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A. 6

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 4, 1971
TIME: 1:30 p.m. - 1:45 p.
PLACE: Soviet Embassy

SUBJECT: Special Working Group: ABM

PARTICIPANTS:

US

USSR

Mr. David Aaron ¹₂

Mr. V. S. Chulitsky

Mr. Chulitsky also made a strong pitch for dropping Article 5, para 3, on future systems. He argued that it was unnecessary since "no one knew what future systems might be" and that an effort to include "everything" in the agreement would delay progress. He insisted that future systems could be dealt with in the Standing Consultative Commission, in the periodic review conference, or in follow-on negotiations. He also argued that the prohibition on air-based, space-based, land-based, etc. ABM systems is adequate to cover the problem of future systems. The only insight Mr. Chulitsky offered into the reasons for the Soviet position was that "it is difficult to argue with the technical people" that unknown systems should be proscribed.

Mr. Chulitsky asked if the U.S. Delegation was prepared to drop Article V, para 3. I said no, we considered it very important. I reviewed the reasons for including it and indicated that the Soviets would be hearing more from our Delegation in support of our position.

SALT VI 1116

SUBJECT: HIGHLIGHTS OF POST-PLENARY CONVERSATIONS DECEMBER 4

5. PHULITSKY MADE STRONG PITCH TO AARON FOR DROPPING JDT ARTICLE 5 PARAGRAPH 3 ON FUTURE SYSTEMS, NOTING IT WAS "DIFFICULT TO ARGUE WITH TECHNICAL PEOPLE" THAT UNKNOWN SYSTEMS SHOULD BE PROSCRIBED.

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 7, 1971

TIME: 1:20 to 3:30 p.m.

PLACE: Franziskaner Restaurant
Vienna

SUBJECT: Effort to Resolve Differences on the
ABM Joint Draft Text

PARTICIPANTS: US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

On Article V, both sides reiterated the strong positions which they hold on the question of the paragraph relating to future systems. After some discussion, Garthoff asked Kishilov whether Semenov and the Soviet Delegation might be willing to seek a change in their instructions in order to accept the US proposal. Kishilov and Grinevsky flatly asserted that they were certain there would be no change in the position of the Soviet side. Garthoff stressed this was a point on which the U.S. side felt strongly, and there seemed no alternative except to retain the provision in brackets for later resolution, perhaps at higher instance. Kishilov urged that some way be found to express the difference over this point in Article III rather than in Article V. Garthoff said he thought it would probably be better kept in Article V, but the possibility of dealing with the matter in Article III could be considered.

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MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 9, 1971

TIME: 12:30 - 12:50 p.m.

PLACE: American Embassy
Vienna

SUBJECT: Resolving Differences on ABM Joint Draft Text

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

Most of the discussion resolved around Article II. Grinevsky began by delivering a short speech to the effect that the Soviet side did not regard the article as necessary, that it had been found troublesome, and that it was something of a concession by his side even to be making the effort to resolve differences. Moreover, it was related to the differences contained in Article V. His remarks implied that members of his Delegation believed there should be a "tradeoff" involving the US dropping Para 3 of Article V in exchange for Soviet acceptance of a definitional Article II as proposed by the US side. Garthoff stated again that the US side considered Article II to be important, that the definitional approach was non-prejudicial to Soviet as well as American positions on other articles such as Article V, and that the US position on Article V involved a matter of important substance which could not be "traded". He also said that while we were not proposing any particular "package", Grinevsky and Kishilov of course recognized that we were working simultaneously on possible resolution of differences on a number of articles, and had to find some combination of such articles which would represent in the eyes of both Delegations an equitable balance of movement on various points by both sides; we considered that Article II should be included in such a group of articles. Articles V and VI, on the other hand, like Article III, evidently were not ripe for resolution at this time. Grinevsky nodded understanding, and remarked that his side would need to address Articles II and V on some early occasion, but that our informal work on resolving differences should continue and would be the best way to reach agreement. (In these remarks, Grinevsky seemed to imply that it would be necessary for his Delegation to go through a ritual of trying to get concessions from our side on Article V before he would be authorized to reach an agreement accepting the basic US position on Article II.)

Garthoff asked if there were further reactions from Grinevsky and Kishilov to the oral remarks he had made in response to the Soviet text passed over to us on December 8. Grinevsky said there were not. Garthoff said that for convenience he had prepared a typewritten copy reflecting approximately what he had said the day before, which he would give Grinevsky and Kishilov (see attachment). Grinevsky and Kishilov both seemed disappointed on hastily reading it, but raised no new considerations (except for Grinevsky's dissatisfaction with the word "counter", which Garthoff--and Kishilov--confirmed had been used throughout in our exchanges without objection from the Soviet side.

SALT VI

US/USSR Mini-Plenary Meeting No. 7
Soviet Embassy
1100 Hours, December 10, 1971

Persons Present:

Ambassador Smith
Ambassador Parsons
Mr. Nitze
Dr. Brown
General Allison
Dr. Garthoff
Colonel FitzGerald
Mr. Krimer (Interpreter)

Minister Semenov
Academician Shchukin
General Trusov
Mr. Grinevsky
Mr. Kishilov
Admiral Sinetsky
Mr. Pavlov (Interpreter)

STATEMENT BY DR. BROWN
December 10, 1971

I

I would like now, Mr. Minister, to address the inclusion in an ABM Agreement of constraints on the deployment of possible future types of ABM systems.

II

The U. S. has proposed a specific provision to deal with the deployment of possible future types of ABM systems. The following language has been proposed by the U.S. as paragraph 3 of Article V:

"Each Party undertakes not to deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components."

The two sides should seek an agreement which would prohibit the deployment of both wide area and thick regional ABM defenses -- and also the foundation for such defenses -- whether or not these defense systems employ devices other than interceptor missiles, launchers and radars to perform the function of these ABM components.

The objective of the U.S. proposed language is to avoid a situation which otherwise could undermine the effectiveness of the ABM agreement. The U.S. Delegation believes that such an undertaking is necessary, especially in an ABM agreement of unlimited duration.

-III-

The two sides have an opportunity at this time to take a step forward toward comprehensive arms limitation -- an objective often espoused publicly by both of our Governments. We should not pass by this opportunity to move toward fulfillment of that objective.

The Soviet side has objected to limits on possible future ABM systems on the basis that such systems are defined only in general terms. This view runs contrary to the precedent established in the Outer Space Treaty and the Seabeds Treaty -- to which the U.S. and the USSR are Parties. In these treaties, our two Governments have accepted obligations banning the deployment of "other weapons of mass destruction" -- a general term which clearly includes possible future systems. The rationale supporting the undertaking of those obligations applies fully to a corresponding undertaking in the case of possible future ABM systems.

IV

Would we not risk undermining the viability or durability of the agreement if we did not foreclose now the deployment of ABM systems using technologies which future research may prove feasible?

Though one cannot -- and would not wish to -- halt scientific progress, we must recognize the effects -- which the U.S. side thinks would be beneficial -- that prohibiting the deployment of such types of systems would have in inhibiting a race to develop such systems. We believe it would be to the advantage of both sides to avoid deployment of such systems -- deployment that could circumvent the ABM limitations both sides have proposed. An ounce of prevention is said to be worth a pound of cure. Is there not merit in this case to exercising an ounce of prevention? Must we wait until new systems are ready for deployment -- or even being deployed -- before we consider limiting them?

The U.S. Delegation believes that our common objectives would be better served by prohibiting now the deployment of possible future types of ABM systems.

We would welcome your further views on these matters.

Date: August 17, 1962
Time: 12:30-12:45 p.m.
Place: Soviet Embassy
Helsinki

SUBJECT: SALT

PARTICIPANTS: U.S. USSR

Mr. Paul H. Nitze
Dr. Harold Brown

Academician A. N. Shchukin

< 2. Brown asked Shchukin what his reaction was to Article 6 which we had presented today. Had we made it clear that in the first paragraph we were talking about a ban on the deployment, but not on the development and testing, of future kinds of systems, not using the usual components? Shchukin replied he would have to look at the text carefully. Nitze pointed out that Shchukin himself had raised the possibility of future kinds of systems in informal conversations.

Shchukin said that there might be some difficulty in getting the politicians and diplomats to consider this problem, because if one could not point to specific systems in or near development status, the politicians and diplomats would probably not be interested in future possibilities. Brown said that such a ban on present ABM systems ten years ago would have eased our present problems. Shchukin said that in 1961 ABM missiles and radars already existed, so he disagreed. Brown said that in that case, fifteen years ago would have been the right time. Shchukin's reaction was that it might be all right to include such a ban, but the whole subject was not very important. The wording and terminology covering such things, would have to be determined in the end by the diplomats, advised by the rest of us.

-- It is my belief that if future systems are not covered, uncertainties would increase, and the result could be an arms competition in ABM systems with the result opposite from that which we seek in an arms control agreement. The question is: Are we trying to limit ABM systems of all types, or just current ABM radars, ABM launchers, and ABM interceptors?

Karpov addressed the formulas used to identify systems limited under paragraph 1 of the U.S. Article 6. He noted that this act envisages the undertaking of the Parties "not to deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components." He believed that the subject matter of this provision was outlined in such an unclear manner, in terms of legal science, that it could not be accepted. He said that if the U.S. side believes that such systems exist in reality, then it should identify and name them so that the possibilities to limit them could become clear. He stated that both sides are equally interested in the viability of an ABM agreement; however, the agreement cannot be amorphous with regard to the subject matter of the means to be limited. He believed it was wrong to limit means not known to anyone. Up to now, he noted, the subject of our discussions was limitations on concrete and specific ABM systems, on ABM systems which might exist and could be verified by national means. He believed that we should adhere to this subject in the future too. He said that he could not agree to an approach designed to prevent deployment in the future of certain systems when the systems to be limited are undefined. He recognized that in the future, questions may arise about ABM systems which are not covered in this Agreement or Treaty. He noted that appropriate procedures for handling these questions are envisaged in both the USSR and U.S. draft texts. In this connection, he referred to paragraph F of the USSR Article X and to subparagraph (e) of Article 11 of the U.S. text. He quoted that portion of the Soviet text which states that the Standing Commission would "consider possible proposals for further increasing the viability of this Treaty, including proposals for additions and amendments to the Treaty in accordance with Article XI of this Treaty", and noted that a counterpart provision is contained in the U.S. text. Thus, he said, the possibility of questions arising in the future is fully covered by the appropriate paragraphs in the U.S. Article 11 and the USSR Article X. Furthermore, he said, the paragraphs which follow (subparagraph (f) of U.S. text and subparagraph G of USSR text) eliminate the need for paragraph 1 of Article 6 of the U.S. text.

Graybeal stated that he was a technician rather than a lawyer, and that he would deal with the substance and intent of the U.S. paragraph 1 rather than with legalities. With regard to Karpov's remarks about naming future ABM systems, he found it difficult to identify those systems which the scientists and engineers of our two countries might invent in the future. He asked whether, if such systems were to be developed, they were to be left uncontrolled, and did we want to leave an opening for scientists and engineers

to find ways to bypass the limitations under the Agreement. He said that if he understood Karpov, the Soviet side intended to limit only ABM launchers, ABM interceptors, and ABM radars. He wondered if we would be doing a service to either side or to the world if we were to enter an agreement which limited only existing systems and did not attempt to limit future systems. He believed that the concern regarding future systems was recognized in both the Seabeds Treaty and the Outer Space Treaty. These Treaties limited "other weapons of mass destruction"--the intention being to limit not only existing systems but future systems as well. He did not believe that the problem of future systems could be handled adequately through the U.S. Article 11 or the USSR Article X. He noted that the lead-in to the U.S. Article 11, which was similar to the lead-in in the corresponding Soviet article, starts with "To promote the objectives and assist in the implementation of the provisions of this agreement," and expressed the belief that one of the objectives of the Agreement should be to limit future systems. If this were the case, he said, then the U.S. Article 11 and the USSR Article X could be useful in promoting this objective.

Karpov returned to the legal side of the question, saying that it was clear to him that legal documents of importance such as this should be precise to the maximum extent and should not create a basis for friction between our two countries in the future. On the contrary, he said, it should promote the strengthening of relations between our two countries--at present and in the future. If there is no clear-cut definition as to what would be limited by paragraph 1 of U.S. Article 6, then in the future there would remain a vast field for disagreement and doubt. As an example, he used a case in which one of the two sides said that in its opinion the other side deployed an ABM system using devices other than ABM launchers, ABM interceptors, or ABM radars, and the other side categorically denied such deployment, saying that the system was designed for purposes having nothing in common with ABM systems. He was not referring to the capability of national means to distinguish ABM systems; rather, he was pointing to the problem that might exist when there were agreed definitions as to what an ABM system was, but there was not agreement on what an ABM system was if it used devices other than ABM launchers, ABM interceptors, or ABM radars. He said that in the hypothetical example he had just given, the entire Treaty would be in doubt because one side would have doubts about compliance by the other side. In this connection, he believed that the provision of the USSR Article X and U.S. Article 11 would make it possible to handle such questions of future systems as may be regarded by the sides to be subject to limitations. Since the purpose of the Treaty is to limit ABM systems, the question of future systems would be a matter for the Standing Commission. Without a precise definition in the Treaty or Agreement as to what would be covered by the obligations of the sides, he did not believe it possible to include the present form of paragraph 1 of the U.S. Article 6 in the Agreement or Treaty. With regard to the comparison made by Graybeal to the Treaties on Seabeds and Outer Space, he did not believe that this could

1. Persons Present:

Amb. Smith
Parsons
Nitze
Allison
Garthoff
Graybeal
Shaw
Stoertz
Weiler
Aldridge
S. Smith
Twombly
Germond
Lavroff

Min. Semenov
Ogarkov
Shchukin
Pleshakov
Grinevsky
Kishilov
Gryzlov
Afonsky
Karpov
Skoptsov
Perfilyev
Baranovsky
Buyanov
Fayekov

;

The proposals of the Soviet Union proceed from the premise that those systems of each side should be limited, that were specially developed to counter strategic ballistic missiles (and their components in flight trajectory).

Taking this into account, the obligations of the sides would extend to long-range acquisition radars, tracking and ABM guidance radars, ABM launchers and ABMs.

Further, agreed quantitative limitations of launchers and ABMs would be established, as well as limitations on the maximum distance of ABM systems from the center of the target defended.

