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Statement by ACDA Director Smith to the Eighteen Nation Disarmament Committee, March 25, 1969 [1]

7. I have listened with close attention to the statements that have been made by various representatives here since the opening of this session of our Conference and fully appreciate the concerns that have been expressed about the need to move forward with the work of our Committee. I share the hopes that this and subsequent sessions will be productive. I appreciate the opportunity to hear the observations of my colleagues here, both in formal meetings and in equally important private conversations.

8. Good will alone cannot create results. All of us know only too well that it is not enough to be for peace; we must also work for concrete measures that make for peace. Only through the constant efforts of people determined to change the world will we move forward to our common goals.

9. May I be permitted to make a personal comment? It was this kind of determined effort by the men who have served before me in

[1] ENDC/PV.397, pp. 4–13.

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the United States Government that helped to make possible the achievements of the past few years. Bill Foster, my distinguished predecessor and long-time friend, and Adrian Fisher, whose able mind has contributed to the solution of so many problems, have helped members of this Conference to turn hope into reality. I shall seek to emulate them.

10. I wish at this time to make some general observations about our work and then to set forth the views of the United States on one of the items in our agenda.

11. First there is the question of where we are, and where and by what means we should go from here. Certain limited but still highly significant successes have been achieved in the past. I need not elaborate on these to this Conference, but we must not forget that the first steps are sometimes the most difficult. Moreover, our achievements have significance beyond their direct effects for they have started the process of bringing the nuclear arms race under some control. Certainly the world is different today from what it would have been without those agreements.

12. As for the future, progress on arms control and disarmament is a many-faceted undertaking. We need not and should not be forced into an arbitrary decision as to which area or measure should receive priority to the exclusion of others. Of course, we can determine which areas have a logical relationship to the foundations we have already laid and to our goals for the foreseeable future. My point is that we should not be rigid in our priorities.

13. I think this Committee can and should explore various measures concurrently. In that way our understanding can be increased and our differences reduced. It is to be hoped that some agreements can be reached without delay.

14. It is not fair or necessary to assume that the monopoly of the time of this Committee which the negotiations for the non-proliferation Treaty [2] produced will be repeated in connexion with some other arms control measure. There are few negotiations that are without complications, and I do not infer that our task in the future will be simple. However, it is important that we keep in mind that the non-proliferation negotiations were of a special kind. Some students of current history have said that, because of the variety of technical and political issues involved and the number of countries immediately affected, those negotiations were among the most complicated and involved international negotiations since the end of the Second World War. Therefore I believe that we should not be too concerned that any one measure might monopolize the attention of this Committee. We must try to move forward in all relevant areas while remaining alert to any opportunities to move forward more rapidly to the conclusion of a particular agreement. Any agreement we reach makes other possible accords less difficult and more probable.

15. President Nixon, in his letter which I submitted on 18 March, discussed areas which the United States believes merit particular attention.[3]

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[2] The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ante*, pp. 109–110.

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16. There is common agreement, I believe, that the prospects for progress in one particular area lie in bilateral discussions. A number of representatives here have quite rightly referred to the importance of prospective strategic arms limitation talks. The critical significance of such talks in the efforts to bring the nuclear arms race under control is obvious. That the obligations of article VI of the non-proliferation Treaty are relevant in this regard no one would dispute. But I think it is important that we keep in mind that it is a question not merely of obligation, but rather of opportunity to control the nuclear arms race and thereby increase international security and reduce the burdens of the arms race, that is of greatest relevancy.

17. In this regard it should perhaps be pointed out that under the recent Administration of President Johnson the United States Government had made preparations and last August was ready and willing to commence such negotiations on strategic arms limitations. Now it is only prudent for the new Administration of my country to prepare itself thoroughly for negotiations that could be of a most sensitive nature, going to the heart of the strategic balance in the world and having a direct and central bearing on the mutual security of the United States, its allies, and indeed much of the world. In matters of this magnitude careful preparation is the greatest contribution that a nation can make to fruitful negotiations.

18. The question of timing is thus two-fold. The passage of some time is needed for the new Administration to make the necessary preparations; and the timing should be favorable in a political sense if even carefully prepared strategic arms limitation talks are to proceed with real promise of being productive.

