to the horizontal, step-by-step approach that we have a clear balance at each step -- so that results achieved at any point (even with a breakdown in dialogue) will serve our net interests.

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- (3) <u>Verification</u>. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must accord high priority to assuring, at each step, that we have strong verification provisions.
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- B. <u>Safeguarding U.S. Position in Central America</u>: We must use the talks to protect our strategic political and military position in Central America.
 - (1) Preserving U.S. Flexiblity: Discussions must not interfere with the ability of the U.S. military to operate, exercise or respond to threats in the region. Hence, the conduct of the talks and the nature of U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviets or Cuba not involving Nicaragua. U.S. military presence in the region reflects protection of vital U.S. national interests, critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence is disruptive, requiring U.S. efforts to reduce and eliminate it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which should in no circumstances be equated with Cuban/Soviet Bloc presence in the area.
 - (2) <u>Keeping Cuba out of the Negotiations Process</u>: It would be contrary to U.S. interest to allow the institutionalization of a Cuban role in Central America by admitting them to the negotiating process.
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 - (3) <u>Interim Measures</u>: In discussing reciprocal steps it is important that any interim stage be specifically time-limited to prevent it from becoming an agreement in its own right. Moreover, each phase must be contingent upon satisfactory compliance by Nicaragua with its obligations.
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- (4) Preserving our Role in Panama: The talks will be strictly confined to Nicaragua, El Salvador, Honduras, Guatemala and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama.
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C. Building Domestic and International Support: We should use these talks to build support for our policies in Central America by demonstrating both strength and flexibility. The Secretary of State's visit to Managua and these talks enable us to take the high ground critical to the Administration on the "reasonableness" issue -- thus countering criticism of the

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President as warlike, while also helping to build greater European and Latin American understanding and support for our defense against Soviet/Cuban expansionism.

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D. Building a Record: Whatever the outcome of the talks, a key principle should be to build a record of having put forward a negotiating position that demonstrates that the United States is serious, realistic and balanced in its approach and substantive proposals. Ambassador Shlaudeman should make it clear to the Nicaraguans that the United States would be prepared to take specific reciprocal action if the Nicaraguans take concrete and verified steps to meet our four basic concerns. Our approach contemplates positive, economic incentives as well as the removal of negative incentives. This will improve chances of success and strengthen and support our later ability to act if the talks fail. The talks must in no way inhibit U.S. ability to act in the event of need, e.g. the introduction of MiG aircraft, or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests.

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Strengthening our Friends in Central America: Enhancing the Core Four's position, and our relationships with them, is also essential to an outcome in Central America that serves U.S. long-term interests. We want to strengthen the democratic structures and the economies of our friends in Central America. The U.S. dialogue with Nicaragua must be carefully coordinated with the Core Four, to meet their legitimate interests and assist their negotiations on the Contadora Final Act ("The Acta"). example, such coordination could enable the U.S. to advance in bilateral dialogue verification schemes agreed with the Core Four, thus facilitating later agreement in Contadora. Ambassador Shlaudeman will consult Core Four countries between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new proposals. Core Four views will be solicited and taken into account. The U.S. will not make or imply commitments on the part of the Core Four countries without their approval.

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F. Supporting Contadora Framework: The linkage to the Contadora process is valuable to us and noxious to the Nicaraguans. Despite its deficiencies from our point of view, the Nicaraguans find significant parts of the Contadora "Acta" to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that Ambassador Shlaudeman brief and debrief the four Contadora countries at each stage, soliciting their assistance in pressuring Nicaragua to be more forthcoming both procedurally and substantively. This puts us in a position to influence the pace of events within Contadora. The

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objective of the talks, in sum, is to strengthen Contadora, not to achieve formal bilateral agreements.

Style of Approach: Several procedural and "style" aspects are important to achieving our objectives in the talks. These include (1) confidentiality and minimal public discussion, to demonstrate that we are serious, and to enhance our ability to explore sensitive issues -- emphasizing confidentiality also makes it possible to turn any Nicaraguan public disclosures to our advantage; (2) direct talks, without third party participation, to avoid posturing or being trapped into mediation situation. Ambassador Shlaudeman should reject all efforts by the Nicaraguans or by others to interject third parties into the bilateral dialogue; (3) restricted size of delegation, and those involved in decision process, to minimize grandstanding and leaks; (4) systematic Core Four/Contadora consultations are critical to achieving our objectives as the issues evolve, to avoiding suspicions and, should talks fail, to assuring that our position is widely understood and accepted; (5) care of written commitments, in recognition of the importance of preserving full U.S. flexibility on security issues, we should avoid "treaty-like situations," exercising care with written submissions so as to preserve U.S. flexibility to continue to act in accord with our interests.