Obviously, it is precisely these components, taken together, that constitute an ABM defense system. Therefore, it is enough to extend the obligations of the sides to the totality of the above-mentioned components in order to solve the problem of limiting the deployment of ABM systems effectively and reliably.

SALT V

US/USSR MINI-PLenary MEETING NO. 8
US Embassy, 1100 hours, August 24, 1971

Persons Present

Ambassador Smith	Minister Semenov
Ambassador Farley	Shchukin
Parsons	Trusov
Nitze	Timerbaev
Brown	Kishilov
Allison	Anyutin
Graybeal	Fackov
Ifft	
Krimer	

Academician Shchukin said that it was his view that as a result of the negotiations the sides had achieved an understanding that limitations should cover such systems of ABM defense as radars, launchers, and ABM interceptor missiles. In this both sides proceeded from the premise that these systems could be detected by national technical means, could be distinguished from other systems, and so on. In other words the treaty should have for its subject ABM systems which could be technically described and determined and therefore could be controlled by national technical means.

On August 17, the US Delegation introduced new language for Article 6. It is proposed in Paragraph 1 that the sides be obligated not to deploy ABM systems using devices other than ABM missiles, ABM launchers, and ABM radars to perform the functions of these components. This is an entirely new provision and the Soviet side is not clear on its meaning and substance. What did the US have in mind in speaking of such ABM systems and such devices?

Ambassador Smith replied that this was an important point and he wished to give it some study before replying. The US side would certainly reply to this question. The question had been so short that perhaps the Soviet side wished to keep the floor.

Minister Semenov observed that the length of a question was not determined by the number of words it contained.

Ambassador Smith said that he was more concerned about depth than about length.

Minister Semenov said that he would give the floor again to Academician Shchukin.

Academician Shchukin said that he had another question relating to Paragraphs 2 and 3 of Article 6. He had just spoken about the prohibition on the development of some kinds of ABM systems. Article 2 of the US draft also contained a paragraph to the effect that limitations should extend to cover ABM systems undergoing development. Would it be possible for the US to clarify its understanding of the notion of "development" and of the practical application of limitations at this stage?

Ambassador Smith said the US side would undertake to answer this question also.

Academician Shchukin asked what the US side had in mind with regard to the manner of verifying development to ensure confidence in compliance with the above provision, if it were accepted by the sides. He was using the term "development" in the sense that it was usually used in the Russian language.

Ambassador Smith said that the US side would be glad to clarify this trinity of questions. >

Persons Present

Ambassador Smith	Minister Semenov
Ambassador Farley	Shchukin
Nitze	Trusov
Brown	Karpov
Allison	Faekov
Garthoff	
Krimer	

Minister Semenov noted that paragraph 1 of Article 6 of the US draft was new, and contained a new concept of limiting devices other than ABM launchers, missiles, and radars. He said the Soviet side would study the considerations put forward by Dr. Brown in that connection. But, he continued, it was his impression that it was doubtful if it properly applied to the subject matter of an agreement on ABM limitation.

Ambassador Smith remarked that if such future systems were not covered, uncertainties would increase, and the result would be an arms race in other ABM systems with the opposite result from that which we sought in an arms control agreement. He noted that the US and USSR had agreed in the Outer Space Treaty and the Seabeds Treaty to ban various future weapons of mass destruction in its environments. Why should we make an exception in the present case?

Minister Semenov said that he would comment at a later time. In the meantime, he proposed assigning paragraph 3 of Article 6 (Article V(B) of the Soviet draft) to the Ad Hoc Committee. Ambassador Smith agreed.

Dr. Brown's Response to Academician Shchukin's Questions on Article 6
"Troika," August 27, 1971

We would like to respond at this time to the questions posed by Academician Shchukin in connection with Article 6 of the US text.

With regard to paragraph 1 of our Article 6, Academician Shchukin asked what is meant by "ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components." By this we refer to any present or future system which employs other means or devices to perform the functions of interceptor missiles, launchers, or radars in rendering ineffective strategic ballistic missiles or their components in flight trajectory. Our objective in this Article 6 is to establish a commitment that neither side will deploy ABM systems--including possible future types of ABM systems--which might not use ABM interceptor missiles, ABM launchers, or ABM radars. Surely we would not want an agreement which would permit either side to deploy an ABM system both thick and nationwide simply because the system did not use interceptors, launchers, or radars. Paragraph 1 of Article 6 is an undertaking not to do so, thus preventing systems or components using such new concepts from being used to circumvent the ABM agreement.

[Academician Shchukin noted that paragraphs 2 and 3 of Article 6, as well as paragraph 2 of Article 2 of the US text, refer to limitations on "development." In this connection, he asked for our views on the meaning of "development" and the practicality of limitations on development. By "development" we have in mind that stage in the evolution of a weapon system which follows research (in research we include the activities of conceptual design and laboratory testing) and which precedes full-scale testing. The development stage, though often overlapping with research, is usually associated with the construction and testing of one or more prototypes of the weapon system or its major components. In our view, it is entirely logical and practical to prohibit the development--in this sense--of those systems whose testing and deployment are prohibited.]

SALT DELEGATION
HELSINKI, FINLAND

Date: August 31, 1971
Time: 1155 to 1255
Place: U.S. Embassy,
Helsinki

SUBJECT: SALT

PARTICIPANTS:

U.S.

USSR

Captain W. O. McLean
Lt Col F. P. DeSimone

Lt Gen K. A. Trusov
VAdm P. V. Sinetsky
Col V. N. Anyutin
Mr. Yu. K. Bardin

Trusov said that he would like to return to clarification of paragraph 1, Article 6 of the U.S. draft ABM Agreement which General Allison had promised him at the end of their last conversation. He wanted to know what we had in mind when we spoke of an ABM system which does not include launchers, interceptor missiles and radars, and asked for an example. I told him that I could not give a concrete example, and that was an important part of understanding the reason for the paragraph in question. Since both sides agree that the ABM limitations we develop will be long-lasting and that we can only specifically limit the systems and components which exist today, the U.S. side feels that there should be a provision to take account of the fact that it is reasonable and desirable to prohibit the deployment of components which might perform the ABM mission tomorrow but which are not in existence today. Trusov said that he did not consider it reasonable or necessary to include a provision covering what he called undefined ideas, maintaining that the provision in both the U.S. and Soviet drafts for review and amendment would be sufficient. He said that development, testing and deployment of such future systems would be observed by our national means of verification and the review process could take care of the necessary prohibition or limitation. He went on to say that a provision of the kind which the U.S. side has proposed would add an undesirable element of vagueness to our ABM agreement.

I agreed with Trusov that the process of review would be necessary to take account of developments and to reexamine the ABM agreement in light of those developments and stated that we had such a provision in our text. However, we also feel a need to avoid channeling arms competition in a new direction with the search by either side for ABM means not specifically constrained in the agreement. Paragraph 1 of our Article 6 was directed toward filling this need. Trusov said that his understanding of paragraph 1, Article 6 was that it referred to deployment and he repeated his argument that the possibilities it foresees could be dealt with by national verification means and the review process. >

September 1, 1971

SALT V

US/USSR AD HOC COMMITTEE MEETING NO. 1

U.S. Embassy, August 31, 1971, 1500 Hours

Persons Present: U.S.

Graybeal
Shaw
Wade
Leard
Krimer
FitzGerald

USSR

Karpov
Fedenko
Obukhov
Artonyev

Karpov agreed to this approach and to proceeding with Article 2 (II). He stated that because of the nature of the two articles, our two drafts proceed from different premises. The U.S. paragraph 1 of Article 2 is devoted to definitions of terms the U.S. intends to use later. The Soviet paragraph 1 contains a more concise list of systems covered by the obligations of the treaty. Both have in common that they deal with the ABM systems to which the provisions will extend. The Soviets do not think that the Article should cover obligations other than ABM systems--only those systems subject to restrictions.

In general, paragraph 1 should contain a definition of the scope of systems to be covered by the obligations of the treaty; i.e., ABM systems, ABM launchers, ABM interceptors, and ABM radars. Paragraph 2 should contain definitions of categories of ABM systems contained in paragraph 1. The Soviets would consider the possibility of adding to their paragraph 2 mention of ABM systems under construction and undergoing tests.

He then read a sample introduction to Article 2, paragraph 1 as the Soviets would like to see it and presented it to the U.S. (See Annex 1.)

It applies to ABM systems specially constructed and deployed to counter strategic ballistic missiles.

Graybeal stated that the U.S. will review the paragraph carefully, but that it appeared to be quite similar to the old Soviet text in specificity. He asked Dr. Wade to present a brief U.S. rationale for paragraph 1 of Article 2.

Persons Present:

Amb Smith
Amb Parsons
Mr. Nitze
Gen Allison
Dr. Garthoff
Col FitzGerald
Mr. Krimer
(Interpreter)

Min Semenov
Acad Shchukin
Gen Trusov
Mr. Timerbaev
Mr. Kishilov
Col Fedenko
Mr. Faekov
(Interpreter)

Minister Semenov then turned the floor over to General Trusov.

General Trusov said that Para 1 of Article 6 of the U. S. Draft provides that each Party undertake obligations not to deploy ABM systems using a device other than ABM interceptor missiles, ABM launchers or ABM radars to perform the functions of these components. Dr. Brown, on August 27, in answering Academician Shchu'kin's question as to what systems are meant by this paragraph, said that this applies to any present or future system which employs other physical mechanisms or devices to perform the functions of interceptor missiles, launchers, or radars in rendering ineffective strategic ballistic missiles or their components in flight trajectory. Frankly speaking, General Trusov believed that such a reply referring to any present or future systems, which employ devices other than those known to the Delegations, does not cast any light on the problem. If such systems exist, then they should be named and the subject would be made more clear and could become the subject of further discussion. The U. S. side's objective in including a paragraph in Article 6 to provide obligations not to deploy ABM systems, including future systems, which use components other than ABM launchers, interceptors and radars, is not clear. What is, in fact, involved is conjectural systems, i. e., some possible future systems not now known to anybody. So far, the sides have been discussing limitations on concrete existing systems or systems whose reality is adequately known for the future and can be clearly defined in an agreement. Now the U. S. side proposes to include in a draft treaty limitations on the deployment of such systems or components not known to anybody. The Soviet side does not believe that it is correct to include such limitations. Such a provision in

a treaty could have reference to something that is amorphous and not subject to a clear determination of what is to be limited. Both sides are equally interested in the viability of an agreement to limit ABM systems. However, Para 1 of Article 6 acts in the opposite direction, in General Trusov's view, and gives rise to unnecessary misunderstandings.

General Trusov believed that it was not by accident that both sides -- the U.S. in Para (e) and (f) of Article 11, and the Soviet side in Para (f) and (g) of Article X -- provided for proposals aimed at increasing the viability of the agreement, to include proposals for amendments or additions for curbing the race in ABMs. The appearance of any new system not employing the components which the sides are not discussing, would be discovered by national technical means. This would be especially true of the testing of such new systems. Therefore, both sides would be able, in the context of the above noted paragraphs, to consider concretely and completely any questions linked to ABM systems and their components which would ensue from the treaty obligations.

As regards Ambassador Smith's comments on the Sea-beds Treaty and the Space Treaty, this was a somewhat irrelevant analogy. The obligations assumed in those treaties referred to actually existing systems. It was clear what systems were involved. Para 1 of Article 6 speaks about possible future systems which are completely conjectural. Therefore, inclusion of Para 1 of Article 6 is not necessary.

Ambassador Smith said he would make a few observations regarding General Trusov's intervention. He stated that, if the two sides had been dealing only with present systems, their work would have been completed long ago. Most of the problems encountered in our discussions on limiting ABM systems, for example, the problem of radars, are problems of the future. Such problems are the most difficult to put into an international agreement in such a way as to provide methods of gaining assurance for the future. The device that General Trusov suggested for handling this problem -- a problem which Ambassador Smith considers to be a central and very serious one -- would be a device for putting the problem into the pocket of an amendment clause or a clause for future discussion, perhaps in the Standing Commission. This would be tantamount to sweeping an existing question under the rug.

A fundamental question before the sides is whether we are trying to limit ABM systems or just ABM interceptors, launchers, and radars. It would seem that those on the Soviet side who have watched the developments that have taken place in technology over the past 20 years would not agree that, for an indefinite future, the functions of ABMs will be carried out only by systems based on technology dating back to perhaps the early fifties.

accurate to state that the sides are discussing systems about which nobody has any notions at the present time. He has a higher estimate of the capabilities of Soviet weapon designers than that. Anybody reading the unclassified literature in this field knows that there are other possibilities.

As regards General Trusov's view that the analogy to the Seabeds and Space Treaties was irrelevant, Ambassador Smith believed that his analogy had been directly to the point. As he recalled the early U.S. drafts on these treaties -- he would like to check the record before being called in error on this -- these drafts were based on obligations that the parties not deploy nuclear weapons in space or on the seabeds. It was at Soviet insistence that other weapons of mass destruction were included in the space agreement. At that time, none of us then knew what other systems could be placed in space and the Soviet words indicated the ignorance we all had on this subject. But since the U.S. wished to cover all possible ways for deploying [weapons of mass destruction in space, we agreed to include these] "other" weapons in the treaties. Consequently, the precedent in the case of the Space and Seabeds Treaties was clearly in favor of including in an agreement a wider range of ABM systems, rather than merely limiting ABM launchers, interceptors, and radars.

Speaking personally, Ambassador Smith believed that, in the event that Para 1 of Article 6 should not be included in an agreement, it would be a cruel illusion to the peoples of both nations to say that we had concluded an agreement on ABM systems. We should more properly say that there had been an agreement to limit ABM launchers, interceptors, and radars. This would be a far cry from what the U.S. side means when it speaks about limiting ABM systems.

Ambassador Smith also wanted to add one additional consideration. It has been our experience that it is less difficult to control weapons systems before they are invented and deployed. The sides could lose a good opportunity if they were to postpone to the future control over systems which he had been speaking about.

Minister Semenov thought that the viewpoints of both sides had been made sufficiently clear. If there were no objections from the U.S. side, he would propose to turn discussion of Paragraphs 1 and 2 of the U.S. Article 6 over to the Karpov-Graybeal Ad Hoc Committee since it already has Paragraph 3 of that Article. The statements made by Ambassador Smith and General Trusov could serve as good material to assist the committee in comparing the texts to be discussed.