19. At this point I should like to submit one additional thought which I would hope members of this Committee and their Governments would keep in mind. My Government is fully aware of the responsibilities which it, along with others, carries to make every effort to halt the nuclear arms race. Therefore in major national defence decisions taken in the present, and in the absence of relevant arms-control agreements, every effort is made to see that they are not provocative and that they will not make arms-control negotiations more difficult. This type of consideration, we believe, is also in the spirit of article VI of the non-proliferation Treaty.

20. With respect to the questions on the agenda of this Committee,[4] the United States, as I have indicated, will submit views during the course of this session which we hope will contribute to progress in our work. In particular, I hope we can have profitable and realistic exchanges on a comprehensive test ban and on the long-standing proposal for a cut-off in the production of fissionable material for weapons purposes. My delegation will return to these matters in later statements.

21. We have not failed to note the importance attached to progress towards a comprehensive test-ban treaty. This general concern is evident not only in the joint memorandum of 26 August 1968 submitted by eight members of this Conference[5] and in a recent resolution of the

[4] *Documents on Disarmament, 1968*, pp. 583–584.
[5] *Ibid.*, pp. 589–591.

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United Nations General Assembly,[6] but also in the remarks of previous speakers during the present session.

22. My Government understands and shares the vital concern felt by others. President Nixon's message reaffirmed our commitment to the goal of a comprehensive test ban, adequately verified. To achieve adequate verification, the principles and techniques of verification methods, their capabilities and limitations must be understood and appropriately implemented in any comprehensive test-ban agreement. It is well known that we continue to believe that a certain number of on-site inspections are essential for adequate verification.

23. With respect to seismic research designed to improve seismic verification methods, I am gratified by the interest expressed so recently by Ambassador Sule Kolo of Nigeria [7] and Ambassador Porter of the United Kingdom [8] in the United States seismic investigation proposal which was set forth on 5 December 1968 by my predecessor, Ambassador Foster, in the First Committee of the General Assembly.[9] I can now say that in the course of this year there are two possible nuclear experiments in the United States Atomic Energy Commission's "Plowshare" programme that could be used in implementing our seismic investigation proposal. These experiments are research and development tests in the field of commercial application, and they will depend upon the working out of necessary arrangements with private concerns involved. Until such arrangements are final, data concerning them must be considered tentative.

24. As currently programmed, these two experiments are to take place in west-central Colorado. The first of these would be held in late May or June and the second towards the end of the year. The first experiment is conceived as a forty-kiloton explosion—with a possible upper limit of sixty kilotons—which is to take place in a type of sandstone at a depth of a mile and a half. The second would be similar to the "Gas Buggy" experiment, with which I am sure you are familiar. Its yield would be about twenty-six kilotons and it would be detonated at a depth of 3,300 feet—also in a form of sandstone. As final contract arrangements are completed, we will be in a position to make available more specific data on time, location, geological medium, depth and yield for these tests.

25. I think all delegations here have also given attention to the 1968 report on seismic detection and identification of underground nuclear explosions, drawn up under the auspices of the International Institute for Peace and Conflict Research at Stockholm (SIPRI).[10] The advances in seismic science described in that report were the product of research conducted in a number of countries represented here. We hope that such research will continue to be pursued diligently, and that the conclusions contained in this SIPRI report will be further refined. We believe this type of research will assist us in our task of achieving an adequately verified comprehensive test-ban treaty.

26. Today, however, I wish to set forth some substantive comments on another item on our agenda. I refer to the question of arms control

[6] *Ibid.*, pp. 796–797.
[7] ENDC/PV.396, p. 7.
[8] *Ibid.*, p. 11.
[9] *Documents on Disarmament, 1968*, pp. 769–770.
[10] *Ibid.*, pp. 455–458.

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for the sea-bed. I should like to use my remaining time to present observations on this subject for two reasons. First, it is appropriate that various views on this subject should be submitted for consideration early in our session because this is a relatively new item. There is a background of facts, positions and views on several of the other items, but this item is not one where a full understanding of facts and attitudes of the various countries is at present available to form the basis for serious discussion. Therefore, it seems wise for the United States delegation at the outset to submit some comments on this subject, as the Soviet delegation submitted some views on this subject in the form of a draft treaty [11]—although my delegation does not believe we are quite at the stage where trying to agree on treaty language would be the best way to go about reaching an agreement.

