

MDR 11-00089

Office of the Secretary of Defense 5 USC § 552
Chief, RDD, ESD, WHS
Date: 07 DEC 2012 Authority: EO 13526
Declassify: X Deny in Full: _____
Declassify in Part: _____
Reason: 5 U.S.C. § 552(b)(6)
MDR: 11-M-1358

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Mr. [redacted]
29 June 78

CSD 5 U.S.C. § 552(b)(6)

INTERIM REPORT ON CTB NEGOTIATIONS

May 04 - June 28, 1978

GENERAL

The US Government position on duration of the CTB has recently undergone a radical change through abandoning the earlier position of a treaty of unlimited duration and instead seeking a 5 year duration treaty. In addition, the decision to negotiate an essentially zero-yield treaty (a few pounds or perhaps some more) precludes the possibility of obtaining a treaty which is verifiable.

The Soviets have taken every opportunity, from plenaries to private discussions, to state their belief that the limited duration treaty proposal obviously requires a much less complex verification system than the currently tabled NSS system. They can be expected to resist even more strongly the US proposals for a network which can narrow the gap between explosions that can be detected and identified and the essentially zero-yield prohibition.

The on-site inspection (OSI) working group has, for the most part, enjoyed reasonable discussions which have narrowed the differences between the US and Soviet texts. There do not appear to be any unsolvable differences remaining. Perhaps the most difficult items to negotiate will be the Soviet insistence on the OSI being a joint venture between Host and Requesting Parties and the additional rights and functions, including the aerial survey. The negotiations on the initiation of an OSI, being handled by the political working group, have not as yet led to a solution to the problem of whether or not seismic evidence is required for an OSI request. A few other items remain but should not pose severe difficulties in finding solutions to the OSI initiation problem.

The annex on "Guidelines for an International Exchange of Seismic Data" has been discussed and agreement reached on the complete text. There remains, however, in the article on data exchange, the basic issue of whether or not there will be an International Consultative Commission.

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Article I of the treaty, which will contain the basic prohibitions, cannot be discussed until the final decisions are made on permitted experiments and instructions to the delegation have been forwarded.

Hints by the Deputy Soviet Delegation Head, Timerbaev, indicate that it will be easier to negotiate a satisfactory (to the US) solution to the PNE problem if that subject is delayed until later in the negotiations.

DURATION

The recent Presidential Decision to seek a CTB with a limited 5 year duration, automatically ceasing to exist at the end of the 5th year, and providing for a review conference in the fifth year, more closely resembles the Soviet duration position than the former US position of unlimited duration. The duration formula, along with the US and UK views on the review conference, has recently been tabled. The Soviets have been made aware that, in the US view, the nuclear powers party to the treaty would meet prior to the review conference to discuss any future testing limitations. Any future limitations on testing would be submitted to the US Senate for ratification.

Soviet View - Obviously the new US position on duration is closer to the longheld Soviet position of a treaty with a 3 year duration which would automatically end if France and China did not become signatories. Although the Soviets have not formally replied to the US duration initiative, the Soviet Delegation Leader, Petrosyants, characterized the duration presentation meeting as an "historic meeting" and as "a turning point in the talks." He did say formally that the Soviet Union was prepared in principle to consider the US formula, provided the US and UK took a positive approach to the remaining problems, particularly verification.

Assessment - Morokhov and Timerbaev had indicated, during the last round, that if verification could be settled the US would be happy with the Soviet proposals for settlement of the duration and the PNE Protocol issues. The new US position on duration so closely parallels the earlier Soviet position that there would appear to be little difficulty in reaching agreement. The Soviets can be expected to try to gain all they can in return and especially in the area of verification. Their repeated comments on the complexities of the NSS system lead to the belief that their main target for US concessions will be the NSS network.

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VERIFICATION

1. OSI

The OSI negotiations continue on the basis of the voluntary concept of OSIs which, in the view of the US Delegation, includes the Agreed Understanding which outlines the seriousness of developing a pattern of arbitrary refusals to OSI requests. The OSI Article on initiation contains 5 issues which remain to be resolved. The most important of these issues is whether or not seismic evidence is required or if an OSI request can be made on the basis of other physical evidence. The Soviets prefer a 60 day period in which to respond whether or not they are prepared to agree to an OSI compared to the US preference of 30 days. Article III of the Separate Agreement and Technical Annex Pertaining to the Rights and Functions of Designated Personnel has undergone some iterations and, with one exception, should not pose serious difficulties in reaching agreement. The US view is that the inspection and analyses must be carried out by the designated personnel of the requesting party in order to obtain objective data and analyses. Major difficulties still exist in the Technical Annex pertaining to all 3 lists of equipment: basic, or equipment available for each OSI; supplementary equipment, to be supplied by the Host Party; and additional equipment, to be agreed through the JCC.

Soviet View - The Soviets have acknowledged the US political need for an Agreed Understanding but object to what they call prohibitions against arbitrary refusals of OSI requests without similar protections against arbitrary requests. On OSI initiation, the Soviets feel that seismic evidence must be included in all OSI requests to avoid frivolous and harassment tactics in requesting OSIs without sufficient reasons to back up the request. The Soviets, because of their state's large land mass with large remote areas, argue that more than 30 days would be required to make their own investigation and carry out their decision making process prior to being able to respond to an OSI request. Regarding Article III of the Separate Agreement, the Soviets state that the Host Party will be the most interested in assuring the world that an ambiguous event was indeed a natural occurrence. Therefore, they feel quite strongly that the entire inspection, including the final report, should be conducted on a joint basis. The Soviets have conceded to a small list of basic equipment for designated personnel but continue to argue that far too much detail is being put into the treaty. They also seem to feel it is a deliberate reflection on the capabilities of a

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"Super Power" to require listing of supplemental equipment such as hand tools and field glasses. They claim these will be supplied and it is not necessary to list such equipment. One of the more difficult issues would seem to be the list of additional equipment which they have essentially ignored to date.