Ambassador Smith agreed.

been turned over to the Special Working Group and the latter has already begun discussion of the question. At the same time, in view of the significance of this problem, it is possible that further discussion by the Delegates might assist the Special Working Group in making progress toward reconciliation of the two texts.

If Minister Semenov correctly recalled the course of the negotiations to date, the question of the possibility of modernization and substitution had been repeatedly discussed by the sides. This possibility is provided for in Soviet Article VI. The U.S. Draft lacks a similar article. The exchanges of views up to now, in the Soviet understanding, have demonstrated that the sides are in agreement in principle on this question. On August 27, the U.S. side had said it was as equally interested in modernization as is the Soviet side and Soviet Article VI clearly reflects this mutual interest.

Today, Minister Semenov wanted to emphasize the importance of modifying and replacing ABM components. He also wanted to point out that the Understanding of May 20 makes direct provision for modernization, even under the conditions of a freeze.

Of course, under the Soviet Draft, modernization and substitution could only be effected in accordance with the provisions of Articles II, III, IV, and V. In other words, the Parties would be able to effect modernization and replacement only in strict compliance with the agreement on ABM limitations. In particular, modernization of ABM systems, as permitted by Soviet Article VI, would not involve mobile ABM systems, or rapid-reload launchers, or launchers capable of launching more than one interceptor at a time.

Thus, bearing in mind the agreement of the two sides on the essence of the problem of modernization and replacement, the Soviet side considers it necessary to include its Article VI in an ABM agreement. This would increase the clarity of the agreement and insure its viability which is in the interests of both sides.

September 3, 1971

SALT V

US/USSR AD HOC COMMITTEE MEETING NO. 2

Soviet Embassy, September 2, 1971, 1100 Hours

Persons Present: U.S.

Graybeal
Wade
Leard
Krimer

USSR

Karpov
Fedenko
Obukhov
Artemyev

Karpov welcomed the U.S. Delegation to the Soviet Embassy. He opened by presenting a Soviet draft of Article II which he stated takes into consideration the U.S. Article and the views expressed by both sides at the last meeting, and contains all the necessary provisions required in Article II to insure the effectiveness of a treaty on ABM's. He said that the text contains precise definitions of systems and components that are the means to which obligations should extend.

Graybeal stated that he would give the draft careful study. He then commented that a major issue involves the fundamental point of lead-in to Article 2; namely, the "definitional" approach versus the "obligational" approach. He said it would be helpful if he knew the Soviet objection to the definitional approach. He said that he saw the purpose of the definitional approach as being to clearly define what are and what are not ABM systems and ABM components. He noted that the Soviet working paper also reflects the need for definitions, but that the Soviet definitions were not as comprehensive. In addition, the obligational approach and the use of the words "shall apply to" indicate that Article II contains all of the obligations. In both texts there are other articles that contain obligations not included in this approach. If the obligational approach were adopted, would it not be necessary to list all obligations contained in the agreement?

Karpov responded that when speaking about approaches, Mr. Graybeal did not quite correctly express the substance of the Soviet formula. In dealing with Article II, we do not specify obligations as such; rather, the obligations of the sides shall apply to the means listed in paragraph 1 of Article II and explained in paragraph 2. The systems defined in paragraph 1

give a precise concept of the subjects for the obligations of both sides on ABM systems. This article is a means of ensuring confidence in compliance of the sides by listing the subjects for control; not the method of controlling them. The definitional approach is an unnecessarily complicated structure for the agreement. The best approach to definitions is one in which whatever is to be limited or defined is accompanied by a corresponding definition where it first appears in the treaty. It is our opinion that it is unnecessary to define other than ABM terms until they first appear in the article. So if this article is to define the composition of the systems to be covered by the obligations of each side, then the definitions should be limited to those necessary to the content of the article.

Graybeal stated that a fundamental difference of approach still remains. However, the Soviet definitions provided in their working paper are a step in the right direction. If the obligational approach were adopted, would it not be necessary to include all the obligations of the treaty? For example, the obligations under U.S. Article 8 on non-transfer would need to be included.

Karpov stated that this would not be necessary if the provisions of Article 8 are covered by the phrase at the beginning of Article . It seems clear the Soviet version precisely expresses no obligations, but the systems that should be covered by the obligations.

Graybeal asked if the obligations would apply only to the systems listed in Article II.

Karpov responded that the fundamental basic obligations which deal with numerical limitations in the Soviet Article III would be applied to these systems. It does not mean that there will not be other obligations listed in the treaty which will cover other systems. For example, the Soviet Article IV, which has a counterpart in U.S. Article 5, would place obligations on each side. However, it is a concept not covered in Article II. Also, Soviet Article V, which corresponds to paragraphs 2 and 3 of U.S. Article 6, is a concept covered by the obligations under the Soviet Article V.

Graybeal stated that the explanation had been helpful and that he would respond at the next meeting.

Wade then asked (in connection with paragraph 1 of Article II of the Soviet working paper) for clarification of the words "counter" as used under systems, "destroy" as used under missiles, and "ensure destruction" as used under radars.

Karpov answered that to "counter" is more comprehensive than the term "destruction". Therefore, where the question of ABM interceptors arises, we use the word "destruction". Since radars don't destroy ballistic missiles,

we use the term "to ensure destruction". "Counter" includes both of the terms and also covers "rendering ineffective".

Wade then asked how the Soviets would handle a missile whose purpose may not be the destruction of an incoming ballistic missile?

Karpov responded that we must decide what we are talking about. The main thing is to define systems that are really ABM systems. In Article II, paragraph 1, ABM systems are defined as a whole, and specific means for limiting components are included in the following paragraph. So Dr. Wade's question as to the meaning of "destroy" (i.e., a direct hit or any other means of destroying ballistic missiles) is not significant. It is most important to define deployed systems in terms of the tasks set for ABM systems. For example, in order to define ABM interceptors, the Soviets use the criteria listed in their subparagraph (b).

Graybeal then remarked that he still considered the definitional approach desirable in the lead-in paragraph. He stated that his questions are designed to identify differences pertaining to definitions and to merge them where possible. He stated that in Article 2, paragraph 1, subparagraph (a), he had taken into account "constructed or deployed to counter" and as a definition for "ABM system" proposed ad referendum the following definition: "An ABM system is a system constructed or deployed to counter strategic ballistic missiles or their components in flight trajectory."

Karpov stated that in comparing the two drafts, Mr. Graybeal had suggested that "specially" be deleted and that "construct or deploy" be used instead of "construct and deploy".

Graybeal answered in the affirmative.

Karpov responded that the Soviet side had already stated that "specially constructed" more clearly defined the nature of systems used as ABM systems and that the question of converting SAM's into ABM's is not a practical question--it is an artificial problem. Besides, a system, whatever it might be, if it is tested in an ABM mode it is an ABM system. Therefore, the question of initial purpose should not arise. The combination of "specially constructed and deployed" gives the criterion for a precise definition that these systems are ABM systems. If an ABM system is deployed as an ABM system, then it has been tested in an ABM mode and such testing could be detected by national means of verification which would help to determine that it is clearly an ABM system. The term "specially constructed" includes the element of defining ABM systems through tests undertaken in an ABM mode. Therefore, he believed that the combination of these definitions makes it possible to define to the greatest extent that a system is an ABM system. "Specially constructed" includes the concept of having been tested in an ABM mode. He

said he would not like to counterpose "specially constructed" and "deployed"--these terms are two sides of one question and should not oppose each other.

Graybeal stated that the preceding discussion made the case for dropping "specially" since a SAM system tested in an ABM mode would count as an ABM. SAM systems need not be "specially constructed or deployed" to counter ballistic missiles, but could be modified to intercept ballistic missiles after they are deployed. SAM's tested in an ABM mode could have the capability; therefore, "specially" is not needed. Also, this could apply to other than SAM systems--it is not inconceivable to use surface-to-surface missiles in an ABM role even though not "specially constructed" for this purpose.

Karpov responded that while the Soviets don't believe it is possible or desirable to convert missiles, other than ABM's, into ABM's. In any event, such conversion would require testing; therefore, the old system will cease to exist. The new system would be deployed in an ABM mode.

(At this point a recess was taken.)

2. TENTH MINI-PLenary TOOK PLACE, MORNING OF SEPTEMBER 3RD IN SOVIET EMBASSY. SOVIET SIDE REPRESENTED BY SEMENOV, SHCHUKIN, TRUSOV, TIMERBAEV, KISHILOV, FEDENKO AND INTERPRETER; U.S. REPRESENTED BY SMITH, PARSONS, NITZE, ALLISON, GARTHOFF, FITZGERALD AND INTERPRETER.

8. TRUSOV ADDRESSED PARA 1 OF US ARTICLE 6. HE SAID THAT BROWN'S ANSWER ON AUGUST 27 AS TO THE POSSIBLE EMPLOYMENT OF "OTHER DEVICES" FOR ABM PURPOSES HAD NOT CLARIFIED THE QUESTION. IF SUCH DEVICES NOW EXIST, THEY SHOULD BE NAMED AND COULD THEN BE THE SUBJECT OF FURTHER DISCUSSION. PARA 1 OF ARTICLE 6 WOULD GIVE RISE TO UNNECESSARY MISUNDER-

STANDINGS. IF "OTHER DEVICES" WERE TO BE DEVELOPED AND TESTED IN THE FUTURE, THIS FACT WOULD BE DISCOVERED BY NATIONAL MEANS AND BOTH SIDES WOULD BE ABLE TO CONSIDER THIS PROBLEM CONCRETELY WITHIN THE JOINT STANDING COMMISSION. TRUSOV ALSO DISAGREED WITH SMITH'S EARLIER STATEMENT THAT THERE IS AN ANALOGY IN THE SEABEDS AND SPACE TREATIES. TRUSOV SAID THESE TREATIES REFERRED TO SYSTEMS ACTUALLY IN EXISTENCE.

9. SMITH ARGUED THAT MOST OF THE PROBLEMS DELAYING AGREEMENT ON ABMS PERTAIN TO THE FUTURE. TRUSOV'S REFERENCE TO JOINT COMMISSION WAS EQUIVALENT TO SWEEPING A FUNDAMENTAL QUESTION UNDER THE RUG. THE QUESTION IS: ARE WE TRYING TO LIMIT ABM SYSTEMS, OR JUST ABM RADARS, LAUNCHERS, AND INTERCEPTORS? SMITH HAS A HIGHER REGARD FOR SOVIET WEAPON DESIGNERS THAN TO BELIEVE THAT THEY ARE CONTENT WITH ABM TECHNOLOGY WHICH DATES BACK TO THE EARLY '50'S. AS REGARDS THE SEAPEDS AND SPACE TREATIES, SMITH RECALLED THAT FIRST US DRAFTS REFERRED ONLY TO NUCLEAR WEAPONS. IT WAS AT SOVIET INSTANCE THAT "OTHER WEAPONS OF MASS DESTRUCTION" WAS INCLUDED IN OUTER SPACE AGREEMENT. BOTH SIDES HAD AGREED IN THESE EARLIER TREATIES TO COVER "OTHER" UNSPECIFIED WEAPONS OF MASS DESTRUCTION, APART FROM NUCLEAR WEAPONS. FINALLY, EXPERIENCE PROVES THAT IT IS EASIER TO CONTROL WEAPONS SYSTEMS BEFORE THEY HAVE BEEN INVENTED AND DEPLOYED.

10. SEMENOV NOTED THAT VIEWS OF BOTH SIDES HAVE BEEN MADE CLEAR ON THIS QUESTION, AND PROPOSED TURNING OVER PARAS 1 AND 2 OF US ARTICLE 6 TO AD HOC COMMITTEE. SEMENOV THEN ADDRESSED QUESTION OF MODERNIZATION AND REPLACEMENT. ALTHOUGH US DRAFT LACKS A PROVISION ON THESE QUESTIONS, US SIDE HAS DEMONSTRATED THAT IT IS AGREED IN PRINCIPLE WITH THE RIGHT TO MODERNIZE AND REPLACE SYSTEMS. THIS IS ALSO CONSISTENT WITH THE MAY 20 UNDERSTANDING, WHICH PROVIDES FOR MODERNIZATION EVEN IN CONDITIONS OF A FREEZE ON OFFENSIVE SYSTEMS. HE CONCLUDED THAT AN ARTICLE ON MODERNIZATION AND REPLACEMENT WOULD PROVIDE CLARITY AND VIABILITY FOR AN AGREEMENT.

MEMORANDUM OF CONVERSATION
SALT DELEGATION
HELSINKI, FINLAND

DATE: September 3, 1971

TIME: 1:20 - 1:40 p.m.

PLACE: Soviet Embassy

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Dr. Raymond L. Garthoff

Mr. N. S. Kishilov

Article 6

I stressed to Kishilov the great importance of paragraph 1 of Article 6 prohibiting deployment of future types of ABM systems. I said that despite General Trusov's remarks in the meeting, the Soviet side must be aware of some of the possible future systems, and I drew his attention to the pamphlet by Freeman Dyson ("Arms Control and Technological Change"), which I had given Kishilov earlier. In any case, we did not need to discuss possible future systems--the principle was clear, and it would be in the interests of both sides to adopt the limitation we had proposed.

Date: September 8, 1971

Time: 1:00 - 4:00 p.m.

Place: Soviet Embassy and
Capital Theater, Helsinki.

SUBJECT: New Soviet ABM Proposal; "Other Devices"

PARTICIPANTS:

U. S.USSRCol. C. G. FitzGerald
Lt Col R. E. Leard (part-time)Col Gen A. A. Gryzlov
(part-time)
Col A. A. Fedenko

During the portion of the conversation at which Lt Col Leard was present, Col Fedenko repeated the arguments Mr. Karpov had made in favor of excluding paragraph 1 of U. S. Article 6. He declared that the sides are in agreement (with the exception of OLPARs and MARCs) on the ABM components (sredstva) to be limited. These are spelled out in Article 2 of the Soviet Draft, which specifies the components to be limited, namely, ABM interceptors, launchers, and radars. The sides have no intentions of limiting the computers or communications associated with ABM systems, or ABM depots (sklady). At the same time, if ABM means different from those presently known -- for example, some new power source, or source of light, or some new searchlight (prozhektor), such as was employed in early AAA systems -- should be detected by national means, the problem could be examined by the Standing Commission. He noted that in the early days of air defense, AAA crews had to rely on sound ranging equipment. Now, everybody clearly recognizes that fire-control radars are an integral element in air defense systems. The same situation would prevail in the future as regards other means that might be used for ABM systems. He concluded that, these "other means" should be identified if they are known at the present time.

