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LETTER DATED 21 JUNE 1961 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF
THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

New York, 21 June 1961

I have the honour, on instructions from the Government of the United States of America, to transmit the attached document, "The United States Aide Memoire Concerning the Geneva Test Ban Negotiations," which was delivered by the Government of the United States of America to the Soviet Ministry of Foreign Affairs on 17 June 1961.

In accordance with General Assembly resolution 1578 (XV) which, inter alia, "requests the States concerned in the Geneva negotiations: (a) To keep the Disarmament Commission periodically informed of the progress of their negotiations; (b) To report the results of their negotiations to the Disarmament Commission and to the General Assembly," I should be grateful if you would circulate this aide memoire to all Members of the United Nations as a Document of the General Assembly and of the Disarmament Commission.

(Signed) Charles W. YOST
Deputy Permanent United States
Representative to the United Nations

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and has the honor to state the following:

An international agreement for the discontinuance of nuclear weapons tests is and will continue to be prime objective of the United States Government. The United States and the United Kingdom have proposed a treaty that will achieve this goal. This proposed treaty is the result of almost three years of painstaking effort on the part of the United States and the United Kingdom to work out an effective agreement with the Soviet Union to which we hope other governments would promptly adhere. This agreement would point the way toward ending the arms race in safety and in trust; it would remove any hazards involved in testing. It would restrict the number of countries producing nuclear weapons, thereby reducing the possibility of nuclear war.

During more than two years of negotiations, prior to their resumption on 21 March 1961, the areas of disagreement between the parties had apparently been substantially narrowed. In fact, it appeared that more progress had been made in this negotiation than in any other in the general field of disarmament. Each side had modified its position in response to the position of the other side. The United States, therefore, redoubled its efforts to find common ground in the hope that this might lead to an agreement.

Beginning with the opening day of the resumed sessions on 21 March, the United States and the United Kingdom delegations advanced a series of new proposals. Building upon the base established by the almost three years of arduous negotiation, the United States and the United Kingdom, in an effort to move toward the Soviet point of view, proposed: (1) to fix the number of on-site inspections in the Soviet Union, the United States, and the United Kingdom somewhere between twelve and twenty, depending upon the annual incidence of suspicious seismic events; (2) to reduce the number of control posts on Soviet territory; (3) to establish a control commission with equal representation for both sides; (4) to institute means for controlling nuclear tests in outer space; (5) to extend to three years the proposed moratorium on those weapons tests which the control system cannot presently detect and which, therefore, will be excluded

from the treaty pending the outcome of a research programme; and (6) to open up for internal and external inspection the nuclear devices to be used in research on test-detection or for peaceful engineering uses.

There was, unfortunately, no corresponding movement on the part of the Soviet Union to this narrowing of differences between the parties, as might have been anticipated in view of the many Soviet statements as to the importance of arriving at prompt agreement banning nuclear weapons tests. Instead, since the resumption of the test ban negotiations on 21 March 1961, the Soviet Union has withdrawn its agreement to a single impartial administrator of the control system and reiterated without change all of its other positions on outstanding issues. It now argues that reaching agreement on a test ban should be subordinated to the solution of other disarmament problems in spite of the fact that it was the Soviet Union that had insisted on separating the two questions at the outset.

The Soviet proposals would prevent achievement of the objectives of effective control. They would amount to adoption of the principle of self-inspection and would permit any country, if it wished, to evade the agreement with impunity. At the same time, the Soviet Union proposes, as an alternative to complete acceptance of its position, to choke off negotiations at Geneva, on which so much work has been done, and to merge them into the general disarmament negotiations in which we would have to start all over again.

The positions taken by the Soviet delegation at Geneva and at Vienna and summarized in the Soviet aide-memoire of 4 June 1961 make it appear that the Soviet Union does not want an agreement banning nuclear weapons testing. Nothing in the statements of the Soviet Union explains such a major change in its position on a question of fundamental importance to the peoples of the world. In this situation, the United States Government has an obligation to declare its position and to state clearly its disagreement with the Soviet aide-memoire.

The United States believes that a treaty prohibiting nuclear weapons tests, like other agreements in the field of disarmament, must contain effective provisions for control. It has sought to devise a treaty which will provide for such effective control and at the same time assure that no party to the treaty and no operator of the control system could hurt the interests of another party or abuse

the authority granted by the treaty. Through long and patient negotiations the United States and the United Kingdom had worked out arrangements with the Soviet Union which delineated the requirements of such a control system and which had appeared to be acceptable to both sides.