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THE WHITE HOUSE

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MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE

THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

THE DIRECTOR OF CENTRAL INTELLIGENCE
THE UNITED STATES REPRESENTATIVE TO THE

UNITED NATIONS

THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT:

National Security Decision Directive on Dialogue with Nicaragua (NSDD-) (S)

The President has formally approved the National Security
Decision Directive on Dialogue with Nicaragua, discussed at the
National Security Council meeting held on July 27, 1984.
Because of the sensitivity of the document, we will hand-deliver
one copy. We request that you make no copies and limit knowledge
of this document to the absolute minimum number of people due to
the extreme sensitivity of the NSDD. (S)

FOR THE PRESIDENT:

Robert C. McFarlane

Attachment NSDD- DECLASSIFIED

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BY PW NARA DATE 4/22/19

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National Security Decision Directive

Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world.

(S)

These same elements have guided our policy toward Nicaragua.

Strength -- We have provided assistance to friendly governments to help them resist Nicaraguan threats and aggression. Realism -- We have recognized the problems and the risks posed to U.S. security interests, and faced up to them. Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to achieve a peaceful solution. The continuing dialogue with Nicaragua must also support our policy objectives in Latin America:

- -- to support democracy;
- -- improve living conditions; and
- -- help friendly governments defend themselves against Soviet Bloc/Cuban subversion and aggression. (S)

U.S. Objectives

Meetings between the President's Special Envoy for Central America and representatives of the Government of Nicaragua will be conducted for the purpose of supporting the attainment of a verifiable comprehensive regional settlement which meets all twenty-one Contadora objectives. The dialogue must also be designed to achieve our requirements for normal relations with Nicaragua as stated in N\$DD-124:

- -- genuine implementation of democracy;
- -- verified end to export of subversion;
- -- verified removal of Soviet Bloc/Cuban personnel; and
- -- verified reduction of Nicaragua military forces to regional parity. (S)

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These negotiations with the Nicaraguan Government representatives should be oriented toward obtaining early agreement on our ultimate goals in Central America, as outlined in the twenty-one Contadora objectives. In the course of the meetings, the Special Envoy should explain the benefits which would be available to Nicaragua, if Nicaragua would reach agreement with the other countries of Central America on verifiable implementation of the Contadora twenty-one points. (S)

Principles Guiding the U.S. Approach

In conducting these talks, the U.S. side must be guided by certain inviolable principles. These principles will be applied throughout the process and govern all discussions with the Core Four and the Nicaraguans: (S)

- Safeguarding U.S. Security Interests in Central America.

 The talks must protect our strategic political and military position in Central America. (S)
 - Preserving U.S. Flexibility. Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - -- Keeping Cuba, the Soviets, and Others Outside the Region Out of the Negotiation Process. It would be contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central America by admitting them to the negotiating process. (S)
 - -- Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)







- Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries/between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new/proposals. Core Four views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S)
- Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each stage, soliciting their assistance in urging Nicaragua to be more forthcoming both procedurally and substantively. The objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)
 - -- Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals.

 (S)
 - -- May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty. (S)
 - -- Is in no way inhibited in its ability to act in the event of need (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)

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- Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)
- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

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National Security Decision Directive

Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialgoue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

These same elements have guided our policy toward Nicaragua.

Strength -- We have used the instruments of pressure to achieve our objectives. Realism -- We have recognized the problems, the risks posed to U.S. security interests, and faced up to them.

Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to see if a peaceful solution could be found. The continuing dialogue with Nicaragua must also support our broader policy objectives in Latin America:

- -- to support democracy;
- -- improve living conditions; and
- -- help friendly governments defend themselves against Soviet Bloc/Cuban subversion and aggression. (S)

U.S. Objectives

Meetings between the President's Special Envoy for Central America and representatives of the Government of Nicaragua will be conducted for the purpose of supporting the attainment of a verifiable comprehensive regional settlement which meets all twenty-one Contadora objectives. The dialogue must also be designed to achieve our requirements for normal relations with Nicaragua as stated in NSDD-124:

- -- genuine implementation of democracy;
- -- verified end to export of subversion;
- -- verified removal of Soviet Bloc/Cuban personnel; and
- -- verified reduction of Nicaragua military forces to regional parity. (S)

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Dialogue with Nicaragua

The foreign policy of the United States is characterized by strength, realism, and dialogue, providing the military and diplomatic capacity and the flexibility to advance our interests and achieve our national objectives. These principles are central to our global policy, applying to the conduct of our relations with the Soviet Union and to other parts of the world. (S)

These same elements have guided our policy toward Nicaragua. Strength -- We have provided assistance to friendly governments to help them resist Nicaraguan threats and aggression. Realism -- We have recognized the problems and the risks posed to U.S. security interests, and faced up to them. Dialogue -- We have at all stages been willing to sit down and discuss with our adversaries their concerns and ours to achieve a peaceful solution. The continuing dialogue with Nicaragua must also support our policy objectives in Latin America:

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- -- verified removal of Soviet Bloc/Cuban personnel; and
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These negotiations with the Nicaraguan Government representatives should be oriented toward obtaining early agreement on our ultimate goals in Central America, as outlined in the twenty-one Contadora objectives. In the course of the meetings, the Special Envoy should explain the benefits which would be available to Nicaragua, if Nicaragua would reach agreement with the other countries of Central America on verifiable implementation of the Contadora twenty-one points. (S)

Principles Guiding the U.S. Approach

In conducting these talks, the U.S. side must be guided by certain inviolable principles. These principles will be applied throughout the process and govern all discussions with the Core Four and the Nicaraguans: (S)

- Safeguarding U.S. Security Interests in Central America.
 The talks must protect our strategic political and military position in Central America. (S)
 - Preserving U.S. Flexibility. Discussions must not interefere with the ability of the U.S. military to operate, exercise, or respond to threats in the region. Hence, the conduct of the talks and the nature of the U.S. commitments will always be defined in a way that gives the U.S. flexibility to meet regional security commitments and threats from or through Nicaragua, as well as threats from the Soviet bloc or Cuba not involving Nicaragua. U.S. military presence in the region is to the purpose of protecting vital U.S. interests, e.g. critical lines of communication and the Panama Canal. Soviet Bloc/Cuban military presence threaten these interests and warrant U.S. efforts to reduce and contain it at every stage. Hence, negotiations should not interfere with our traditional strength and presence in the area, which, in no circumstances are to be equated with Cuban/Soviet Bloc presence in the area. (S)
 - -- Keeping Cuba, the Soviets, and Others Outside the
 Region Out of the Negotiation Process. It would be
 contrary to U.S. interest to allow the institutionalization of a Cuban, Soviet, or UN role in Central
 America by admitting them to the negotiating process.
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 - -- Preserving our Role in Panama. The talks will be strictly confined in scope to Nicaragua, El Salvador, Honduras, Guatemala, and Costa Rica. They will not involve in any way the U.S. presence or treaty commitments in Panama. (S)

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- Strengthening our Friends in Central America. Enhancing the Core Four's position and our relationships with them is also essential to an outcome in Central America that serves U.S. long-term interests. The U.S. dialogue with Nicaragua must be fully coordinated with the Core Four to meet their legitimate interests and to foster their negotiations on the Contadora Final Act ("Treaty"). For example, such coordination could enable the U.S. to propose in bilateral dialogue, verification schemes agreed to by the Core Four, thus facilitating later agreement in Contadora. The Special Envoy will consult Core Four countries between each session with the Nicaraguans and before each session at which the U.S. side intends to put forward new proposals. views will be solicited and the U.S. will not make any proposals that have not been previously agreed upon by them. The U.S. will not make or imply any commitments on the part of the Core Four countries without their prior and explicit approval. (S)
- Supporting the Contadora Framework. The linkage to the Contadora objectives and process is valuable to us and essential to our friends. The Nicaraguans find parts of the current draft Contadora treaty to be unacceptable. Maintaining the links between the bilateral dialogue and Contadora will require that the Special Presidential Envoy brief and debrief the four Contadora countries at each stage, soliciting their assistance in urging Nicaragua to be more forthcoming both procedurally and substantively. objective of the talks, in sum, is to strengthen Contadora, not to achieve formal or informal bilateral agreements. In so doing, the U.S.: (S)
 - Must build a record of having put forward a negotiating position that demonstrates that the U.S. is serious and realistic in its approach and substantive proposals.
 - May propose positive, economic incentives as well as the removal of negative sanctions in order to achieve a comprehensive, verifiable Contadora treaty.
 - Is in no way inhibited in its ability to act in the event of need, (e.g., the introduction of advanced aircraft into Nicaragua) or to speak out clearly on Nicaraguan political issues. We will preserve full freedom to act consistent with our interests. (S)

