

Note for Document 17

Names for this document:

*This may be  
Rick Hertzberg  
Staff Sec. office.*

Hamilton Jordan  
Rick (we believe to be Hendrik  
Hertzberg, Speechwriter)  
Zbigniew Brzezinski  
Robert Pastor

Handwritten Note: "Zbig-- Meeting with DeConcini is planned for Tuesday or Wednesday of this week. We are proceeding along the lines Pastor outlines. It is very precarious-- like it or not, DeConcini holds the fate of the treaties in his hands. We'll talk. H.J."

EXECUTIVE

FD-3-1 / Panama Canal

PR 7-1

FE 6-12

Pastor, Robert

PU

R.P.  
A, [unclear] ?  
ZB.

THE WHITE HOUSE  
WASHINGTON

April 10, 1978

Hamilton,

ZB would like you to take a look at the attached. He would like you to raise the suggested call to DeConcini with the President if you believe it is appropriate. He believes the statement at Tab A is good.

*Dunnie*

Rick

Zbig-

Meeting with DeConcini is planned for Tuesday or Wednesday of this week.

We are proceeding along the lines Pastor outlines. It is very precarious - like it or not, DeConcini holds the fate of the treaty in his hands. We'll talk.

HQ.

Document 17

(Note: A good example of how a Senator whose vote was essential was wooed by the administration to vote for the treaty. DeConcini is from Arizona. Tab A is not available.)

## MEMORANDUM

## NATIONAL SECURITY COUNCIL

April 10, 1978

INFORMATION

MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI

FROM: ROBERT PASTOR *R.P.*

SUBJECT: Getting the Panama Debate Back on Track

Having come this far, it is ironic that we were almost de-railed last week on a non-issue: the Senate being disturbed that the Panamanians were upset by the DeConcini reservation. The question is how do we get the Panamanians and the DeConcini people back on board helping us through the vote on the second treaty.

The problem last week stemmed from confusion and misunderstanding. We need to begin by untangling this web.

The Senate thought that the Panamanians rejected the treaties. This is untrue; the Panamanians are upset by the DeConcini reservation and fearful of future reservations. To keep his government in tact, Torrijos needs some language in the new treaty, which makes a self-evident point: that the treaties are consistent with the U.N. and O.A.S. Charter. (In fact, the U.N. Charter prohibits a state from entering into an agreement which overrides any provision--especially the principle of non-intervention--in the U.N. Charter.)

I don't think there are any Senators who voted for the Neutrality Treaty who believe that their actions would violate the U.N. Charter. Indeed, the leadership amendment restates the point which the President has often made: that we have no intention or desire to interfere in the internal affairs of Panama. The DeConcini reservation has not really hurt as much as his language on the floor. The Panamanians need a re-statement of the principle of non-intervention, and the best person to do it would be DeConcini. Perhaps the President could call him, explain to him that the Panamanians have been misinterpreting his reservation, and telling him that, of course, his reservation is not intended to violate the U.N. or O.A.S. Charter. I have written a Q and A along these lines for the President and mentioned the idea to Hamilton.

We are in an extremely delicate position right now; we share a none too steady ship, and there are many in the Senate and in Panama who are eager to sink it. Regardless of who sinks it, the President will be hurt very badly if the ship goes down. Therefore, we need to be sufficiently sensitive

to the concerns of the Panamanians to keep them on our side. A statement along the lines of the Q&A would probably do the trick, but the President should probably call DeConcini first. You may want to mention this to the President tomorrow.

cc: Jerry Schecter

Attachments:

Tab A - Q&A

Tab B - Wash. Post Article