27. Secondly, it is appropriate to discuss the sea-bed item now because there is intrinsic merit in our seeking to prevent a nuclear arms race on the sea-bed while there is still time. This has been called preventive disarmament or preventive non-armament. The significance of action to preclude new types of arms races from beginning should never be under-emphasized if we are to be successful in our efforts to halt the arms race. Our initial successes so far have been partial efforts to limit the arms race in some areas or to exclude other areas from arms competition. We have been trying with some success to fence in the arms race. This is true of the partial test-ban Treaty.[12] It is true of the Antarctic Treaty [13] and, in a more significant sense, of the outer space Treaty.[14]

28. If we ignore areas of potential arms development while exploring areas of present arms competition, we run the risk that the potentials for agreement in the areas where there is at present an arms competition may, as the moment of success draws nearer, be neutralized or upset by a developing arms competition in a new area.

29. There is a third and perhaps intangible reason why it would be important to reach agreement to prohibit nuclear weapons on the sea-bed. Even if such an agreement might not trench upon existing military competition, it could not help but have certain positive psychological and political effects upon the international scene.

30. May I therefore make some initial observations on the problem of preventing the sea-bed from becoming an area for the nuclear arms race?

31. We are all aware that in the past two years the international community has become increasingly interested in the possibilities of exploring and exploiting the vast resources of the sea-bed and the ocean floor. The United Nations General Assembly responded to this interest by establishing first an *Ad Hoc* Committee [15] and then a permanent Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

The United Nations has called upon the permanent Committee to—*inter alia*

> . . . study further, within the context of the title of the item, and taking into account the studies and international negotiations being undertaken in the field

[11] *Ante*, pp. 112–113.
[12] *Documents on Disarmament, 1963*, pp. 291–293.
[13] *Ibid., 1945–1959*, vol. II, pp. 1550–1556.
[14] *Ibid., 1967*, pp. 38–43.
[15] *Ibid.*, pp. 727–729.

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of disarmament, the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor without prejudice to the limits which may be agreed upon in this respect.[16]

The request in that resolution that the sea-bed Committee should take into account international negotiations being undertaken in the field of disarmament is a clear indication that the Committee, now concluding its first working session in New York, will closely watch what progress is made here on the question of sea-bed arms limitations.

32. Technological advances are continually being made which increase the types and extent of operations on the sea-bed. At present the high cost of operating in this difficult environment has effectively limited commercial exploitation to relatively shallow waters. However, it seems clear that scientific and commercial activities will soon be moving into deeper waters. Likewise, as technical capabilities are developed and improved the possibility increases that the sea-bed could be used as a new environment for the emplacement of nuclear weapons and other weapons of mass destruction.

33. The United States is interested in taking realistic steps to prevent an arms race on the sea-bed. We are pleased that other delegations share an interest in working out an effective and viable international agreement. In this regard the draft treaty submitted to this Committee by the Soviet Union is being studied with great interest in Washington, and we expect to comment on it more fully at a future meeting.

34. In examining the question of arms control on the sea-bed we must consider that some sea-bed uses, such as communication and navigation aids, are for both military and non-military purposes. The existence of submarine fleets requires States to take action in self-defence, such as establishing warning systems that use the sea-bed. Moreover, much useful scientific research on the sea-bed is supported or carried out by military personnel using military non-weapons equipment. Therefore we must point out that complete demilitarization of the sea-bed would, in our judgement, be simply unworkable and probably harmful.

35. Moreover, the United States believes that it is completely impractical to try to prohibit conventional weapons on the sea-bed. Encumbering a sea-bed arms control measure with that type of prohibition would raise insuperable verification problems. Such considerations illustrate the need for a careful study of all the relevant factors in developing an acceptable agreement.

36. The United States offers the following criteria for consideration of a sea-bed agreement and would welcome the views of other delegations on these or other relevant factors.

37. First, the United States believes that the most urgent problem is the danger of the emplacement of weapons of mass destruction on the sea-bed. Such deployments, whether nuclear, chemical, biological or radiological in nature, should be banned. In view of the possibility that some State might make advance preparation for the sudden abrogation of any treaty ban of this nature, consideration should be given to whether sea-bed-based launching platforms and delivery vehicles for such weapons should be included under the ban.