I suggested that perhaps he might ask what General Ogarkov had in mind in his September 3 article in Red Star. The General had emphasized the need for the Soviet military to keep up with the latest advances in science and technology and for long-term imaginative development of weapons systems. Obviously, he was thinking in terms of new weapons, as yet unknown.

MEMORANDUM OF CONVERSATION
SALT DELEGATION
HELSINKI, FINLAND

DATE: September 3, 1971

TIME: 1:20 - 1:40 p.m.

PLACE: Soviet Embassy

SUBJECT: SALT

PARTICIPANTS: US USSR

Dr. Raymond L. Garthoff Mr. N. S. Kishilov

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Graybeal stated that the preceding discussion made the case for dropping "specially" since a SAM system tested in an ABM mode would count as an ABM. SAM systems need not be "specially constructed or deployed" to counter ballistic missiles, but could be modified to intercept ballistic missiles after they are deployed. SAM's tested in an ABM mode could have the capability; therefore, "specially" is not needed. Also, this could apply to other than SAM systems--it is not inconceivable to use surface-to-surface missiles in an ABM role even though not "specially constructed" for this purpose.

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. (At this point a recess was taken.)

make consideration of what had been discussed here in Helsinki very much more difficult and might also create additional difficulties at the next phase in Vienna. He would therefore ask the US side to take this fact into consideration. It was quite possible that he was himself at fault in this respect, perhaps not having been convincing enough in expressing the views of the Soviet side on this issue. His argumentation on the efficiency and adequacy of national means and the complete unacceptability of on-site inspection would perhaps require some further presentation. He had a voluminous dossier on this question and apparently he would have to make use of it at the next Vienna phase, presenting his considerations and reasons in support of the Soviet position in greater detail. However, he wanted to express the hope that perhaps we could work the problem out while we were still here and remove the unnecessary difficulties caused by inclusion of the word "indistinguishable."

Smith said that in regard to the Article 2 problem, as he understood it, the Soviet side had not wanted to say anything in Article 2 that might prejudice the Soviet position on SAM upgrade. He had thought that this concern had been resolved between Garthoff and Kishilev when they discussed Articles 4 and 7 of the draft text. But lately he had the feeling that the Soviet position on Article 2 reflected a desire that nothing be done to prejudice the Soviet position on the issue treated in paragraph 1 of Article 6. It seemed to him that we should be ingenious enough to draft Article 2 in such a way as not to prejudice the position of either side in regard to paragraph 1 of Article 6. Smith wanted to emphasize to Semenov the great importance that the US Government attached to this issue. It was his belief that without such a provision, which was similar to analogous provisions included in other treaties, an agreement between us might prove to be simply an illusion. We might think that we had concluded an agreement on limiting ABM systems, only to find that in fact we had only limited launchers, interceptors and radars. He hoped that he had been able to convey to Semenov the great importance we attached to that issue.

Semenov said that in regard to Article 2 he would have no objection to a further search by our Executive Secretaries for possible language that would not prejudice our respective positions on paragraph 1, Article 6. However, Article 2 spoke for itself. He did not really know in what sense Article 6 had a bearing on Article 2, since the latter dealt with definitions and in his view this was quite enough for that particular Article. With reference to the US position on Article 6, which had been advanced here in Helsinki for the first time, naturally the Soviet side had carefully listened to the considerations expressed in support of the US position. At this moment he would not care to say any more than had already been said on this issue. Obviously this problem would be kept in his field of vision during the preparation in Moscow for the next Vienna phase.

Frankly, it was his Delegation's impression that inclusion of the word "indistinguishable" in Article 2 would make the entire agreement quite uncertain. What was indistinguishable from launcher missiles, and radars? This concept in his view was too ill-defined and arbitrary for inclusion in an agreement on ABM's that we have been working on. Furthermore, when we spoke of reaching an agreement to limit ABMs in our two countries, it was his impression that we intended such limitation to be at a minimum level and this in his view was an essential consideration in seeking mutually acceptable positions. In his goal he saw the main basis and the soul of our discussions. Smith was right in his belief that the Soviet side was seriously interested in reaching an ABM agreement. For his part, he proceeded from the same premise regarding the intentions of the US side. Therefore he believed that in this matter we should each take a broader view of the matter, bearing in mind that inclusion of uncertainties in an agreement would surely lead to all sorts of misunderstandings in the future. He emphasized that after concluding an ABM agreement we would be faced with the necessity of solving a number of other questions that were no less difficult than this one. Therefore he believed we should give a green light to the work that lies ahead of us and that that work should be based on the growing mutual trust between our two sides. He asked Smith to note that he had not spoken in these terms in the past, but in the context of recent events and of our work here he was doing so now.

Smith replied that he would like to think over Semenov's suggestion that our Executive Secretaries take over Article 2. This might be acceptable, but before saying any more on the subject he would like to consult with his colleagues.

Semenov said he would be very reluctant to leave Article 2 in brackets. This would create an undesirable impression when he reported to his leadership upon coming home.

1. Persons Present:

Amb. Smith
Parsons
Nitze
Allison
Garthoff
Graybeal
Shaw
Stoertz
Weiler
Aldridge
S. Smith
Twombly
Germond
Lavroff

Min. Semenov
Ogarkov
Shchukin
Pleshakov
Grinevsky
Kishilov
Gryzlov
Afonsky
Karpov
Skoptsov
Perfilyev
Baranovsky
Buyanov
Fayekov

The proposals of the Soviet Union proceed from the premise that those systems of each side should be limited, that were specially developed to counter strategic ballistic missiles (and their components in flight trajectory).

Taking this into account, the obligations of the sides would extend to long-range acquisition radars, tracking and ABM guidance radars, ABM launchers and ABMs.

Further, agreed quantitative limitations of launchers and ABMs would be established, as well as limitations on the maximum distance of ABM systems from the center of the target defended.

Obviously, it is precisely these components, taken together, that constitute an ABM defense system. Therefore, it is enough to extend the obligations of the sides to the totality of the above-mentioned components in order to solve the problem of limiting the deployment of ABM systems effectively and reliably.

SALT VI

US/USSR Mini-Plenary Meeting No. 4
Soviet Embassy
1100 hours, November 30, 1971

Persons Present:

Ambassador Smith	Minister Semenov
Ambassador Parsons	Academician Shchukin
Mr. Nitze	General Trusov
General Allison	Mr. Grinevsky
Dr. Garthoff	Mr. Kishilov
Mr. Shaw	Mr. Pavlov
Mr. Parr	(Interpreter)
(Interpreter)	Mr. Novikov
Mr. Krimer	(Interpreter)
(Interpreter)	

Academician Shchukin said that thanks to the joint work on preparing a draft text of a Treaty (Agreement) on the Limitation of ABMs, the sides had been able to agree on a number of provisions. The results of this work had been confirmed in Moscow during the interval between Helsinki and Vienna. In this connection, it was of fundamental importance to have reached agreement on the text of a provision in which each party undertook not to develop, test, or deploy sea-based, air-based, space-based, or mobile land-based ABM systems or their components. This provision in particular confirmed the importance both sides attached to preparing a draft which excluded the possibility of the deployment of ABM defenses of the territory of a country. The next provision was to the effect that each Party undertook not to develop, test, or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, nor to modify deployed launchers to provide them with such a capability, nor to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers. Apart from this, the Soviet side cannot recognize as well-founded the proposal of the US involving an obligation not to deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components. The subject of a Treaty (Agreement) could only be a specific and concrete limitation of ABM systems. It would seem that prohibiting something unknown, as proposed by the US side, would create uncertainty as to the subject of the Treaty (Agreement) on limiting ABMs. Such had never been done in a serious agreement. If systems based on different technical principles should subsequently appear, they could be discussed additionally, as provided by the draft Treaty.

SALT V 81186

SUBJECT: HIGHLIGHTS OF POST MILI PLENARY CONVERSATIONS-NOV 38

5. KISHILOV TOLD GARTHOFF

THAT SOVIET PROPOSED ADDITION TO JDT ARTICLE I WAS
PARTIAL SUBSTITUTE FOR ARTICLE V, PARAGRAPH "C" ON FUTURE
SYSTEMS WHICH SOVIETS STILL REJECT.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 4, 1971
TIME: 1:30 p.m. - 1:45 p.m.
PLACE: Soviet Embassy

SUBJECT: Special Working Group: ABM

PARTICIPANTS: US USSR
Mr. David Aaron ¹ *D* Mr. V. S. Chulitsky

Mr. Chulitsky also made a strong pitch for dropping Article 5, para 3, on future systems. He argued that it was unnecessary since "no one knew what future systems might be" and that an effort to include "everything" in the agreement would delay progress. He insisted that future systems could be dealt with in the Standing Consultative Commission, in the periodic review conference, or in follow-on negotiations. He also argued that the prohibition on air-based, space-based, land-based, etc. ABM systems is adequate to cover the problem of future systems. The only insight Mr. Chulitsky offered into the reasons for the Soviet position was that "it is difficult to argue with the technical people" that unknown systems should be proscribed.

Mr. Chulitsky asked if the U.S. Delegation was prepared to drop Article V, para 3. I said no, we considered it very important. I reviewed the reasons for including it and indicated that the Soviets would be hearing more from our Delegation in support of our position.

SALT VI 1116

SUBJECT: HIGHLIGHTS OF POST-PLENARY CONVERSATIONS DECEMBER 4

5. PHULITSKY MADE STRONG PITCH TO AARON FOR DROPPING JDT ARTICLE 5 PARAGRAPH 3 ON FUTURE SYSTEMS, NOTING IT WAS "DIFFICULT TO ARGUE WITH TECHNICAL PEOPLE" THAT UNKNOWN SYSTEMS SHOULD BE PROSCRIBED.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 7, 1971

TIME: 1:20 to 3:30 p.m.

PLACE: Franziskaner Restaurant
Vienna

SUBJECT: Effort to Resolve Differences on the
ABM Joint Draft Text

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

On Article V, both sides reiterated the strong positions which they hold on the question of the paragraph relating to future systems. After some discussion, Garthoff asked Kishilov whether Semenov and the Soviet Delegation might be willing to seek a change in their instructions in order to accept the US proposal. Kishilov and Grinevsky flatly asserted that they were certain there would be no change in the position of the Soviet side. Garthoff stressed this was a point on which the U.S. side felt strongly, and there seemed no alternative except to retain the provision in brackets for later resolution, perhaps at higher instance. Kishilov urged that some way be found to express the difference over this point in Article III rather than in Article V. Garthoff said he thought it would probably be better kept in Article V, but the possibility of dealing with the matter in Article III could be considered.

A-633

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 9, 1971

TIME: 12:30 - 12:50 p.m.

PLACE: American Embassy
Vienna

SUBJECT: Resolving Differences on ABM Joint Draft Text

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

Most of the discussion resolved around Article II. Grinevsky began by delivering a short speech to the effect that the Soviet side did not regard the article as necessary, that it had been found troublesome, and that it was something of a concession by his side even to be making the effort to resolve differences. Moreover, it was related to the differences contained in Article V. His remarks implied that members of his Delegation believed there should be a "tradeoff" involving the US dropping Para 3 of Article V in exchange for Soviet acceptance of a definitional Article II as proposed by the US side. Garthoff stated again that the US side considered Article II to be important, that the definitional approach was non-prejudicial to Soviet as well as American positions on other articles such as Article V, and that the US position on Article V involved a matter of important substance which could not be "traded". He also said that while we were not proposing any particular "package", Grinevsky and Kishilov of course recognized that we were working simultaneously on possible resolution of differences on a number of articles, and had to find some combination of such articles which would represent in the eyes of both Delegations an equitable balance of movement on various points by both sides; we considered that Article II should be included in such a group of articles. Articles V and VI, on the other hand, like Article III, evidently were not ripe for resolution at this time. Grinevsky nodded understanding, and remarked that his side would need to address Articles II and V on some early occasion, but that our informal work on resolving differences should continue and would be the best way to reach agreement. (In these remarks, Grinevsky seemed to imply that it would be necessary for his Delegation to go through a ritual of trying to get concessions from our side on Article V before he would be authorized to reach an agreement accepting the basic US position on Article II.)

Garthoff asked if there were further reactions from Grinevsky and Ushilov to the oral remarks he had made in response to the Soviet text passed over to us on December 8. Grinevsky said there were not. Garthoff said that for convenience he had prepared a typewritten copy reflecting approximately what he had said the day before, which he would give Grinevsky and Kishilov (see attachment). Grinevsky and Kishilov both seemed disappointed on hastily reading it, but raised no new considerations (except for Grinevsky's dissatisfaction with the word "counter", which Garthoff--and Kishilov--confirmed had been used throughout in our exchanges without objection from the Soviet side.

SALT VI

US/USSR Mini-Plenary Meeting No. 7
Soviet Embassy
1100 Hours, December 10, 1971

Persons Present:

Ambassador Smith	Minister Semenov
Ambassador Parsons	Academician Shchukin
Mr. Nitze	General Trusov
Dr. Brown	Mr. Grinevsky
General Allison	Mr. Kishilov
Dr. Garthoff	Admiral Sinetsky
Colonel FitzGerald	Mr. Pavlov (Interpreter)
Mr. Krimer (Interpreter)	

STATEMENT BY DR. BROWN
December 10, 1971

I

I would like now, Mr. Minister, to address the inclusion in an ABM Agreement of constraints on the deployment of possible future types of ABM systems.

II

The U. S. has proposed a specific provision to deal with the deployment of possible future types of ABM systems. The following language has been proposed by the U.S. as paragraph 3 of Article V:

"Each Party undertakes not to deploy ABM systems using devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of these components."

The two sides should seek an agreement which would prohibit the deployment of both wide area and thick regional ABM defenses -- and also the foundation for such defenses -- whether or not these defense systems employ devices other than interceptor missiles, launchers and radars to perform the function of these ABM components.

The objective of the U.S. proposed language is to avoid a situation which otherwise could undermine the effectiveness of the ABM agreement. The U.S. Delegation believes that such an undertaking is necessary, especially in an ABM agreement of unlimited duration.