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• Verification. Given the "unilateral enforcing nature" of any agreement for us, but not for Nicaragua, we must assure verification provisions which are effective and which the Core Four countries indicate are completely acceptable to them. The verification issue should be our lead item of discussion with the Nicaraguans. (S)

- Comprehensiveness. To be acceptable, any agreement must include all four of our requirements for Nicaragua and must include all 21 Contadora objectives. There will be no partial implementation of any kind until a comprehensive, verifiable Contadora treaty has been signed. (S)
- Implementation. Implementation of the accord will not commence until the five countries of Central America have signed it. Implementation can be effected in a phased, step-by-step manner if all parties so agree. Such a step-by-step implementation process should be discussed with the Core Four, Contadora countries and Nicaragua to further the process of negotiating a comprehensive agreement. (S)

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WASHINGTON

ACTION

August 8, 1984

MEMORANDUM FOR THE PRESIDENT

FROM:

ROBERT C. MCFARLANERCM

SUBJECT:

State Department Report on US Talks with Nicaragua

in Mexico on July 31-August 1, 1984

Issue

Report from Acting Secretary Kenneth Dam on the third round of talks with Nicaragua (Tab A).

Facts

On July 27, 1984 the NSPG met for the third time (others were June 25 and June 29) to provide you with differing viewpoints on the US discussions with Nicaragua. The following day you issued your second written instruction on US negotiations with Nicaragua (Decision Directive issued from Air Force One on July 28, 1984).

The report from Acting Secretary Dam notes that the meeting of July 31-August 1 moved beyond procedure into substantive exchanges which "put all our issues on the table".

Discussion

The Department of State notes that the Nicaraguan negotiator said any agreement between the two sides must be subject to "mechanisms of verification and inspection that ensure full compliance by the parties".

The Department of State notes that Ambassador Shlaudeman stressed that democratization based on free elections is an essential part of any agreement, and that no actions would be taken until a comprehensive agreement was reached.

Ambassador Shlaudeman will brief the Central American countries from August 6 to August 8 on the recent talks; and, the next meeting with Nicaragua is tentatively scheduled from August 15-16.

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BY NARA DATE 4/22 |

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Recommendation

That you read the Department of State report on negotiations (Tab A) and the report on "Lessons From the Korean Armistice and Indochina Peace Accords" (Tab B).

OK

No

Attachments:

Tab A State Department memorandum to you dated August 4, 1984

Prepared by: Constantine C. Menges

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TAB A

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DEPARTMENT OF STATE WASHINGTON

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August 4, 1984

MEMORANDUM FOR THE PRESIDENT

From:

Acting Secretary - Kenneth W. Dam

Subject:

Third Round of Talks with Nicaragua

Ambassador Shlaudeman held the third round of talks with the Nicaraguans July 31 - August 1 in Manzanillo, Mexico.

This meeting moved past procedure and into substantive exchanges. It put all our issues on the table.

The agreement on procedures essentially confirmed the tentative arrangements worked out in Atlanta, but the Nicaraguans agreed to Ambassador Shlaudeman's suggestion that interpreters and stenographers not be used in exchange for a joint minute that briefly summarizes the meeting, any points of coincidence and points of disagreement.

There were several interesting developments in this round. Reading a long proposal on agenda, Tinoco said that the agreement the two sides might reach must be subject to "mechanisms of verification and inspection that ensure full compliance by the parties." He also stated that such an agreement will clear the way for a successful outcome to the Contadora process. Tinoco agreed to the inclusion of these two statements in the joint minute. That is a helpful step in light of our guidelines on verification and on links to Contadora.

It is also worth noting that, although Tinoco maintained that Nicaragua's internal political arrangements could not be a subject for discussion, he proposed that "U.S. interference" in Nicaragua's internal affairs should be on the agenda. That ensured a full exchange on democratization in which Ambassador Shlaudeman pressed the argument that there is no way to reach a settlement in the absence of national reconciliation in Nicaragua and that democratization based in free elections open to all elements is essential to such a reconciliation.

