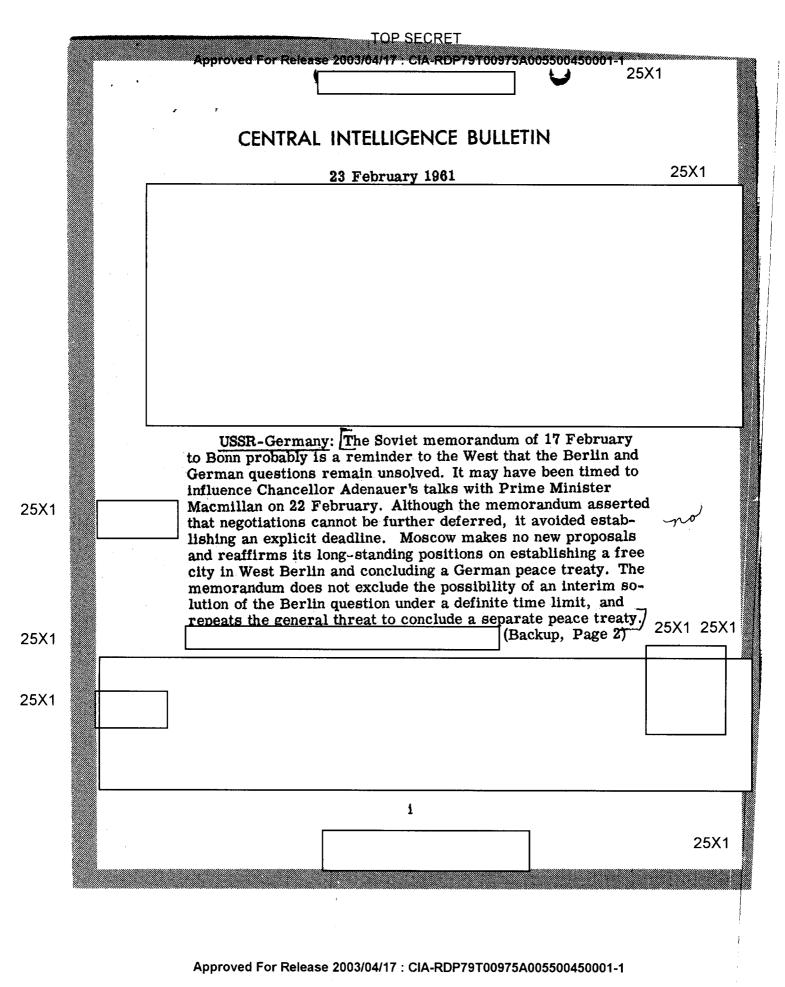
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Moscow's Memorandum to Bonn Restates Position On Germany and Berlin

(The Soviet memorandum of 17 February probably represents the first of a series of diplomatic moves to reactivate the Berlin question and test the Western attitude toward a resumption of high-level negotiations on Germany and Berlin. The move was apparently in response to Adenauer's private efforts, acting through the Austrian and Norwegian foreign ministers last fall, to gain some clarification of the Soviet position. Furthermore, in reply to Adenauer's statement to Smirnov in early January that the disarmament question should be given priority over the Berlin and German problems in East-West talks, the memorandum calls for negotiations on Berlin without further delay and describes the "working in" period for the new US administration and the need to await the West German elections as a "train of delaying arguments."/

As the first formal and complete recapitulation of the Soviet position since the Paris summit, the memorandum reaffirms standard proposals but does not insist on immediate implementation of the free city and refers to a possible interim solution with a fixed time limit. This approach is similar to the last Soviet proposal--made on 9 May, before the abortive summit meeting--when Moscow offered a two-year interim solution, at the end of which the four powers would be committed to establish a free city and sign a peace treaty with both German states. The memorandum also repeats the Soviet claim that a separate treaty, which would be signed either at the end of the interim period or in the event that West Germany refused to participate in the peace settlement, would liquidate the occupation of Berlin and force the Western powers to negotiate access to Berlin with East Germany,/

In dealing with the interim solution, Moscow asserts for the first time that Bonn has no authority to participate in negotiations on such an agreement. This position ignores the fact that both East and West Germans participated as observers at the Geneva foreign ministers' conference discussions in 1959, which covered an interim agreement. It also contradicts the Soviet note of 2 March 1959, proposing that both German states participate/

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(in negotiations on the questions of West Berlin and a peace treaty with Germany. The new gambit is probably designed to elicit a West German claim to take part in any discussions, which the USSR could use as an argument for including the East Germans, or to draw a West German refusal, which the USSR would then represent as an acceptance of its position that West Germany has no legal relationship to West Berlin.7

(The remainder of the Soviet memo reaffirms that unification and a peace treaty are separate issues and charges that West German "revisionism" over border questions necessitates the conclusion of a peace treaty. The memo also indicates the USSR will consider West German counter-proposals if they are based on the "present situation," meaning the existence of "two Germanies."]

(Following an easing of Moscow's propaganda attacks on West Germany last fall, Adenauer has sought to exploit the "improved atmosphere" in hopes of forestalling any sharp tension over Berlin at least until after the West German national elections in September. Adenauer also continues to favor reducing tensions through an agreement on disarmament before tackling the Berlin and Germany problems. However, if talks on Berlin are unavoidable, he will press for Bonn's participation.7

(Khrushchev's letter to Adenauer dealt only with the question of repatriation of German nationals in the USSR. Khrushchev returned to the official Soviet position of early 1960 that formal repatriation ended on 31 December 1959 and henceforth would proceed only in the framework of Soviet law. In a private talk on 17 October Khrushchev told the German ambassador that any Soviet citizen was free to leave and that the matter could be reopened in official talks.]

(The repatriation of Germans from the USSR has had considerable domestic significance in West Germany. Nearly 10,000 German war prisoners were released in 1955-56 in connection with the 1955 agreement to establish diplomatic relations between?

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Bonn and Moscow, and their return enhanced Adenauer's prestige. On the basis of a 1958 agreement, approximately 13,000 Germans went from the USSR to West Germany, but Bonn claims that there are still 10,000 eligible Germans in the USSR seeking to emigrate.

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