·III

The two sides have an opportunity at this time to take a step forward toward comprehensive arms limitation -- an objective often espoused publicly by both of our Governments. We should not pass by this opportunity to move toward fulfillment of that objective.

The Soviet side has objected to limits on possible future ABM systems on the basis that such systems are defined only in general terms. This view runs contrary to the precedent established in the Outer Space Treaty and the Seabeds Treaty -- to which the U.S. and the USSR are Parties. In these treaties, our two Governments have accepted obligations banning the deployment of "other weapons of mass destruction" -- a general term which clearly includes possible future systems. The rationale supporting the undertaking of those obligations applies fully to a corresponding undertaking in the case of possible future ABM systems.

IV

Would we not risk undermining the viability or durability of the agreement if we did not foreclose now the deployment of ABM systems using technologies which future research may prove feasible?

Though one cannot -- and would not wish to -- halt scientific progress, we must recognize the effects -- which the U.S. side thinks would be beneficial -- that prohibiting the deployment of such types of systems would have in inhibiting a race to develop such systems. We believe it would be to the advantage of both sides to avoid deployment of such systems -- deployment that could circumvent the ABM limitations both sides have proposed. An ounce of prevention is said to be worth a pound of cure. Is there not merit in this case to exercising an ounce of prevention? Must we wait until new systems are ready for deployment -- or even being deployed -- before we consider limiting them?

The U.S. Delegation believes that our common objectives would be better served by prohibiting now the deployment of possible future types of ABM systems.

We would welcome your further views on these matters.

U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: 10 December 1971

TIME: 1:00 - 1:40 p.m.

PLACE: Soviet Embassy,
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Mr. Paul H. Nitze
Dr. Harold Brown

Academician A. N. Shchukin

Shchukin said he disagreed with Brown's statement on future systems. He thought general definitions where one couldn't even mention the specific system to which they applied were unhelpful. Brown referred to the general definition in the Outer Space Treaty. Shchukin responded, but in that case, one could specify systems which were within the meaning of "other weapons of mass destruction." These included chemical and bacteriological weapons. Brown said that, in fact, the use of such weapons from outer space was far from clear; similarly, one could specify systems which would be included within the general definition "future ABM systems." These would include lasers and particle accelerators.

Shchukin said he wished to get at the problem in another way; both sides agree that there should not be territorial defenses. The Soviet side has proposed specific language covering this in Article I; thus, the agreement would ban the deployment of future systems in a manner providing a territorial defense. If, however, new technology should make possible components carrying out the same tasks as existing components, but perhaps in a more efficient and less costly manner, why should those be prohibited? We are not prohibiting ABM components.

Nitze said that the number and location of ABM components would be limited under Article III and other articles of the agreement. Specifically, in the case of an NCA defense, launchers and ABMs would be limited to 100. If a future system were to be deployed which performed the same function as existing launchers and ABMs, but without interceptor missiles, for example, the limit of 100 could be rendered meaningless. Shchukin suggested that were such future systems to reach a stage where they could be deployed, the question would be referred to the Standing Commission, through which the necessary regulations could be worked out.

Nitze said he wished to see whether he correctly understood what it was that Shchukin had said. Was he saying that the sides would agree in principle that the provisions of the agreement should not be undermined by the deployment of components capable of performing functions similar to ABM components; that, if such components reached a stage of development such that their deployment could be contemplated, the issue of the appropriate manner of their regulation would be referred to the Standing Commission; and that no such deployment would take place until such regulations had been agreed by Governments through the Standing Commission. Shchukin said that if it were necessary, they could agree to that, though it was not clear that he was holding out a commitment in the treaty to that effect.

A-0

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 13, 1971

TIME: 3:30 p.m.

PLACE: Soviet Embassy

SUBJECT: December 13 Meeting of JDT Working Group

PARTICIPANTS:

US

Ambassador, Parsons
Mr. Shaw
Dr. Wade
Mr. Aaron
Lt. Col. Leard
Mr. Parr (Interpreter)

USSR

Mr. Grinevsky
Col. Anyutin
Col. Surikov
Col. Baranovsky
Mr. Obukhov
Mr. Artemiev (Interpreter)
Mr. Yushin (Interpreter)

Turning to Article II, Mr. Grinevsky said the purpose of this article should be clear. It was a listing of the ABM components limited under other provisions of the agreement. On December 6 the Soviet side received the US revised draft text of Article II. Mr. Grinevsky said that the Soviets had paid attention to the fact that the completely unacceptable concept of "indistinguishable from" was absent from that US draft. However, said Mr. Grinevsky, all four sub-paragraphs of Article II, paragraph 1, have the term "or deployed." Such a provision is, as careful analysis shows, capable only of causing misunderstanding and hampering compliance.

Mr. Grinevsky said that it was well known that ABM systems were extremely complex and must be tested. In fact, they cannot be deployed without testing in an ABM mode. National means, he said are sufficient to detect such testing. Mr. Grinevsky therefore had two questions: What concrete meaning is attached to the idea of "or deployed." According to what characteristics would deployments at ABM sites be considered ABM components if they were not tested in an ABM mode; i.e., intercepting ballistic missiles in flight factory?

Mr. Grinevsky pointed to the fact that the US text of Article II, paragraph 1 (b) and (d), preserved the language "of a type tested in an ABM mode." Mr. Grinevsky asked what this language meant since the Soviet side assumed that ABM components must be tested.

Turning to paragraph 2 of Article II, Mr. Grinevsky said the idea in paragraph 2(c) referring to "development" was superfluous. He noted that at one time the US Delegation spoke to the fact that the development stage to a large extent coincided with the testing stage. The Soviet side believed that the testing stage was the stage which coincides with development insofar as national means of verification are concerned. Thus, Mr. Grinevsky proposed that the term "development" be excluded from paragraph 2(c).

Mr. Grinevsky noted that the initial part of the US paragraph 2 of Article II said that the content of that paragraph did not apply to all of paragraph 1. He recalled that it once applied to all of paragraph 1 and asked the reason for the change.

Mr. Grinevsky then read a Soviet proposed version of Article II as follows:

Article VI

1. For purposes of this Treaty:

(a) an ABM system is a system specially constructed and deployed to counter strategic ballistic missiles or their elements in flight trajectory and including the following components--ABM interceptor missiles, ABM launchers, and ABM radars;

(b) ABM interceptor missiles are interceptor missiles specially constructed and deployed for an ABM role;

(c) ABM launchers are launchers specially constructed and deployed for launching ABM interceptor missiles;

(d) ABM radars are radars specially constructed and deployed for an ABM role.

2. The systems and components listed in paragraph 1 of this Article shall include those which are:

(a) operational;

(b) under construction;

(c) undergoing testing;

(d) undergoing overhaul, repair, or conversion;

(e) mothballed.

Mr. Grinevsky said that he would like to draw the attention of the U.S. side to the fact that this proposal was made in a constructive spirit. He said it was more precise than the U.S. draft.

He noted, however, that the structure of the Article had much in common with the U.S. draft and that the second paragraph of the Article also had much in common with the U.S. draft.

Mr. Grinevsky said that the key merit of the Soviet proposal was that it formulated in a clear and unambiguous manner the subject matter of the Treaty by listing the ABM systems and components to be limited.

In particular, a feature which distinguished it from the U.S. draft was that paragraph 1(a) of the Soviet draft presented a comprehensive description of ABM components--i.e., ABM interceptor missile, ABM launchers, and ABM radars--to avoid misunderstanding in the future.

In this connection, Mr. Grinevsky noted that paragraph 3 of Article V should be excluded since it is quite unacceptable to the Soviet side.

Ambassador Parsons said he recognized the importance of Article II which Mr. Grinevsky had addressed at length today in justification of the Soviet text. A great deal of effort has gone into this Article at all levels of both delegations and it has been discussed at great length. The Soviet proposal tabled today would be carefully studied. A response to it deserved careful preparation. Therefore, Ambassador Parsons proposed to come back to it at another time.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: 14 December 1971

TIME: 1:20 - 2:10 p.m.

PLACE: American Embassy,
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Mr. Paul H. Nitze
Dr. Harold Brown

Academician A. N. Shchukin

Shchukin said that, in his opinion, it was important at this stage of the negotiations to dot the "i's." He said that his remarks this morning on the subject of submarines and SLBMs had been for that purpose. He had tried to be precise about what was and what was not within the negotiating limits of possibility in this phase. It was not possible to deal with submarines, but he had meant to indicate that SLBMs were in a different category. It was important for us to realize this before we went back to Washington over the Christmas vacation.

Nitze noted, in connection with Shchukin's comments on the subject of the importance of dotting "i's," that in his comments this morning on future systems he had emphasized the inappropriateness of this subject for treaty language; was his emphasis on the word "treaty" meant to indicate the possibility of a minute or protocol dealing with that subject? Shchukin said this had not been his intent. He said that even though he felt we could swamp ourselves by getting into excessive detail on some subjects, in the case of future systems, he felt we needed to discuss the subject with more precision. In particular, he thought we should discuss optical systems; they represent current technology which can be applied to meeting certain ABM tasks. Nitze said that our suggested language for Article V, paragraph (c), would apply to optical systems only if they substitute for ABM radars, not if they were used as adjuncts to radars. Shchukin said that he assumed I was referring to the fact that

meteorological conditions would prevent optical systems from being completely substitutable for radars. Brown said this was correct. He suggested that new technology such as lasers would first be developed to handle easier tasks such as anti-aircraft tasks before being developed to handle the more difficult tasks involved in ABM defense, and wondered whether, under the Soviet aversion to limiting air defense, they meant that they would not be willing to limit such systems even if they were usable for ABM.

Shchukin went on to say that speaking entirely on his own and without consultation with his Delegation, that it should be possible to provide that if components based on new technology were developed which could substitute for the components limited under Article III, the matter should be referred to the Standing Commission and agreements thereon reached by Governments so that there would be no circumvention of the limitations of Article III. This, together with such provisions as the prohibitions on rapid reload, should take care of the problem.

SALT VI

US/USSR "TROIKA" MEETING NO. 1
US Embassy, 1100 hours, December 14, 1971

Persons Present

Ambassador Smith
Nitze
Brown
Allison
Garthoff
Krimer

Minister Semenov
Shchukin
Trusov
Kishilov
Pavlov

I believe it would be useful for our talks if the US side would submit a constructive proposal, taking into account also what has been said by the Soviet side during that period. I have another small remark. Although Dr. Brown said that the question of future ABM systems, which do not include launchers, radars, and interceptors, has already been discussed, I will allow myself to say a few words on this subject.

I would like to ask what this is all about in concrete terms. In what does the US side see a danger in the absence of a provision on this account in the treaty? If these systems cannot be defined now, except that they are not something known today, and, at the same time, the draft treaty includes a number of clear limitations and constraints not to deploy territorial ABM systems, not to give the capability for rapid reload, etc., is it not sufficient to have such limitations? To be sure, including in the treaty a provision covering something that is not known cannot be justified by any considerations, and therefore this proposition cannot be the subject of a treaty.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 17, 1971

TIME: 12:30 - 12:50 p.m.

PLACE: American Embassy
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Dr. Raymond L. Garthoff

Mr. N. S. Kishilov

The ABM JDT

We discussed the draft Article I for some time. I told Kishilov it might be possible to drop the word "base" from the sentence I had given him on an earlier occasion, but only if a new clause were added to the sentence to the effect that in addition to undertaking not to deploy ABM systems for a thick regional defense or defense of the territory of the country, they would also undertake not to provide a base for such defenses. Kishilov agreed to consider that suggestion, without commenting on it at this time. He objected again to the reference to ABM "components" in the formulation I had given him earlier, and I said that with the addition I was now suggesting it might be possible to drop the word components, since they would be included in the "base". Kishilov said that there had been discussions and disputes over the meaning of the expression "thick" defense of a region. I argued that the concept was clear, and that we could not expect precision in such reference. For example, the expression "defense of the territory of the country" was clear but not precise; if, for example, some particular small area of a country was included, a defense covering the major part of the country would still be "a defense of the territory of the country". Kishilov agreed. He continued, however, to press on the question of clarifying what we meant by a "thick" regional defense. He asked whether, for example, we considered the present Moscow ABM defense to be "thick". I said that we did not, and in other specific provisions were pressing for clear constraints which would insure against the Moscow system-- or any other ABM deployment by either side--becoming a thick defense of a region. Kishilov said he found that clarification helpful, but still thought we needed to find some way to make more clear the meaning of the phrase.

Kishilov emphasized the difficulty that his Delegation continued to have with Article II. I re-emphasized its importance from our standpoint, and the fact that our proposals should provide a base for a mutually acceptable agreement. We did not have time to discuss the specific issues. Kishilov did, however, for the second time suggest that movement on resolving the problem caused by our proposed addition to Article V might help to resolve the impasse over Article II. T

Kishilov asked whether under our proposal it was allowed to have more than one radar in a MARC. I assured him that it was indeed allowed, so long as the radar or radars remained within the three kilometer circle. Kishilov said there had been some uncertainty in his Delegation on this point.

On future ABM systems, I suggested to Kishilov the possibility of a new approach to meeting the issue. Perhaps it would be possible to have a clear and explicit understanding, for example in an agreed minute, that neither side would deploy a future ABM system or components without prior consultation and mutual agreement in the Standing Consultative Commission. Kishilov seemed quite interested in this possibility. He asked, for clarification, if I had indeed said that such an agreement could be in a separate understanding and if not in the treaty. I made clear that I was not making an official proposal, but he had correctly described the suggestion I was advancing. I stressed that I was speaking about consultation and mutual agreement. Kishilov suggested perhaps the language could indicate that the matter would be taken up in the Standing Commission for its "determination". Kishilov then suggested that perhaps the same technique could be used to handle OLPARs. I said that it seemed to me this was an idea that could be considered.

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 17, 1971

TIME: 7:30 - 11:00 p.m.

PLACE: Park Hotel, Baden

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky

Future ABM Systems and OLPARs

Grinevsky referred to the conversation I had had that morning with Kishilov, concerning a possible alternative approach for handling future ABM systems and future OLPARs. He thought that the idea of handling both these matters through the Standing Consultative Commission, rather than through explicit treaty provisions, offered a possible resolution to our differences. He initially referred to the idea of "declarations" in the negotiating record, but I noted that the suggestion had been for an explicitly agreed understanding; for example, in the form of an agreed minute. Grinevsky said that he understood, and that the precise form of the understanding was not so important. I emphasized that the suggestion was for consultation and agreement prior to any deployment of future ABM systems or components, or of OLPARs. Grinevsky acknowledged his understanding on that score.

