

DECLASSIFIED
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Telecon
Mr. Kissinger
Secretary Rogers
12/23/71; 8:00 p.m.

K: I have just read your press conference and in connection with this commitment to Pakistan, you should know that the President told Matskevich that there was a commitment and if there was an attack on West Pakistan there would be a confrontation. I ~~he~~ also showed this to Vorontsov the next day. I told Alex Johnson. He also made me show it to the British Ambassador to explain . . . Haldeman was in his office when he asked me to do it. I have been seeing these stories coming out of State. . .

R: Has the President said there is a commitment?

K: The quote is if there is an attack on West Pakistan there will be a confrontation . He showed the aide memorie of Kennedy's -- in case of aggression by India against Pakistan the U. S. would come to the assistance of Pakistan.

R: It doesn't say military. I don't think there is any problem. The Aide Memorie of Kennedy's does not commit the U. S. to go to war in the event that Pakistan is attacked by India and we should not say that. On the other hand, I pointed out that the discussions we have had with Pakistan indicated we would provide assistance and that can be in whatever form we want. You can't say Aide Memorie commits U. S. to go to war. You can't circumvent the Constitution. . .

K: I am not trying to circumvent the Constitution. I am trying to maintain a minimum of credibility which is almost impossible in the light of this niggling.

R: Oh, come on. There is no niggling or haggling. I have only said we have no treaty commitment to go to war in the event there is an attack on Pakistan. But, we have no legal obligation. If we suggested we had it would be a catastrophe. None of our treaties provide that we have a commitment to take military action.

K: That's not the point. That document was used to justify some of our actions.

R: What document?

K: The Aide Memoire.

R: No one has said there was no document.

K: But it was said that it was washed out in 1965. . .

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