The Soviet Union, in its aide-memoire of 4 June 1961, states that it too favors effective international control. But the Soviet proposals and the position taken in the Soviet aide-memoire negate the entire concept of effective international control. Moreover, by insisting on vesting control of the inspection system in an unworkable, three-headed administrative council, the Soviet Union has undone all that had been apparently successfully achieved during the long series of previous negotiations to reconcile the requirements of an effective system of inspection with the Soviet concern about security and secrecy. This proposal was a retrograde step from the position previously taken by the Soviet Government in favor of a single, impartial administrator to be chosen by both sides, with his duties prescribed by the treaty.

The aide-memoire mentions that it is necessary only to have the testimony of objective readings of instruments for a party to demand that an inspection be made and that there is no way for the administrative council to put obstacles in the way of inspection. The aide-memoire passes over the fact that there must be some authority within the control system to certify which seismic events, according to objective criteria, are eligible for inspection, and to arrange, direct, and dispatch an inspection team. Under the proposed treaty the certification for inspection, and the dispatch of the inspection teams, would be done by the administrator. Under the Soviet proposal, any member of the administrative council could block the certification of the event as eligible for inspection by simply failing to agree that the criteria have been met. Any member could, in addition, obstruct or delay the dispatching of an on-site inspection team and hence render it ineffective. No matter what explanation is attempted, the fact remains that the Soviet proposal for a tripartite administrative council involves a built-in veto over the operation of the control system.

The Soviet aide-memoire of 4 June 1961 attempts to justify the Soviet position by contending that one man at the head of the inspection system might take arbitrary action against Soviet interests.

The United States representative at Geneva has inquired of the Soviet representative what particular functions of the proposed administrator give the Soviet Union concern. He has pointed out that the powers and duties of the administrator are precisely set out in the treaty. Moreover, he has pointed out that the administrator would receive directions from the control commission set up by the treaty on which both sides in the negotiations would have equal representation and which would have responsibility for all politically important decisions which had not been determined by the treaty itself. There is no reason, therefore, for any signatory nation to fear that positive acts of the administrator could impair its security. What it ought to fear are the possibilities for obstruction, nullification, and confusion, which a three-headed council would multiply intolerably.

The Soviet aide-memoire suggests that the "Western" Powers would most likely nominate for the administrator a person from a "neutral" country and questions whether such an official even though chosen by unanimous consent "would take a neutral" stand with regard to the Communist countries. It states that "there do not and cannot exist, any neutral persons" and questions whether a single administrator could "ensure impartial implementation" of an agreement.

The United States cannot accept the idea that there are no men in the unaligned countries with sufficient objectivity and sense of duty to carry out explicit provisions of international agreements. It is the firm belief of the United States that there are such men and they play an important role in the hope for developing a more stable world order. No one should be misled by the fact that the Soviet proposal purports to assign a role to the neutral as a member of the three-man administrative council. It is a role which could be effectively exercised only with the concurrence of the USSR.

The Soviet proposal for a tripartite administrative council is not, of course, the sole point at issue in the Geneva negotiations. The present Soviet proposals for on-site inspection of possible violations of the nuclear test treaty are completely unworkable. The need for rapid and efficient on-site inspection of such events has been agreed in principle since the 1958 Experts Conference. However, the technical criteria proposed by the Soviet delegation

for judging the eligibility of such disturbances are entirely contrived and would in themselves rule out any possibility for inspection of many events which could in fact be nuclear explosions.

Beyond this, the Soviet Union has proposed that the number of on-site inspections be tightly restricted to three per year. This number represents a completely inadequate sampling of the more than 100 large seismic events which, on the average, will occur every year in the Soviet Union. Only a small percentage of this number can be identified as earthquakes. Any one of the remainder might be a clandestine nuclear test.

The United States has proposed that the number of inspections in the Soviet Union, the United States and the United Kingdom should vary between a minimum of twelve and a maximum of twenty, depending upon the actual number of events that occur. This could hardly represent a threat to the security of the Soviet State or present an opportunity for veiled espionage. To begin with, the inspections would be carried out by international inspection teams whose freedom of movement would be narrowly circumscribed to a very small area and which would operate only in response to carefully-defined objective instrument readings. The location of the areas to be inspected would be determined solely by earth tremors which are not within the control of the party requesting inspection. In addition, the United States has proposed a provision which would allow the Soviet Union to assign any number of observers to accompany each inspection team to ensure that its members will not engage in espionage activities. If the Soviet Union cannot accommodate this degree of carefully supervised activity in its territory by an international body, the prospect for any appreciable progress towards effectively controlled disarmament in a peaceful world is indeed dim.