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- 2 -

Tinoco's proposal puts all our security concerns on the table. It implicitly links support for the anti-Sandinista armed opposition with Nicaraguan support for the Salvadoran guerrillas and relates the U.S. military presence in the region to foreign military/security advisers and negotiation of "a reasonable balance of forces" with Honduras, El Salvador and Costa Rica.

The proposal calls for dealing with security issues first. But Tinoco did not directly dispute Ambassador Shlaudeman's repeated insistence that there could be no partial agreement, that no actions would be taken until a comprehensive agreement was reached. Ambassador Shlaudeman stressed this principle of globality, as well as links to Contadora and verification through the two days of talks.

On methodology. Tinoco was not prepared to discuss the concept of jointly developing a calendar of reciprocal actions, limiting himself to one or two questons of clarification. Discussion of final objectives was extensive but inconclusive. Much remains to be done in terms of defining those objectives. That will give us a good opportunity to press the Nicaraguans on matters now at issue within the Contadora process, such as the extent and nature of the verification mechanisms to be established and the real meaning of Nicaragua's commitment to democratization as a signatory of the Contadora Document of Objectives.

A next meeting was scheduled tentatively for August 15-16, barring conflict with a possible meeting of the Contadora Technical Commission. Ambassador Shlaudeman is visiting the Core Four countries beginning Monday to brief them on the talks.

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White House Guidelines, August 28, 1997
NARA, Date 2/22/65

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ACTIONS TAKEN ON 8/9 (3)

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(PAPERS BACK FROM RR ON 8/9)

285/236 1287 90861 Menges

State Dept Rpt on US Talks w/Nicaragua in Mexico on July 31-Aug 3, 1984

- RCM signed memo to President on 8/8. Will dacom to Ranch.

- 9/8 (back fm Ranch) RR initialed under "OK"



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SECRET

WASHINGTON

ACTION

August 8, 1984

MEMORANDUM FOR THE PRESIDENT

FROM:

ROBERT C. McFARLANE

SUBJECT:

State Department Report on US Talks with Nicaragua

in Mexico on July 31-August 1, 1984

Issue

Report from Acting Secretary Kenneth Dam on the third round of talks with Nicaragua (Tab A).

Facts

On July 27, 1984 the NSPG met for the third time (others were June 25 and June 29) to provide you with differing viewpoints on the US discussions with Nicaragua. The following day you issued your second written instruction on US negotiations with Nicaragua (Decision Directive issued from Air Force One on July 28, 1984).

The report from Acting Secretary Dam notes that the meeting of July 31-August 1 moved beyond procedure into substantive exchanges which "put all our issues on the table".

Discussion

The Department of State notes that the Nicaraguan negotiator said any agreement between the two sides must be subject to "mechanisms of verification and inspection that ensure full compliance by the parties".

The Department of State notes that Ambassador Shlaudeman stressed that democratization based on free elections is an essential part of any agreement, and that no actions would be taken until a comprehensive agreement was reached.

Ambassador Shlaudeman will brief the Central American countries from August 6 to August 8 on the recent talks; and, the next meeting with Nicaragua is tentatively scheduled from August 15-16.

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NLRR M 259/1 # 74055

BY PW NARA DATE 4/22/19



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Recommendation

That you read the Department of State report on negotiations (Tab A) and the report on "Lessons From the Korean Armistice and Indochina Peace Accords" (Tab B).

OK

No

Attachments:

Tab A State Department memorandum to you dated August 4, 1984

Prepared by: Constantine C. Menges

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DEPARTMENT OF STATE

WASHINGTON

August 4, 1984

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Subject:

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- 2 -

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The proposal calls for dealing with security issues first. But Tinoco did not directly dispute Ambassador Shlaudeman's repeated insistence that there could be no partial agreement, that no actions would be taken until a comprehensive agreement was reached. Ambassador Shlaudeman stressed this principle of globality, as well as links to Contadora and verification through the two days of talks.

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MEMORANDUM



NATIONAL SECURITY COUNCIL

SECRET

ACTION

August 6, 1984

MEMORANDUM FOR ROBERT C. MCFARLANE

SIGNED

FROM:

CONSTANTINE C. MENGES

SUBJECT:

State Department Report on US Talks with Nicaragua

in Mexico on July 31-August 3, 1984

Your memorandum to the President forwards the Department of State report on the most recent round of discussions with Nicaragua and places this in context with the most recent NSPG meeting and decisions on this subject.