SALT V 01145

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SUBJECT: GRINEVSKY COMMENTS ON SALT

11. FUTURE ABM SYSTEMS AND OLPARS:

GRINEVSKY REFERRED TO PREVIOUS KISHILOV-GARTHOFF CONVERSATION CONCERNING A POSSIBLE ALTERNATIVE APPROACH FOR HANDLING FUTURE ABM SYSTEMS AND FUTURE OLPARS. HE THOUGHT IDEA OF HANDLING BOTH THESE MATTERS THROUGH CONSULTATION AND AGREEMENT IN STANDING CONSULTATIVE COMMISSION, PRIOR TO ANY DEPLOYMENT OF FUTURE ABM SYSTEMS OR COMPONENTS, OR OF OLPARS, RATHER THAN THROUGH EXPLICIT TREATY PROVISIONS, OFFERED POSSIBLE RESOLUTION TO DIFFERENCES.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 20, 1971

TIME: 12:30 to 1:00 p.m.

PLACE: Soviet Embassy, Vienna

SUBJECT: Smith-Semenov Post Mini-Plenary Conversation

PARTICIPANTS:

US

USSR

Ambassador Gerard G. Smith
Mr. William D. Krimer,
Interpreter

Deputy Foreign Minister, V.S. Semenov
Mr. V. S. Artemiev, Interpreter

On the future systems problem, Smith said it seemed to us that the problem was not so far off and not so amorphous as Semenov had suggested this morning. In his statement this morning Semenov had said that he had not been precise enough; however, if he would read Dr. Brown's statement of today carefully, he would find that one example given had referred to lasers. Smith was sure that Soviet scientists could also think of some other possible future systems. It was Smith's feeling that if, as Semenov had suggested, this problem were left to subsequent handling in the Standing Commission or in some other way, this would amount to saying that we would have to put off agreement on this problem until some time in the future. He believed that there would be a tendency on both sides to do their best to design systems that would not be limited by a treaty. He was sure that Semenov would recall the experience gained in the Naval Treaty during the 1930's. Designers had then gone to work to design around the Treaty. Semenov asked if Smith had in mind a circumvention of a treaty. Smith said that technically this would not be a circumvention, but more like a hunting license to find ways of doing things that were not prohibited by an international treaty. He had once heard General Eisenhower say that wars have a dynamic of their own, and he believed that weapons design also developed a dynamic of its own. Where a certain field was not prohibited by an international agreement, there would be strong thrusts to push development as far as technology permitted. Smith believed that what both our countries should be doing was to stop evolution of military technology in a direction that was dangerous to us both. Therefore, he had hoped that if we could conclude a first arrangement that would establish quantita-

tive limits only for the most part, and learn to live with it, in time we would also be able to get control of qualitative aspects. In the matter of future ABM systems, which had not yet been developed, it was in the interests of both countries to outlaw them before they were born.

Semenov said that we would evidently need to develop our exchanges on this question further. Frankly speaking, however, he could not understand why we should permit a deadlock on Article II to stop us from moving ahead on other questions. He did not understand the practical reasons for permitting this situation to develop. Was it Smith's position that agreement on some other articles could possibly be binding on the sides in regard to Article II? As for the Soviet position, on the interim freeze, for example, it amounted to reaching agreement as much as possible, to agree on what could be agreed, with a view to leaving enough time and energy for concentrating on the important main questions which had not yet been agreed and hopefully solving them. We simply did not have enough time left to negotiate in a classical manner, i.e., "packaging" or trading articles. After all, they would in any case be decided on the basis of the acceptability of their subject matter to one side or the other, or, more precisely, on the basis of their acceptability for both sides. He would be in a much easier position if he could tell his authorities that the following two, three or four questions required concentrated work and decision and that they could be settled without touching upon others. They were complicated enough in themselves and it would be simpler to single out the individual questions rather than present them in a package approach. The very process of consideration was complex and our failure to achieve progress would tend to strengthen the position of those who regarded our negotiations with a certain degree of skepticism, especially since nothing like this sort of a deadlock had happened before. He would like to approach this matter from this angle and would hope that the U.S. position on central questions would develop with due consideration of the Soviet views which had been expressed here in Vienna.

Smith said that when he returned to Washington, Semenov could be sure that he would very much bear in mind the considerations the Soviet side had expressed here; he had been informed that he would be put to work on the day he arrived. Regarding Semenov's statement of moving from easier clauses to more difficult ones, he recalled that this had been

said in connection with moving from easier articles to Article III, but he did not recall that it also applied to moving on to less difficult articles such as Article II. If Semenov's people were ready to reach agreement ad referendum along the lines advanced during the first Kishilov-Garthoff meeting here in Vienna, he was sure we could still make some progress even before our departure for home. It was his understanding that Kishilov and Garthoff would lunch together today, and he hoped that they would be able to accomplish something.

Semenov said he did not recall the subject matter discussed at the first meeting of our Executive Secretaries at this Vienna phase but in any case, "let them work."

SALT VI
US/USSR Mini-Plenary Meeting No. 10
Soviet Embassy
1100 Hours, December 20, 1971

Persons Present:

Ambassador Smith	Minister Semenov
Ambassador Parsons	Academician Shchukin
Mr. Nitze	General Trusov
Dr. Brown	Mr. Grinevsky
General Allison	Mr. Kishilov
Dr. Garthoff	Colonel Anyutin
Colonel FitzGerald	Mr. Artemiev (Interpreter)
Mr. Krimer (Interpreter)	Mr. Novikov (Military Interpreter)

Minister Semenov said, in regard to other ABM systems, suppose that the draft treaty on limiting ABM systems had a provision on limiting systems other than those now known which use interceptors and launchers. What would result from such a provision? Undoubtedly, such a provision would create the grounds for endless arguments, uncertainties, and suspicions with all the undesirable implications for relations between the two countries. He asked if the sides could in working out a draft ABM Treaty advocate such a situation. He also asked if the goal of the two Delegations isn't just the opposite, that is, to reach agreement on limiting known ABM systems referred to in Article III of the draft ABM Treaty. Certainly such limitations on known ABM systems constitute a factor for relaxing international tension and curbing the race in strategic arms and limiting them. Such a responsible international document as a treaty on limiting ABMs must be precise as to the subject of the agreement to the maximum extent possible. This would ensure the viability of a treaty which has an important bearing on the national security of the sides.

Minister Semenov said that the Soviet Delegation has repeatedly asked what the U.S. side has in mind specifically under other ABM systems. This question has never been answered. He asked how then could an ABM treaty include a provision about whose content the sides do not have the vaguest notion? References had been made to the Outer Space Treaty and the Seabed Treaty. In the Soviet view these references were not convincing. The Outer Space and Seabed Treaties had as their subject obligations of a much more general nature than ABM systems. They dealt with a ban on emplacement in outer space and on the seabeds of weapons of mass destruction, that is, nuclear, bacteriological, and chemical weapons. Could the sides include in an ABM Treaty the unknown without risk of making the treaty indefinite and amorphous? On December 10 the Soviet side had already noted the importance of avoiding the temptation to go beyond the scope of our negotiations. We should ask ourselves the question: By including other systems in an ABM Treaty, would we not be placing ourselves in the position that the people refer to in the saying "Go I know not where, bring I know not what?" The sides cannot and must not engage in discussion of questions not known to anyone. The task faced by the two sides is to erect reliable barriers against deployment of known ABM components in excess of the levels defined by the ABM Treaty. At the same time, the sides undertake obligations not to create a territorial ABM system and to limit ABM deployments around capitals by the limitations contained in the draft treaty.

Minister Semenov then asked what would be done if something appears in the future that the sides should talk about. He believed that the draft ABM Treaty envisaged provisions on this score. Both sides recognize that the Treaty on limiting ABMs would be of unlimited duration. This does not preclude the possibility of supplementary and regular review when the need arises. Articles XIII and XIV, which are preliminarily agreed to, provide for such review. If it should appear necessary to supplement the ABM Treaty by a provision prohibiting or limiting other ABM components in addition to those now known, this can be done in accordance with the procedures provided for in the provision on review.

Minister Semenov declared that, in connection with the possibility of withdrawal from the ABM Treaty, the sides have agreed in the Joint Draft Text that the ABM Treaty should be of unlimited duration. This is provided in paragraph 2 of Article XV which provides for the possibility of withdrawal

by either side if it decides that extraordinary events related to the ABM Treaty have jeopardized its supreme interests. This provision is customarily included in such major inter-state documents of this kind. It is in keeping with the spirit of the May 20 Agreement, as well as with the agreed provisions of the draft ABM Treaty, that the ABM Treaty should, in principle, be an independent document. The conclusion which ensues from this is that inclusion in Article XV of the Joint Draft Text of a provision making operation of the Treaty dependent on the achievement of an understanding with respect to strategic offensive arms is without foundation.

Minister Semenov said that at Helsinki the sides had advanced to a certain degree in reaching agreement on the Joint Draft Text of the ABM Treaty although the central questions were not resolved. Recently, here in Vienna, despite a number of constructive proposals introduced by the Soviet side, there has, in fact, been practically no forward movement in working out the Joint Draft Text of the ABM Treaty. Should such a situation persist it could create an impression of destructiveness of approach in regard to this question which, in the Soviet view, should be avoided.

Ambassador Smith thought that Mr. Nitze might have some observations in regard to Academician Shchukin's intervention earlier today.

Mr. Nitze said he wanted to make only a partial answer to one of the points addressed by Academician Shchukin today. Under Article III of the U.S. proposed text for an ABM treaty, the two sides could deploy ABM defenses for either the capital or a limited number of ICBM silos. In either case there would be a limitation of four MARCs in the general areas specified in Article III. MARCs so limited as to number and geographical locations would fully meet the concerns both sides have in regard to the permitted ABM radars being used as the basis for development of an ABM defense of the territory of the country or for a thick defense of a region.

Minister Semenov asked if the U.S. side had any other considerations to present.

Ambassador Smith said that was all the U.S. wanted to present at this time.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 20, 1971

TIME: 1:40 - 3:50 p.m.

PLACE: Franziskaner Restaurant
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

Article II of the ABM JDT

Following the mini-plenary meeting earlier that day, Garthoff had given Grinevsky a revised draft Article II (see attachment). Grinevsky noted that there were three problems remaining. First, sub-paragraph (a) used the simple expression "to counter" strategic ballistic missiles. He said that he was not sure if this formulation would be acceptable to his Delegation; he did not exclude the possibility, but he did suggest--as he had done in his dinner conversation with Garthoff on December 17--use of the expression "serving to counter...". Garthoff in turn said that inclusion of the word "serving" might be acceptable to his side, but this was uncertain--that the simple expression "to counter" seemed clear enough and was acceptable to the US side. He therefore urged Grinevsky to see if it was acceptable to the Soviet side, and meanwhile both could continue to think about "serving" as a possible addition.

Grinevsky stated that the second problem was the absence of a connective between the sub-paragraph defining ABM systems, and the three sub-paragraphs following which defined components. His Delegation strongly believed that there should be some connective such as "namely" or "consisting of". Garthoff stated that the American side did not consider that a connective of this kind was either necessary or desirable. If, however, there were to be one, it should be precise. Therefore, he suggested, we might consider use of the phrase "currently consisting of" as a connective. This was clearly a new thought to Grinevsky and Kishilov and they appeared uncertain of the reaction of their side. Garthoff noted that the Soviet side, as well as the American, recognized that their could be future systems, and while the question of constraints on future systems would be settled elsewhere than in Article II, the correct way of indicating a valid connection between components and systems in Article II would be to include the word "currently". Grinevsky agreed to take up this possibility with his Delegation.

The third point which Grinevsky raised was the handling of "testing" in the three sub-paragraphs dealing with AMB components. Grinevsky noted that in his conversation with Garthoff on December 17, the expression "tested and deployed" had been included in the first half of each of the three sub-paragraphs; it was absent in the draft they had been given earlier that day. Garthoff acknowledged that fact, and said that we considered it unnecessary to include the words "tested and", but he believed that if the Soviet side strongly wanted them included, we could probably agree. We could not, however, regard that reference to "tested" as a substitute for the phrase "or of a type tested in an ABM mode". Grinevsky indicated that was precisely what he was about to suggest. The American participants vigorously argued for the need to include this additional phrase, and with no promise of success the Soviet participants agreed to try this approach with their Delegation.

< Article V of the ABM JDT

Grinevsky raised the question of dealing with future ABM systems through statements on the record concerning consultation prior to deployment in the Standing Commission. Garthoff noted that the suggestion which he had advanced in this respect was for an agreed minute; formal plenary statements might be used, but in any case there must be a clear agreed mutual understanding that, prior to any deployment of future systems and components, there would be consultation and agreement in the Standing Consultative Commission. Grinevsky acknowledged this, and said that perhaps an agreed minute could be used. He did remark that there might be some question about the precise action to be taken through the Standing Commission. Garthoff again noted that his suggestion was for consultation and agreement prior to any such deployment. Grinevsky said that it was necessary to think further about this matter, but that the approach suggested was of interest.

SUBJECT: SMITH-SEMOV POST MINI-PLenary CONVERSATION, DEC. 20

1. SUMMARY: IN DISCUSSION MOSTLY DEVOTED TO SEMENOV PRESSING TO NARROW DIFFERENCES IN DRAFTING JOINT TEXT. SMITH RAISED AND ARGUED FOR CONTROL OUR FUTURE ABM SYSTEMS. END SUMMARY.