The Soviet Union still insists that the chief of any control post established in its own territory be a citizen of the USSR. The United States believes that this is fundamentally contrary to the aim of objective international surveillance. The Soviet Union insists as well that on-site inspection teams operating in its own territory be staffed in large measure by its own nationals and headed by one of its nationals. This would frustrate completely the purpose of on-site inspection of suspicious events.

The United States is at a loss to understand the Soviet position on the moratorium on small underground tests. It has been clear that under the present state of scientific knowledge the type of control system contemplated in the treaty could not be relied upon for determining whether or not such tests had taken place. The moratorium was proposed to allow time for a joint research programme to be pursued vigorously and co-operatively to develop techniques for detecting these small underground tests so that the treaty could be extended to cover them. The Soviet Union has abandoned its original commitment to join in this programme and repudiated the position of its scientists that the programme is necessary. The present Soviet position means that the Soviet Government attaches no importance to the detection of these explosions and amounts to a demand for a permanent unpoliced ban on small underground nuclear tests. For its part, the United States has allocated a large sum for, and is prepared to carry out, a research programme to improve detection techniques so that the treaty can be extended to cover all tests as quickly as possible. The United States calls upon the Soviet Government to join with it in this programme.

The aide-memoire of the Soviet Government asks whether it is not better "to start with the main, cardinal, question, i.e., the question of general and complete disarmament" and suggests that both problems be solved "interdependently". Quite apart from this being a total reversal of the Soviet position which originally insisted on treating the test ban separately, the delays and complexities involved in merging the test ban negotiations into the general disarmament discussions are unacceptable.

The delay in reaching a test ban agreement which would result from merging the test ban negotiations into the comprehensive disarmament negotiations suggests that the Soviet Union is attempting to continue a situation in which the United States accepts an unenforced commitment not to test. This would leave the Soviet Union, with its closed society, its government unaccountable either to a parliament or to an informed public opinion, and its action shrouded in a veil of secrecy, free to conduct nuclear weapons tests without fear of exposure. For almost three years, the United States has been willing to assume the risk of not testing nuclear weapons without the certainty that the Soviet Union has likewise

stopped its testing. The national security and defences of the free world do not allow this risk to be assumed indefinitely.

If the Soviet proposal means that progress in a test ban negotiation be delayed pending agreement in other fields of disarmament it is equally objectionable. The United States believes that the progress already made in the negotiations should be continued, not stopped, and that the chances for reaching agreement on banning nuclear weapons tests should not be pushed further into the future or be made dependent upon progress in other areas of disarmament. The United States believes that the most expeditious and effective way to reach final agreement on a test ban treaty is to keep the test ban talks separate from other disarmament discussions. Moreover, a successful conclusion of the test ban negotiations would facilitate to a great degree progress on other disarmament steps.

To throw away the progress made toward a test ban agreement would mean a set-back to the world's hopes for disarmament. It would mean the further proliferation of nuclear weapons and the testing of such weapons by an ever-greater number of countries. In view of the ease of clandestine nuclear testing under an unpoliced ban, it means that each government will face an increasing need to take whatever steps may be necessary in its own defence, including nuclear testing. These are the consequences of failure to agree and for which the USSR, which seems bent on making success impossible, would have to take the responsibility.

There are wider consequences for which the USSR would also have to take the responsibility. After World War II, the leading Powers joined in establishing a world organization because of a common conviction, resting upon the evidence of history, that a world made up of numerous, separate sovereign Powers, acting without regard to their responsibilities in the international community, was a world in which wars were too easily bred. There was a wide-spread feeling that States must be willing to place some limit upon the free exercise of sovereign powers in the interests of the larger community of nations. This has been the trend of history. Now, the Soviet Government apparently desires to return to a period of history when the sovereign State admitted no limitation to its actions. The positions maintained by the Soviet Union at Geneva appear to mean that, even

with all that is at stake, the Soviet Union is not ready to abate in some small degree its regime of secrecy and jealously-guarded sovereignty.

This attitude offers small prospect for a constructive outcome of the Geneva test ban negotiations. It also offers little hope for the development of the kind of world, under an international rule of law, in which general disarmament can take place. The United States urges the USSR to give careful consideration to the US position as stated in this note. An effective test ban treaty promptly concluded at the negotiations in Geneva is of the utmost importance to the peoples of the world. To a world grown impatient with protracted tensions and unease, it would signify the willingness of the major Powers to subordinate a narrow concept of their national interests to the higher aim of creating a more peaceful and stable world order. It would brighten the prospects for agreement in other areas of conflicting interests. An effective test ban treaty should be signed without delay.