2. NSS

During the last round of negotiations the US Delegation told the Soviets that we were considering a seismic network of up to around 20 stations, with that number subject to reduction with the use of array stations. The recent inter-agency discussions resulting in a network of 15 single stations with upgrading of 2 of these stations to array stations have resulted in non-concurrence by the JCS for policy reasons because of the non-verifiability of the currently planned essentially zero-yield treaty per the Presidential Decision. A fallback position of 12 single stations, again including 2 arrays at a later date, was specified. Instructions were received and the US proposal of 15 stations, with upgrading of 2 to arrays within the duration of the treaty, was tabled on June 27, 1978. Illustrative text on National Seismic Stations (NSS), formerly ISI, tabled on May 8, 1978, was designed to incorporate as many Soviet ideas as possible without compromising the basic purpose of the seismic net. Changes from the text tabled earlier include: station manning by national personnel, site selection procedures, station commands to be sent by national personnel only, a pressure tight borehole rather than a sealed borehole, and elimination of an interim SRO network. Joint selection of seismic station locations would only take place if agreement could not be reached that the noise levels as specified were acceptable or if noise levels exceeded predictions during the initial operating period of a seismic installation, in which case joint site selection of a new, nearby location would be made. The interim SRO network was thought to be unnecessary because availability of the Sandia designed installation was early enough to make an SRO network of little value.

Soviet View - The Soviets have refused any substantive discussion of the NSS Illustrative Text because they were awaiting the network numbers and locations. Since the 5 year duration formula was given to the Soviets they have used every opportunity available to them - plenaries, technical meetings, coffees, and during parties - to state that

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the proposed US seismic net is too complex for a treaty with a fixed duration of 5 years. On June 27 the Soviets received the plenary statement giving the NSS stations and locations with a surprising amount of joviality. Petrosyants did indicate that he would ask Johnson, in the Restricted Heads of Delegation Meeting why he had not proposed any stations in the UK. In a more serious vein he stated that this important message deserved the most careful study.

Assessment - The OSI negotiations seem to be proceeding in an orderly manner and, although difficulties can be expected, there do not appear to be any insurmountable problems. The most difficult areas of negotiation are expected to be:

- Seismic and/or physical evidence for the initiation of an OSI.
- Joint inspection, analysis, and reporting for an OSI versus those functions being performed by the requesting party only.
- Agreement to list additional rights and functions such as the aerial survey.

The negotiation of an acceptable NSS network can be expected to be extremely difficult. The Soviets will likely not withdraw their offer of the 5 CCD sites, but it is likely that they will not be receptive to using US equipment at those locations. Any additional stations can be expected to be extremely difficult to obtain. It is too early to assess any Soviet reaction to the US presentation of the NSS network.

BASIC TREATY PROHIBITION (Article I)

Until the decision making process on permitted experiment levels is completed in Washington and instructions for the Delegation are formulated and transmitted this article cannot be discussed.

Soviet View - The Soviets are very anxious to discuss the basic treaty prohibitions and, from their viewpoint, this should be a simple procedure with no negotiating difficulties. They seem to be somewhat concerned over the rash of news articles discussing recent CTB decisions. The Soviets have, in recent days, been applying great pressure to the US Delegation to submit a draft text on Article I (main treaty prohibitions). They have indicated that the lack of such a draft, along with recent US news articles, may indicate a lack of seriousness on the part of the US Government on their approach to the CTB.

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Assessment - An estimate of any potential negotiating difficulties on this issue must await the final US position. The Soviet position is clearly zero-yield.

PEACEFUL NUCLEAR EXPLOSIONS

The US position that the Protocol on PNEs must remain in force for the duration of the treaty unless mutual agreement is reached on procedures for implementing PNEs has not changed. The PNE issue would seem much easier to solve based upon the recent US decision for a treaty with a 5 year duration.

Soviet View - Timerbaev has indicated to the US Delegation that if the PNE discussion is delayed until near the end of the negotiations it will be much easier to obtain a solution closer to the US wishes. Presumably there remain, within the Soviet Delegation, divergent views on this subject. Apparently it will be easier to apply pressure when this issue is one of the last remaining negotiating points.

Assessment - With the change in US policy to a limited duration treaty, plus the comments by Timerbaev, this issue would seem to pose no great difficulties.

INTERNATIONAL SEISMIC DATA EXCHANGE

The ISDE negotiations are centered on two documents, an article to the treaty and an annex. The annex has been negotiated and agreed to by the US, UK and Soviets. The article still contains a major contentions issue in the US desire for an International Consultative Commission.

Soviet View - Although some minor problems remain, the basic issue with the Soviets is the International Consultative Commission. They feel such a commission would lead to the possibility of harrassment. They prefer an organization of representatives of signatories to the treaty.

Assessment - Solution of this problem should not pose particular problems in that the US position on the ICC is not extremely strong.

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