2. ON FUTURE SYSTEMS PROBLEM, SMITH SAID IT SEEMED THE PROBLEM WAS NOT SO FAR OFF AND NOT SO AMORPHOUS AS SEMENOV HAD SUGGESTED THAT MORNING. IN HIS STATEMENT SEMENOV HAD SAID THAT WE HAD NOT BEEN PRECISE; HOWEVER, IF HE WOULD RECALL DR. BROWN'S STATEMENT CAREFULLY, HE WOULD FIND ONE EXAMPLE GIVEN, REFERRING TO LASERS. SMITH WAS SURE THAT SOVIET SCIENTISTS COULD ALSO THINK OF OTHER POSSIBLE FUTURE SYSTEMS. IT WAS SMITH'S FEELING THAT IF, AS SEMENOV HAD SUGGESTED, THIS PROBLEM WERE LEFT TO SUBSEQUENT HANDLING IN THE STANDING COMMISSION OR IN SOME OTHER WAY, THIS WOULD AMOUNT TO SAYING THAT WE WOULD HAVE TO PUT OFF AGREEMENT ON THIS PROBLEM UNTIL SOME TIME IN THE FUTURE. HE BELIEVED THERE WOULD BE A TENDENCY ON BOTH SIDES TO DO THEIR BEST TO DESIGN SYSTEMS THAT WOULD NOT BE LIMITED BY A TREATY. SEMENOV ASKED IF SMITH HAD IN MIND A CURCUMVENTION OF A TREATY. SMITH SAID THAT TECHNICALLY IT WOULD NOT BE A CIRCUMVENTION, BUT MORE LIKE A "HUNTING LICENSE" TO FIND WAYS OF DOING THINGS NOT PROHIBITED BY TREATY. HE BELIEVED WEAPONS DESIGN DEVELOPED A DYNAMIC OF ITS OWN. WHERE A CERTAIN FIELD WAS NOT PROHIBITED BY AN INTERNATIONAL AGREEMENT, THERE WOULD BE STRONG THRUSTS TO PUSH DEVELOPMENT AS FAR AS TECHNOLOGY PERMITTED. SMITH BELIEVED THAT WHAT BOTH OUR COUNTRIES SHOULD BE DOING WAS TO STOP EVOLUTION OF MILITARY TECHNOLOGY IN A DIRECTION THAT WAS DANGEROUS TO US BOTH. THEREFORE, HE HAD HOPED THAT IF WE COULD CONCLUDE A FIRST ARRANGEMENT THAT WOULD ESTABLISH QUANTITATIVE LIMITS FOR THE MOST PART, AND LEARN TO LIVE WITH IT, IN TIME WE WOULD ALSO BE ABLE TO GET CONTROL OF QUALITATIVE ASPECTS. IN THE MATTER OF FUTURE ABM SYSTEMS, WHICH HAD NOT YET BEEN DEVELOPED, IT WAS IN THE INTERESTS OF BOTH COUNTRIES TO OUTLAW THEM BEFORE THEY WERE BORN.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: December 21, 1971
TIME: 12:30 - 2:30 p.m.
American Embassy, Vienna
PLACE: 5:00 - 7:00 p.m.
Soviet Embassy, Vienna

SUBJECT: SALT Joint Draft Texts

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov .

Article V of the ABM JDT

Grinevsky asked if the American side had proposed language for the suggested separate agreed understanding on future ABM systems. Garthoff said he could provide an illustrative draft statement, couched in the form of a statement by the US Delegation and incorporating the draft of an Agreed Minute. He was providing this language at Soviet request for consideration by both Delegations as a possible solution to the impasse over the American proposal for a third paragraph in Article V. (See attachment.)

In the later session, Grinevsky and Kishilov said that the Soviet side would continue to study this possible approach for dealing with future ABM systems. In conjunction with discussion (described below) of a possible Agreed Minute in connection with Article IX, Grinevsky asked if the US side was prepared to do the same for Article V and Article VI. Garthoff noted that an agreed text of such a supplementary understanding had been reached with respect to Article IX, and if the Soviet side was prepared to accept the language proposed earlier that day, we were prepared to delete Article V(3) on an ad referendum basis. Grinevsky, however, said that the Soviet side needed to study this matter further, and it was left there.

The Soviet Delegation has said on several occasions that it is opposed to the proposal by the United States to include a provision in the ABM agreement prohibiting ABM systems in the future which would use devices other than ABM interceptor missiles, ABM launchers, or ABM radars to perform the functions of those components. In order to contribute to negotiating progress, while maintaining our basic position on this matter, the U.S. side is willing to drop Article V (3) if there is a clear agreed understanding as part of the negotiating record. An Agreed Minute could read as follows:

The Parties agree that the deployment limitations undertaken in Article I and Article III are not to be circumvented by deployment of components other than ABM interceptor missiles, ABM launchers, or ABM radars for countering strategic ballistic missiles in flight trajectory. They agree that if such components are developed and the question of deployment arises, neither side will initiate such deployment without prior consultation and agreement in the Standing Consultative Commission.

US/USSR Troika No. 2
1100 Hours, January 11, 1972
USSR Embassy

(Jel)

Participants:

US

Ambassador Smith
Ambassador Farley
Mr. Nitze
General Allison
Dr. Garthoff
Mr. Krimer
(Interpreter)

USSR

Minister Semenov
Academician Shchukin
General Trusov
Mr. Kishilov
Mr. Bratchikov
(Interpreter)

Semenov once again turned the floor over to Academician Shchukin.

< Shchukin said that the Soviet Delegation had repeatedly stated its position concerning the paragraph 3 of Article V proposed by the U.S. side. This dealt with so-called "other systems". The Soviet side continues to believe that only quite specific ABM system components of which each side had a clear idea could be included in an ABM treaty. Any attempt to include unknown matters in such a treaty were bound to lead to misunderstandings, arguments and suspicion with all the undesirable consequences ensuing therefrom, consequences for the relations between our two countries. The Soviet side had already said that in the event some concrete questions arose in this regard, they could be the subject of discussion in accordance with Article XIII of the joint draft text of the ABM treaty. For this reason the Soviet Delegation continues to consider this point "not suitable" for inclusion in the draft ABM treaty we were negotiating. >

Semenov said that perhaps it would be helpful if he made a few concluding remarks. First, the questions raised by Mr. Nitze and General Allison today would be carefully studied by the Soviet side, and he hoped to return to them at a future meeting. Second, on the question of other systems discussed by Shchukin, the Soviet side would not object to turning it over for discussion in special working group and other exchanges.

Ambassador Smith said he wanted to reverse himself and make a few remarks in reply to General Trusov's mention of Dr. Brown's remarks. In the absence of Dr. Brown, he would like to say approximately what he thought Brown would have said if he were there. It appeared to us that just as General Trusov had said that what might appear to be insignificant to some, could appear to be very significant to others, it could also be said that what might be considered by one side to be superfluous, could be considered to be indispensable by the other. If he had understood General Trusov correctly, he had said that restraints on other large phased-array radars were superfluous because under the general obligations of the treaty one could not deploy such radars for ABM use. However, if his principle was correct, it seemed to Smith that we were wasting a lot of time discussing specific provisions instead of limiting ourselves to just general statements. He found it hard to reconcile General Trusov's remarks on generalizations with Shchukin's suggestion for specific qualitative restrictions on ABM interceptors and radars. In that case one could hold it sufficient to simply say that a given system was labeled for ICBM defense. This, in short, is what Smith believed Brown would have said in reply.

< Nitze said he had understood from Shchukin's remarks that he believed that if ABM components other than radars, interceptors and launchers were developed, they could appropriately be the subject of consultations under Article XIII. However, if such components were developed and could, in fact, be deployed in a manner to circumvent the specific limitations of Article III of the treaty, would it not be appropriate that they also be subject to agreement between our Governments? \

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: February 1, 1972

TIME: 11:15 - 11:45 a.m.

PLACE: Soviet Embassy, Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

(Future ABM Systems

Grinevsky said that the Soviet Delegation had found interesting and helpful the 5 points given by Garthoff. However, they did not see a need to move so drastically from the previous text, which had been agreed except for a few words, and did not feel that the latest US draft proposal was as good.

All four participants then addressed the several texts in an effort to find a compromise. Garthoff suggested a possible solution, and Grinevsky and Kishilov agreed to propose it to their Delegation. Grinevsky and Garthoff each had a considerably marked up paper indicating the change, but Garthoff agreed to provide a clean typed text to the Soviet Embassy that afternoon. (See attachment 2.)

(Note: a few hours later, Grinevsky called to say that he believed his Delegation could accept the proposal if the words "based on other physical principles and" were included before the phrase "including components". Garthoff replied that he saw no objection of substance, but considered that this change would make the sentence even more ungainly. Grinevsky nonetheless argued that inclusion of those words would be necessary to gain the agreement of his Delegation, and Garthoff agreed to propose this formulation to his Delegation. Kishilov called later, and Garthoff informed him that the American Delegation could accept the revised formulation (see attachment 3). Kishilov said that not all members of their Delegation were there, and he could not give a definite answer that day, but he and Grinevsky were 90% sure that the new formulation would be acceptable.)

2. "TROIKA" MEETING JANUARY 11 ATTENDED BY SEMENOV, SHCHUKIN, TRUSOV, KISHILOV AND INTERPRETER, AND SMITH, FARLEY, NITZE, ALLISON, GARTHOFF AND INTRPRETER. IN REQUESTING TROIKA FORMAT, SEMENOV HAD INDICATED HIS DELEGATION WISHED TO DISCUSS ABM RADARS. PRESENTATIONS BY SOVIET SIDE IN FACT EXTENDED TO MOST ASPECTS OF DIFFERENCES ON DRAFT ABM TREATY.

11. SHCHUKIN THEN ADDRESSED US ARTICLE V (3) ON FUTURE ABM SYSTEMS, WHICH HE REFERRED TO AS "OTHER" SYSTEMS. HE AGAIN ARGUED THAT ANY ATTEMPT TO INCLUDE UNKNOWN MATTERS BOUND TO LEAD TO MISUNDERSTANDINGS AND SUSPICIONS. IF QUESTIONS AROSE THEY COULD BE DISCUSSED IN ACCORDANCE WITH ARTICLE XIII (CONCERNING STANDING CONSULTATIVE COMMISSION). ACCORDINGLY, SOVIET DELEGATION CONSIDERED THIS PROPOSED PROVISION "NOT SUITABLE" FOR INCLUSION IN THE TREATY.

14. NITZE NOTED THAT IF FUTURE ABM COMPONENTS SUBJECT TO JOINT CONSULTATIVE COMMISSION CONSULTATIONS UNDER ARTICLE XIII WOULD IT NOT BE APPROPRIATE THAT THEY ALSO BE SUBJECT TO AGREEMENT BETWEEN OUR GOVERNMENTS?

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

Encl. A-710
Vienna

DATE: January 11, 1972

TIME: 7:30 - 10:30 p.m.

PLACE: Drei Husaren Restaurant
Vienna

SUBJECT: Narrowing Differences in SALT

PARTICIPANTS:

US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

Future ABM Systems

A substantial portion of the discussion was devoted to the issue of future ABM systems. Kishilov, whom Garthoff had advised earlier that day that the US side might wish to make some changes in the formulation provided in December, pressed on what these changes would be. He asked if Garthoff had a new text. The latter replied in the negative. Kishilov then produced a text from his pocket, which on quick inspection turned out to be a Soviet translation of the language which Garthoff had provided in mid-December. He asked Garthoff to mark the changes which the American side would wish to make. Garthoff repeated that he was not prepared to provide a new text, and would not undertake to do so. However, he would point out some things that might be rendered more precisely. He then suggested that, for example, rather than referring to "consultation and agreement in the Standing Consultative Commission", it would be better to refer to consultation in the Commission and agreement between the Parties. Grinevsky nodded understanding. Garthoff said that no doubt certain other editorial improvements could be made, concerning precise reference to ABM components, etc. In general, the formulation could probably be refined in a number of ways; the important thing was the Soviet reaction to the substance of the proposition it contained. Grinevsky then suggested a "simplified" approach, which both he and Kishilov pointedly (and no doubt disingenuously) said they had just worked out on the way to the restaurant. The gist of Grinevsky's suggestion was that if the occasion should arise to consider such other systems, they could be considered in the Standing Consultative Commission in accordance with Article XIII (conveying the Commission's mandate). Garthoff asked what would happen if such consultation did not lead to an agreed conclusion. Would a party, wishing to deploy such a system, be able to do so or not? Grinevsky said that was a

question which did not need to be asked, that the whole question was at present hypothetical. Garthoff said that such systems might at present be hypothetical but the treaty as a whole either would or would not allow a party to deploy some presently unidentified ABM system or component at a future time if the matter were not resolved through consultation. Grinevsky said that it could do so, and that the other side always had the recourse of "Article XV" (withdrawal). Garthoff and Parsons noted that withdrawal would be a rather severe action, and while always available as a last resort, should not be relied upon as a solution to a problem which could be resolved in other ways. Garthoff suggested that instead of relying on Article XV, reliance should be placed on Article XIV (amendment). He suggested that perhaps an Agreed Minute might refer to both Articles XIII and XIV. At this point, the conversation divided into separate discussions between Parsons and Grinevsky on the one hand, and Garthoff and Kishilov on the other. While Grinevsky was adamant on resting with Article XIII, Kishilov (initially) agreed with Garthoff on possible resort to Article XIV. When the two conversations again merged, this discrepancy came to light, and after brief spirited and disjointed exchanges, Kishilov agreed with Grinevsky that the attempt to word a formulation concerning Article XIV "had not worked out".

Grinevsky said that the treaty referred to ABM systems, which were defined in Article II. It could not deal with unknown other systems. Garthoff challenged this interpretation on two grounds: first, the treaty dealt not only with ABM systems comprising components identified in Article II, but all ABM systems; second, the issue did not concern "other" systems, but rather future ABM systems. He asked Grinevsky whether in the light of Articles I, II, and III, Grinevsky considered that a party would have the right -- assuming consultations were held and did not lead to agreement -- to deploy all around the country, say, a thousand stations for firing anti-ballistic missile laser interceptor beams. Grinevsky said no, it would not have such a right. But, he countered, it should be able to place "telescopes". Garthoff asked if he meant sensors which could serve the role played by ABM radars, and Grinevsky replied that was part of the problem. Also, "other" systems might or might not be for ABM purposes, but the US wanted to have a veto over them. Garthoff remarked that he had noted that morning constant Soviet reference to "other" systems rather than "future" systems. But the two issues should not be confused. If there were a question as to whether some system was in fact an ABM system or component or not, that would clearly be a subject for consultation, and if there were a serious divergence perhaps there would be need for recourse to withdrawal, as Grinevsky had suggested. However, what Garthoff was referring to -- and what the US was particularly concerned about -- was precisely ABM systems and components of some new kind in the future. Garthoff repeated his reference to laser ABM interceptors as an example. In a side conversation, Grinevsky indicated to Parsons his own understanding of our concern, but implied that other (presumably military) members of his Delegation were unyielding, and in any case it was not an actual problem at this time.