Since the Nicaraguans have agreed with us that verification to assure mutual compliance is a major part of any agreement, you also provide the President with a very brief synthesis of lessons to be learned from massive and pre-planned communist violations of all four major agreements involving Korea and Indochina since 1953 (Tab B).

RECOMMENDATION:

That you forward your memorandum to the President (Tab I).

Ollie North concurs; Ray Burghardt is on travel.

Approve	Disapprove
	- I Dar Pro to

Attachments:

Tab I

Your memorandum to the President

Tab A

State Department memorandum to the President

dated August 4, 1984

Tab 🗸

Analysis of "Lessons From the Korean Armistice and Indochina Peace Accords"

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NLRR M259/1 # 74056

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LESSONS FROM THE KOREAN ARMISTICE AND INDOCHINA PEACE ACCORDS

Stephen T. Hosmer The Rand Corporation 95

The U.S. experience with war termination agreements in Korea and Indochina provides some cautionary lessons on negotiating such agreements with communist belligerents in the Third World. The communist signatories have consistently and massively violated the 1953 Korean Armistice, the 1954 Geneva Accords on Indochina, the 1962 Declaration on the Neutrality of Laos, and the 1975 Paris Agreements on Ending the War and Restoring Peace in Vietnam.

MASSIVE AND PREPLANNED COMMUNIST VIOLATIONS

Despite the supervisory and control mechanisms designed to deter breaches of these agreements, the communist signatories were able to circumvent key provisions of all the agreements with relative ease and at little political cost. They began the most massive and militarily significant violations immediately after the agreements went into effect, suggesting that they were planning the infringements even as they were negotiating. For example:

- They started to violate subparagraph 13d of the Korean Armistice, which prohibited the introduction of war materiel into Korea except on a "piece-for-piece" replacement basis, within days of the truce signing, when communist MIGs began a major staging from Manchuria onto hastily reconstructed airfields throughout North Korea.
- North Vietnam made only the barest pretense of complying with Article 2 of the 1962 Declaration on the Neutrality of Laos, which required the withdrawal of all foreign troops from Laos "in the shortest time possible." Of the estimated 8,000 to 10,000 NVA forces in Laos in 1962, only 40 left the country through International Control Commission checkpoints.
- North Vietnam reneged immediately on its obligations under the 1973 Paris Accords to cease firing in South Vietnam, withdraw its forces from Cambodia and Laos, and refrain from introducing additional troops and war materiel into South Vietnam except on a one-for-one replacement basis. North Vietnam never observed the cease-fire and troop withdrawal requirements, and within little more than two months after it had signed the peace agreements, it had already infiltrated some 30,000 additional troops and over 30,000 tons of military equipment into South Vietnam.

THE FAILURE TO INVESTIGATE OR DOCUMENT VIOLATIONS

While omissions, ambiguities, and other weaknesses in treaty language sometimes facilitated communist evasions, they were not the major cause. Rather, the failure to officially monitor, investigate, and document violations as massive as those cited above was directly attributable to

- 1. The representation of East European states on the supervisory bodies and
- 2. The systematic obstructionism of the local communist signatories.

East European states were represented on all the so-called neutral nation and international supervisory commissions charged with facilitating and overseeing the execution of the Korean and Indochina war termination agreements. Because of the voting rules and/or numerical balance of the commissions, the East European states had a veto over nearly all important matters involving the commissions. And since the East Europeans acted as agents for their Asian communist clients, they invariably vetoed or otherwise attempted to obstruct any investigation, ruling, or other supervisory and control activity that might militarily hinder or politically embarrass their clients. At the same time, the East Europeans proved zealous in opposing any commission actions that might ease constraints on noncommunist forces and in urging the investigation of all possible violations by the noncommunist signatories.

