

SecDef/SecState Breakfast Item

[8/25/83]

TALKING POINTS

SUBJECT: Greek Translation of the DECA

ISSUE: Papandreou now wants to translate "is terminable", the termination provision of the DECA with a Greek wording meaning "is terminated".

BACKGROUND:

- Papandreou has misled the public about the conditional termination provision, i.e., that the DECA is set to end in five years whereas the initialed English text version states clearly that it "is terminable" after five years upon five months notice.
- The issue is political, it is a question of how much of a presumption of termination inheres in the DECA (and how easily can Papandreou quote the actual words of the DECA, albeit out of context, to support his claim that the US is being expelled).
- The difference between the phrase in question is not one of legal effect; the provision as a whole, with either phrase, would remain conditional.
- Our charge' (Berlind) went over "is terminable" with the Greek Deputy Foreign Minister (Kapsis) on August 18 and said that while he was prepared to seek confirmation of his view from Papandreou, he was absolutely certain that he was speaking for the PM and the GoG in refusing to consider any alternative translation.

POSITION:

- We are not happy with the Greek term "termatizete" [is terminated] for "is terminable." Although we recognize the importance of this term to the GoG in its domestic political context, we believe it is beneath the dignity of the USG to dispose of an issue previously agreed and initialed through consenting to use different words in the two, equally authentic texts.
- Therefore, State should direct our negotiator to approach the Greeks again reiterating our understanding of what already has been agreed to on the conditionality of the termination provision and that this view be relayed to the PM.

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BACKGROUND PAPER
ON
GREEK TRANSLATION OF THE DECA

(S) The termination provision in the English text recently initialed states that the DECA "is terminable" after five years upon five months notice. Having publicly (and inaccurately) announced that the DECA is set to end in five years, Papandreou now wants to translate "terminable" with a Greek word meaning "is terminated." There is no single word in Greek meaning "terminable." Though there is a three-word phrase meaning "can be terminated," State is willing to accept the GoG's proposed translation. We think that at least for the time being we should stand firm on the "can be terminated" formulation, which is synonomous with "terminable" and highlights the conditionality of the termination provision.

(S) The difference between the phrase in question is not one of legal effect; the provision as a whole, with either phrase, would remain conditional. The issue is political; it is a question of how much of a presumption of termination inheres in the DECA (and how easily can Papandreou quote the actual words of the DECA, albeit out of context, to support his claim that the US is being expelled). The issue was the same (i.e., of a political rather than a legal nature) when we fought it out (successfully for us) in the English text. The USG was willing to see the negotiations fail over this political point then. We do not see why we should acquiesce at this juncture, especially as Papandreou aired his provocative and misleading interpretations of the termination provision after the English text was initialed. We should not help him vindicate his erroneous pronouncements.

(S) We believe it is beneath the dignity of the USG to dispose of an issue such as this through consenting to use different words in the two, equally authentic texts. Such a practice is hardly honorable and is sure to generate diplomatic problems in the years ahead.

(S) State argues that the GoG will not give in on this point. We find this hard to understand, given that the GoG has conceded the essence of the matter already in the English text.

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In any event, we think we should at least ask the GoG to accept an accurate translation of "terminable" before we develop any fallback language. Our charge (Berlind) went over "is terminable" with the Greek Deputy Foreign Minister (Kapsis) on August 18 and said that while he was prepared to seek confirmation of his view from Papandreou, he was absolutely certain that he was speaking for the PM and the GoG in refusing to consider any alternative translation. Berlind's considered opinion is that the GoG would scuttle the agreement rather than cede any ground on this issue. (Berlind has argued all along, even before he presented it to Kapsis, that this translation would be unacceptable to the Greeks.)

(S) State says that if it is authorized to accept the Greek term for "is terminated," it will insist that the GoG, upon presenting the DECA to the Greek Parliament, explain that the termination provision is conditional upon events to take place in the fifth year. When asked what recourse we will have if the GoG does not render this explanation faithfully, State says we will retaliate by contradicting the GoG publicly. In light of Papandreou's record, this appears to offer the USG thin protection indeed.

(S) Recommendation: That we authorize our negotiator to agree in the matter only to language meaning "can be terminated" or "susceptible of termination." (There is a 3-word Greek phrase meaning "susceptible of termination" which we think should be proposed.)

(S) That you convey our position to Secretary Shultz should he raise the issue with you at your weekly breakfast or elsewhere.

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Leon K. Pfeiffer, X7 6026
OASD/ISP (Eur-NATO Policy)

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