[16] *Ibid., 1968*, pp. 802–804.

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38. Second, the objective of the prohibition is to block deployment of specific weapons on, within, beneath or to the sea-bed. To achieve that, careful consideration must be given to the exact definition of the words "emplace or fix". We must consider whether they should apply only to permanent installations affixed to or implanted in the sea-bed, or also to containers or carriers whose principal mode of deployment or operation requires physical contact with the sea-bed. At the same time we should take care that the prohibition applies only to the sea-bed and not to the superjacent waters. The age-old doctrine of freedom of navigation is the foundation of international maritime law, and we must be certain that our agreement in no way infringes that freedom.

39. Third, in order to constitute a genuine and stable contribution to international peace and security, any arms control measure relating to the sea-bed should be of such a nature that the participating countries could feel confident that all participants were fulfilling their obligations. Verification of compliance could involve special problems in the geographically hostile environment of the sea-bed. Nevertheless, the United States, which has consistently supported the principles of adequate verification of arms control measures believes that some appropriate provision must be included in the agreement in order to provide the needed reassurances that all the provisions are being complied with. In this respect it may be desirable to draw on useful precedents of the outer space Treaty to establish a right of access and inspection. Such a right should be based on reciprocity and should not confer, or imply the existence of, any right or power to veto proposed visits.

40. As in outer space, the difficulties of the environment probably require that representatives should give reasonable advance notice of a projected visit. That would permit maximum precautions to be taken to avoid dangers to personnel and the disruption of the normal operations of the equipment or the facility.

41. Consideration of the verification question also demonstrates the need to restrict the scope of the prohibition to weapons of mass destruction, since otherwise the task of inspecting the multitude of present and future facilities would be beyond capabilities.

42. Fourth, one of the most difficult questions is the definition of the boundaries beyond which the prohibition would apply. Regardless of the method which might be agreed, the United States believes that the goal should be to apply the arms control measure to as broad an area of the sea-bed as possible; therefore the prohibition should, we think, apply to the sea-bed beyond a narrow band along the coasts of States. To the extent possible, the method chosen to define that band should provide ease of determination and uniformity of interpretation, and should be equitable in its application. For example, the zone could be defined by several methods such as:

(1) A specified horizontal distance from the coast;

(2) The use of a specified isobath or depth limit which would generally follow the contour of the sea-bed; or

(3) As some have suggested, a method based on the outer limits of national jurisdiction derived from either sovereignty or sovereign

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rights. This approach, at first glance, would appear feasible because it is based on existing boundary claims. However, the differences in the international community regarding the legitimate extent of such claims would result in gross inequities and would weaken the effect of the measure by excluding wide areas of the sea-bed from the zone of application.

43. Those are some of the considerations which will need to be discussed before an effective international agreement can be worked out, and we urge the Committee to undertake such discussions as soon as possible. In this way we shall be doing what the world community expects of us: seeking ways to prevent the spread of weapons of mass destruction to new environments, and at the same time helping to ensure that the potential for peaceful purposes of this great area of our planet will be enhanced. If we can do this much, it will be no small accomplishment. In effect, we shall have placed nearly 70 per cent of the earth's surface off-limits to the arms race and shall have achieved a significant restraint on the deployment of weapons of mass destruction.

44. I am sorry I have had to make a rather lengthy statement today, particularly in view of the fact that there are still two representatives on the list of speakers for today. I did, however, wish to set forth the considerations in my statement, since I shall have to return for a time to Washington, where, as you know, I have the responsibility of heading a Federal Agency. Since I only recently assumed this position, the obligations requiring my presence in Washington are obviously greater than will normally be the case. I am glad to say that after my departure the United States delegation will be headed by Mr. Adrian Fisher, whose abilities and whose contributions in the past are well known to members of this Committee. I hope that through deliberations in this Committee we shall move forward to new agreements. While I am in Washington I shall devote my efforts to ensuring that the United States contribution to that task is a positive one.

45. Finally, on behalf of my delegation I should like to welcome the return to this Committee of the doyenne of our disarmament negotiations, Mrs. Myrdal, and to express our pleasure in having the Under-Secretary of State for Foreign Affairs of Italy, Mr. Zagari, with us today. I should also like to thank other representatives for their warm words of welcome to me.