Massive and systematic violations also went unmonitored, uninvestigated, and undocumented by the supervisory bodies because of the noncooperation and active obstructionism of the local communist signatories. Among the stratagems and evasions employed to thwart investigations and monitoring were the Asian communists' refusal to:

- Use the checkpoints designated in the agreements for controlling and monitoring the introduction of arms or withdrawal of forces.
- Allow supervisory teams access to communist-controlled checkpoints or military bases. North Korea, for example, never permitted Neutral Nation Supervisory Commission teams to monitor the ports of entry designated for all replacement arms transfers to North Korea.
- Provide the local transport or liaison officers necessary for supervisory team inspections in communist-controlled areas.
- Guarantee the safety of supervisory teams in communist-held areas. International Commission of Control and Supervision teams were forced to withdraw from several monitoring sites in

South Vietnam in 1973 because their aircraft or team members were fired on from communist-controlled areas.

Numerous other dodges and delaying tactics could be cited, but it should suffice to say that the Asian communist signatories were capable of impeding or blocking any supervisory or control activity that required their active or passive cooperation.

THE FAILURE TO DETER VIOLATIONS

Except where the agreements were to the communists' advantage or unimportant to the achievement of their long-term objectives, they complied only with those provisions of the agreements that the United States and its allies appeared willing to enforce and capable of enforcing on the battlefield. For example, while the North Koreans and the Chinese communists knew that a resumption of attacks across the Demilitarized Zone would invite a devastating (and probably nuclear) U.S. military response, they also realized that the United States and the other United Nations cobelligerents were unlikely to abrogate the Korean Armistice or resume hostilities simply to enforce the provisions constraining arms shipments to North Korea.

Similarly, once the North Vietnamese found that the United States would not mount a military response to their initial breaches of the 1973 Paris Accords, massive communist violations were inevitable. In short, the United States was unrealistic to assume that it could obtain terms from the peace table that it was unable or unwilling to enforce on the battlefield.

OFFENSIVES AS A PRELUDE TO AGREEMENT

Prior to the conclusion of the Korean Armistice and the various Indochina agreements, communist forces launched major attacks in an attempt both to strengthen their bargaining leverage in the negotiations and to improve their comparative battlefield position for a later resumption of the struggle. Thus, we saw communist forces suffer 135,000 casualties in a series of offensives during the weeks immediately preceding the July 1953 Korean truce; the Vietminh overrun Dien Bien Phu during the 1954 Geneva conference; the Pathet Lao and North Vietnamese rout the rightist Lao forces at Nam Tha in early 1962 during the final phases of the Geneva conference on Laos; and the North Vietnamese invade and launch a country-wide offensive against South Vietnam in spring and summer 1972. The Vietnamese communists also mounted a series of land grabbing attacks throughout South Vietnam both before and after the 1973 cease-fire was scheduled to take effect.

In the event that the United States again participates in negotiating a war termination agreement with communist belligerents in the Third World, decisionmakers must remember that

- 1 If the agreement is to succeed, the United States or its allies must have (or be perceived to have) the capability and will to enforce the agreement on the battlefield.
- 2 Even in the absence of East European or other communist states on the supervisory body, the local communist authorities will be capable of frustrating any enforcement activities that require their active or passive cooperation.

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THE WHITE HOUSE

SECRET

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ROBERT C. MCFARLANE

SUBJECT:

State Department Report on US Talks with Nicaragua

in Mexico on July 31-August 1, 1984

Issue

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Facts

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The report from Acting Secretary Dam notes that the meeting of July 31-August 1 moved beyond procedure into substantive exchanges which "put all our issues on the table".

Discussion

The Department of State notes that the Nicaraguan negotiator said any agreement between the two sides must be subject to "mechanisms of verification and inspection that ensure full compliance by the parties". In that connection, I am attaching at Tab B an analysis prepared by an independent scholar under the auspices of the Department of Defense which distills the lessons from the massive and preplanned communist violations of all four negotiated agreements involving Korea and Indochina since 1953.

The Department of State notes that Ambassador Shlaudeman stressed that democratization based on free elections is an essential part of any agreement, and that no actions would be taken until a comprehensive agreement was rescheduled.

Ambassador Shlaudeman will brief the Central American countries from August 6 to August 8 on the recent talks; and, the next meeting with Nicaragua is tentatively scheduled from August 15-16.

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Recommendation

That you read the Department of State report on negotiations (Tab A) and the report on "Lessons From the Korean Armistice and Indochina Peace Accords" (Tab B).

OK

No

Attachments:

State Department memorandum to you dated August 4, 1984 Tab A

Analysis of "Lessons From the Korean Armistice and Indochina Peace Accords" Tab B

Prepared by: Constantine C. Menges

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