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1976 Treaty with Spain

Objectives. Our four main goals during the negotiation of the 1976 Treaty were to:

- broaden US-Spanish political, economic, and institutional ties;
- advance Spanish integration into the Western defense system (NATO) while avoiding a bilateral defense commitment;
- assure continued availability to the US of Rota Naval Base and of Torrejon, Zaragoza, and Moron air bases (the last in standby status); and
- be able to continue overflights and transits.

In general, our objectives were achieved. However, the number of KC-135 tankers we could base in Spain was reduced from 15 to just 5. The tankers are particularly important in refueling aircraft flying to and from the Middle East that cannot transit Spain. Also, the Spaniards remained surprisingly adamant that by July 1, 1979 we cease basing SSBNs at Rota, and we did so.

Compared to the preceding 1970 Executive agreement, the 1976 treaty contained even less restrictions on our transit rights. This occurred, however, because the Spanish side did not fully comprehend the implications of the agreed letter on transit operations. Subsequently, however, Spain became increasingly restrictive in its interpretation of our transit rights as it sought to strengthen its ties to the third world and to Middle Eastern states. For example, during the resupply of Israel in the 1973 war, Spain said that it would not permit the transits we had in mind regardless of the letter's provisions. Moreover, we allowed our transit rights to erode by seeking Spanish permission for flights clearly authorized under the treaty.

Quid. The US made specific and substantial multi-year pledges of military and non-military assistance in connection with the treaty's five-year duration. Military aid consisted of \$75 million grant military articles, \$600 million FMS guaranteed loans, and \$10 million IMET. The Air Force also promised to contribute \$50 million from its regular budget to the up-grading of the jointly used and NATO-compatible air warning and control system in Spain, Combat Grande.

In addition, the US also agreed to provide civil assistance grants of \$23 million for scientific and technological cooperation and \$12 million for educational and cultural cooperation.

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Negotiating Environment. Negotiations on this agreement, begun in 1975 on the basis of the 1953 Agreement, were concluded by the initialing of a text in July 1977. However, the signature in March 1976 of a DCA with Turkey marked the second phase of negotiations, with the Greeks demanding that the agreement be after the restrictive Turkish DCA. The agreement was initialled but never signed and thus did not enter into force. However, it created precedents for subsequent negotiations with Turkey and Greece.

Believing (correctly) that the relatively simple Turkish DCA was accompanied by secret implementing arrangements, Greece insisted that the 1977 agreement be far more extensive and detailed than the one with Turkey. The only benefit the US saw in paralleling the Turkish DCA was the possibility that this would help to get the latter agreement through Congress and thus reopen facilities that had been closed since the imposition of the embargo. While the US accepted the inevitability of modernizing and updating the 1953 Military Facilities Agreement and subsequent arrangements, the Greek side actively pursued negotiations based on complex motives arising out of the 1974 Cyprus crisis and a perceived need to reassert ostensible control over a foreign military presence associated with a country that allegedly favored its adversary.

Aware of the potential linkage in Congress between the two DCAs, the Greek government declined to sign promptly after initialing. By the time Greece might have been ready to sign, the US had decided to renegotiate both the Turkish and Greek agreements in order to replace multi-year assistance commitments with "best efforts" pledges; the 1977 DCA was shelved as a consequence.

General Operating Rights and Flexibility of Use. The agreement provided authorization for the continuation of nearly all--and all of the important--US military activities in Greece, whether related to NATO or not. There were many operational restrictions agreed on personnel and sortie levels, major items of equipment, access, construction, which were more limiting than the very loose 1953 agreement. These were nonetheless tolerable and would have assisted the Greek government in arguing that it exercised considerable oversight of US activities. We were assured that control would be looser than a strict construction of the agreement's terms would have indicated.

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"Out-of-Area" Transits/Overflights. As promised before initialling in July 1977, the Greek government negotiated with us a classified technical arrangement which effectively provided for blanket clearances of most flight categories, many of which are "out of area." Massive movements of men and materiel did require prior approval. This agreement was a significant improvement from the 1974-77 regimen which required individual approvals. It has continued in force since November 1977.

Quid. There was no political quid per se, although the acceptance of the 7:10 ratio for security assistance to Greece and Turkey and the acceptance of similarity in the defense cooperation arrangements with both countries carried significant political implications for future US policies. The financial quid included some excess equipment and guaranteed provision of other sophisticated equipment in addition to the multi-year commitment to \$700 million in security assistance. There was also an exchange of notes that paralleled the procurement exchange in the Turkish DCA.

SOFA. Considerable restrictions were placed on the privileges accorded the US military, the civilian component and their dependents, which were judged to be only marginally acceptable.

Other. The concept of defense industrial cooperation had not yet spread to Greece. The Greek government was simply interested in securing for itself every benefit provided Turkey the previous year.

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