

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 DHA-02 ACDA-07 DPW-01 CIAE-00
INR-07 NSAE-00 SCA-01 ERDA-05 OIC-02 OES-06 /048 W
-----180724Z 086925 /10

R 171801Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 6019
AMEMBASSY BONN
INFO SECDEF WASHDC
USMISSION NATO

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E.O. 11652: N/A
TAGS: PFOR
SUBJECT: LAWS OF WAR - GERMAN CONCERNS WITH DRAFT PROTOCOL

1. SUMMARY: CONCERNS BY GERMAN DEFENSE MINISTRY WITH RESPECT TO DRAFT PROTOCOL ON LAWS OF WAR HAVE LARGELY BEEN OVERCOME. IN PART,FRG FOREIGN OFFICE HAS PREVAILED OVER DEFENSE MINISTRY, AND IN PART OUR EXPLANATIONS OF MEANING OF CONTROVERSIAL PROVISIONS HAVE SATISFIED GERMAN WORRIES. HOWEVER, GERMANS WILL NEED TO STATE CERTAIN UNDERSTANDINGS AT TIME OF SIGNATURE, AND THEY HOPE THAT NATO ALLIES WILL JOIN THEM IN THESE STATEMENTS. WE SHALL CONTINUE DURING GENEVA CONFERENCE TO WORK OUT WITH FRG DEL THESE STATEMENTS OF UNDERSTANDING, AND THEY SHOULD PROVIDE BASIS FOR COMMON INTERPRETATIONS TO BE GIVEN NATO MILITARY COMMITTEE AS A BASIS FOR ITS SEPARATE STUDY (SEE SEPTTEL).
END SUMMARY

2. FRG HEAD OF DELEGATION, AMB. ROBERT, TOLD ALDRICH THAT, AFTER DIFFICULT ARGUMENT, FRG DEFENSE MINISTEY OBJECTIONS TO DRAFT PROTOCOL ON INTERNATIONAL ARMED CONFLICTS HAD LARGELY BEEN OVERCOME. HE SAID THAT USG EFFORTS TO
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EXPALIN OUR INTERPRETATIONS HAD BEEN MOST HELPFUL IN THIS REGARD BUT THAT THE FOREIGN MINISTRY HAD STILL HAD A TOUGHT FIGHT.

3. ROBERT SAID THAT PRICE FOR DEFENSE MINISTRY CONCURRENCE WAS AGREEMENT THAT FRG WOULD BE PREPARED, DURING FINAL PLENARIES AND AT TIME OF SIGNATURE, TO MAKE A NUMBER OF

STATEMENTS OF UNDERSTANDING, COVERING THE MOST DIFFICULT ISSUES. FRG HOPED THAT USG, AND INDEED ALL NATO ALLIES, WOULD MAKE IDENTICAL STATEMENTS. ALDRICH ASSURED ROBERT THAT WE WOULD TRY TO WORK OUT AGREED TEXTS OF THESE STATEMENTS AND CONVINCED OTHER ALLIES TO ACCEPT THEM. FRENCH, BRITISH AND CANADIAN DELS HAVE AGREED TO JOIN IN THIS DRAFTING EFFORT DURING THE GENEVA CONFERENCE. WE SHALL INCLUDE OTHER NATO DELS WHEN AGREEMENT ON TEXTS HAS BEEN REACHED IN THIS SMALLER GROUP.

4. IT IS UNDERSTOOD THAT THESE AGREED STATEMENTS WILL ALSO PROVIDE MUCH OF THE NECESSARY INTERPRETIVE BASIS FOR A STUDY BY THE NATO MILITARY COMMITTEE OF THE IMPLICATIONS OF THE PROTOCOL. THIS STUDY WILL BEGIN ONLY FOLLOWING THE CONCLUSION OF THE GENEVA CONFERENCE IN JUNE. SORENSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, AGREEMENT DRAFT, LAW, WAR, AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA02051
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770093-0096
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770350/aaaabrom.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: 8fad09b7-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3082565
Secure: OPEN
Status: NATIVE
Subject: LAWS OF WAR - GERMAN CONCERNS WITH DRAFT PROTOCOL
TAGS: PFOR, GE
To: STATE BONN
Type: TE
vdkgvkey: odbc://SAS/SAS.dbo.SAS_Docs/8fad09b7-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009