In a briefer separate conversation, Kishilov conceded that Articles I, II, and III together would ban future ABM systems or components. (Comment: The confusion and discrepancy between the Soviet participants over interpretation of the effect of Articles I, II, and III of the ABM draft Treaty with respect to future ABM systems, and over possible solutions, seem to indicate absence of a clear and thought-through position on the part of the Soviet Delegation at the present time.) ✓

Garthoff emphasized, and Parsons concurred, that it was essential to establish a common understanding between the two Delegations with respect to the effect of Articles I, II, and III on future ABM systems, and to reach agreement on a position concerning this subject. Notwithstanding the differences which had emerged in the discussion (as indicated above), Grinevsky reaffirmed the interest and readiness of the Soviet side to continue discussion directed at reaching a solution on this subject. Grinevsky specifically endorsed Garthoff's statement that this subject should be resolved in the current phase of the talks.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: January 14, 1972
TIME: 12:15 - 1:15 p.m.
PLACE: American Embassy,
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

Mr. Philip J. Farley
Mr. Paul H. Nitze

USSR

Academician A. N. Shchukin

I said it might be helpful if he could discuss further his last statement at today's session; I had said I thought it was clear but wanted to be sure. I said that as I understood it, he was saying that under Article III and in the light of Article I, ABM systems could not be deployed except as provided by Article III. Shchukin interjected "and also in the light of Article II." I went on to say "and therefore, if new systems reached a stage where they could be deployed, they would be the subject of appropriate action under Articles XIII and XIV." Shchukin said that was right; he pointed out, however, that this did not prohibit the deployment of a telescope, for instance, in support of a radar. He was not sure that deploying a telescope would provide any benefit because of weather problems, but there were some who had an opposite view. Deployment of such a telescope would clearly not substitute for a radar. He went on to say that lasers could perhaps have some additive function in detection or tracking, but in his opinion, could not substitute for a radar. He said he was not a laser expert, but had gone through the basic computations and had come to the conclusion that the power required to project a radar beam capable of melting an RV at appropriate distances was so immense as to be beyond any foreseeable practical technology. >

MEMORANDUM OF CONFERENCE
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: 14 January 1972

TIME: 1215 to 1330

PLACE: U. S. Embassy, Vienna

SUBJECT: SALT

PARTICIPANTS:

US

Lt General R. B. Allison
Colonel C. G. FitzGerald
Lt Colonel F. P. DeSimone

USSR

Gen-Lt K. A. Trusov
Colonel B. T. Surikov
Colonel S. I. Baranovsky

Future Systems

I asked Trusov if he could repeat, so that I could be sure of understanding, Academician Shchukin's mini-plenary statement concerning future ABM systems. Trusov affirmed the Soviet position that it is premature to discuss limiting systems which are now nonexistent, and that if and when such systems appear their limitation would be subject to discussion under the provisions of Articles XIII and XIV of the Draft ABM Treaty.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: January 14, 1972

TIME: 12:15 - 1:30 p.m.

PLACE: American Embassy,
Vienna

SUBJECT: SALT

PARTICIPANTS: US

USSR

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

(On the question of future ABM systems, Kishilov asked Garthoff if he had the revised American proposed language for an agreed understanding. When Garthoff said he did not, Grinevsky produced a Soviet draft, based closely upon (but not identical with) the statement made in the meeting that morning by Academician Shchukin. The statement read:

"With a view to ensuring the implementation of the provisions contained in Articles I and III of the Treaty on the limitation of ABM systems, the Parties agree that in the event of the emergence of ABM systems based on other principles questions of their limitation may be discussed further in accordance with Articles XIII and XIV of the ABM Treaty."

Garthoff and Parsons said they thought this suggestion was helpful, and promised to give it consideration. The Soviet participants wanted to know when they could receive American reaction or an alternative formulation, and Garthoff and Parsons said perhaps within a few days.

SALT VI
 US/USSR Mini-Plenary Meeting No. 14
 U.S. Embassy
 1100 Hours, January 14, 1972

Persons Present:

Ambassador Smith
 Ambassador Farley
 Ambassador Parsons
 Mr. Nitze
 General Allison
 Dr. Garthoff
 Colonel FitzGerald
 LtColonel DeSimone
 (Military Interpreter)
 Mr. Krimer (Interpreter)

Minister Semenov
 Academician Shchukin
 General Trusov
 Mr. Grinevsky
 Mr. Kishilov
 Colonel Surikov
 Colonel Baranovsky
 Mr. Bratchikov (Interpreter)
 Mr. Klyukin (Interpreter)

< Academician Shchukin said he had a very brief comment to make. At the January 11 meeting, Mr. Nitze had asked the question whether so-called "other ABM means" would be a subject not only for appropriate consultation but also for agreement. Both sides agree that they should assume obligations not to deploy ABM systems except as provided in Article III of the draft ABM Treaty. In order to insure implementation of this provision of the Treaty, the sides could, in the event of the emergence of ABM systems constructed on the basis of other physical principles, further discuss the question of their limitation in accordance with Articles XIII and XIV of the draft ABM Treaty. >

Ambassador Smith asked Mr. Nitze if he had any further observations to make on this score.

Mr. Nitze said no, he thought Academician Shchukin's words had been clear.

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
VIENNA, AUSTRIA

DATE: January 26, 1972

TIME: 1:00 - 3:45 p.m.

PLACE: Stadtkrug Restaurant
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

Ambassador J. Graham Parsons
Dr. Raymond L. Garthoff

USSR

Mr. O. A. Grinevsky
Mr. N. S. Kishilov

Future ABM Systems

Grinevsky then asked about the subject of "other" or future ABM systems. Garthoff suggested that before discussing the substance of a formulation, all four participants agree not to leave the table until they had agreed among themselves on a text. This suggestion, made in a light vein, was agreed upon. Garthoff then asked if the Soviet participants had a response to the most recent American suggestions, made on January 21 in response to the Soviet proposal of that date. Kishilov then produced a draft statement, accepting all but one of the earlier American suggestions. The one point of difference was inclusion of the words "the question of" before "specific limitations". Garthoff then said that he also had a new text to present, one which was in most respects identical with the one which Kishilov and Grinevsky had just provided, but that it did include a few changes from the earlier American proposals. First was an editorial simplification, referring to "the treaty" rather than "the treaty on the limitation of ABM systems". Grinevsky agreed to the change. Second was a change from "and" to "or" in the listing of ABM interceptor missiles, ABM launchers, and ABM radars. Third was the addition for clarification of a clause reading "to perform the functions of ABM interceptor missiles, ABM launchers or ABM radars," as a penultimate clause. The US had no other changes to suggest, but he did ask for the deletion of the words "the question of" from the new Soviet draft. Grinevsky agreed to that deletion, and to the substitution of "or" for "and". He could not, however, agree to the other newly proposed addition, and asked why it had been advanced. Garthoff explained that it was intended to make more precise the intention of the sentence, which he believed

both sides shared, that we were talking about future system components which might take the place of ABM interceptor missiles, ABM launchers or ABM radars. He recalled Grinevsky's earlier reference to telescopes supplementing but not supplanting radars, and noted that we believed this additional language would help make more clear that additional elements of such kinds were not the subject of the sentence. Grinevsky said that he now understood, but could state definitely that his Delegation would not wish to make such an addition to the sentence. The American side evidently had not considered such an addition necessary when it provided the earlier formulation, and the Soviet side did not consider it necessary. He noted that the sentence already makes clear that reference is to future ABM system components other than the three indicated in the sentence and in Article II of the treaty. Article II made clear that these are the three components currently comprising ABM systems, and the language under discussion made clear that it was referring to precisely such system components other than the three

current ones which were listed. He strongly urged that the American side not pursue this proposed addition. He also commented that his side had now accepted the earlier American formulation completely, and in fact had accepted the American position on the subject entirely, save only that it would be a jointly agreed interpretation rather than a paragraph in the treaty. Garthoff and Parsons agreed to report that fact to the American Delegation, and to seek agreement on the basis proposed. (The text of the agreed formulation is attached as Attachment 1.)

January 26, 1972

< Agreed Interpretive Statement on Future ABM Systems

In order to insure fulfillment of the obligation not to deploy ABM system components except as provided in Article III of the Treaty, it is agreed that in the event ABM system components other than ABM interceptor missiles, ABM launchers, or ABM radars are created in the future, specific limitations on such system components would be subject to discussion in accordance with Article XIII and agreement in accordance with Article XIV of the Treaty.

DATE: January 31, 1971

TIME: 4:30 - 5:15 p.m.

PLACE: American Embassy, Vienna

SUBJECT: SALT Communique and Other Matters

PARTICIPANTS:

US

USSR

Dr. Raymond L. Garthoff

Mr. O. A. Grinevsky
Mr. N. S. KishilovFuture ABM Systems

I asked if the Soviet side had anything new to suggest on this problem. Grinevsky (repeating Kishilov's suggestion of Saturday) proposed deleting the second bracketed difference by referring to "them" or "their" instead of repeating the disputed reference to systems and/or components. I commented that that would not resolve the problem. I suggested that perhaps we needed a fresh approach, first survey the problem and see if we agreed on the substance of the matter--which I believed we did--and then find appropriate language to express this agreed position. (See attachment 2 for talking points I used.) Grinevsky saw that I was speaking from prepared notes, and seemed interested. I thereupon gave him a copy noting that this was not a formal transmittal from my Delegation, but if it would help him to see precisely what I was saying, I would be happy to give him a copy of the notes. After reading the talking points, Grinevsky said that he believed there was complete agreement. I thereupon gave him a text of a new proposed formulation, based on the chain of thought expressed in the talking points (see attachment 3). At this point, Grinevsky expressed some concern at the changed formulation, noting that we were agreed on a number of parts of the text we had been working on over the past week or so. I repeated that while we had seemed to come close to agreement we had not yet achieved it. We hoped that the outline of considerations and new text based upon them might find a way out of the impasse in which we had found ourselves.

Grinevsky and Kishilov made the point in particular that there was no reference at all to ABM systems in the latest formulation. On Friday, we had still accepted reference to systems and their components in the introductory clause, while objecting to a reference to systems in the other two clauses. Now it was absent altogether. We referred to systems as well as components in Article II, and that they referred to systems as well as components in Article III. Kishilov then noted that the

American proposed language for paragraph 3 of Article V referred to systems. Grinevsky remarked that suspicions arose among some members of his Delegation by the new American aversion to including a reference to systems. I assured Grinevsky that there was no foundation for any such concern, and that we were focusing on system components since it was unlikely that a system would change all at once. Moreover, the specific limitations in the agreement pertained particularly to components. Kishilov noted that many of the articles referred to "ABM systems and their components".

Grinevsky and Kishilov agreed to report the new language to their Delegation, and to present arguments for it and the gist of the talking points.

MEMORANDUM OF CONVERSATION
U. S. SALT DELEGATION
VIENNA, AUSTRIADATE: 1 February 1972
TIME: 1105 - 1150 hours
PLACE: Soviet Embassy,
ViennaSUBJECT: SALT: ABM Levels, Radar Limitations,
Future Systems

PARTICIPANTS: US USSR

Lt Gen R. B. Allison
Lt Col F. P. DeSimoneGen-Lt K. A. Trusov
DepMin P. S. Pleshakov (part-tim
Lt Col A. A. Chesnokov

I brought up the matter of future ABM systems as another possible problem in this category, noting the recent discussions concerning an agreed interpretive statement on the subject. I said I thought we could agree on this matter if each side understood what the other had in mind, and asked Trusov if he agreed with me. He said that we had understood one another earlier but now seemed to disagree because of a word problem, and went on to speak at some length about the changing terminology in the future systems paragraph. He dwelt primarily on the subjects of "systems", "components", and "devices." I observed that both sides have had a clear understanding for some time that within the context of our negotiations when we speak of an ABM system we are referring to a system made up of three components -- ABM launchers, ABM interceptor missiles, and ABM radars. We also appear to agree that substituting a different component for one of these three in the future would result in what we refer to as a "future" or "other" ABM system. It seems, I said, that with that understanding our Delegations should be able to agree on a set of words for the interpretive statement. Trusov agreed with my observation and said that the same words -- "other systems and their components" -- should be used consistently, since that was a clear expression of what was meant, as well as the wording in which the question had originally been raised.

DATE: February 1

TIME: 11:05 - 12:5

PLACE: Soviet Embassy,
Vienna

SUBJECT: SALT

PARTICIPANTS:

US

USSR

Mr. Paul H. Nitze

Academician A. N. Shchukin

< Shchukin said that what he particularly wanted to talk to me about was the question of future systems. He felt that could and should be resolved prior to the time we leave Vienna. He said that concern had arisen in their Delegation because of the fact that we refuse to include language referring to "systems" and insisted upon restricting the language to cover only "components." He said that this appeared to raise the "telescope issue" which we had discussed with Harold Brown. I said I thought that concern was covered by our proposed phrase "substitute for." He asked why we opposed reference to "systems."

I said that I did not believe that there was any substantive difference between the positions of the two sides. It seemed to me to be most likely that if something new were to become possible in the future, that this would be of such a nature as to substitute for either launchers or interceptors or radars, but not for all three. Shchukin said he thought there were only two categories involved; one was interceptor/launchers, the other radars. He could not conceive of a system which would substitute for a launcher and not substitute for an interceptor as well. He said that if a new system were developed which could substitute either for radars or for interceptor/launchers, this would be a new system and, as such, subject to Articles XIII and XIV.

I said my concern sprang from different grounds. As I understood it, the word "system" in Russian usage conveyed the thought of the entire panoply of elements deployed to counter ballistic missiles or their components in flight trajectory. It seemed to me that the language which they had proposed would not necessarily cover a situation where the "system" in this sense comprised radars, interceptor/launchers and new elements which might substitute for certain of the interceptor/launchers or radars.

Shchukin said he understood the point. He asked whether the following sentence did not correctly express what we meant: "If the system contains elements which could substitute for either ABM radars or ABM interceptor/launchers, the system would be a new system subject to Articles XIII and XIV." I said that to my mind, this would correctly record our understanding; but it would be necessary for me to discuss it with my Delegation. He said that he would wish to do the same. >