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96a	minutes	Meeting of Deputies to Comm. Of Principals <del>Sanitized 4/11/18 per RAC</del> Open 5/19/19 per NLT/RAC 17-35	<del>S</del>	<del>5</del>	<del>6/28/68</del>	<del>A</del>
96b	memo	Mtg of Comm. of Deputies <del>Sanitized 4/11/18 per RAC</del> Open 5/19/19 per NLT/RAC 17-35	<del>PCI</del>	<del>2</del>	<del>6/28/68</del>	
21d	minutes	Meeting of Deputies to the Comm. Of Principals  Sanitized 5/13/10 NWT/155	TS	11	5/27/68	A
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21i	memo	Tab 1	S	3		A
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21m	memo	Tab 4	S	4	undated	A
25c	rpt	Draft proposal for Arms Control on the Seabed	S	34	3/14/68	A

Collection Title NSF, Files of Charles E. Johnson

Folder Title Arms Control on the Seabed

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3.	<i>C. Johnson</i>					
4.						
5.						
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REMARKS OR ADDITIONAL ROUTING  <p style="text-align: center; font-size: 1.2em;">I thought the attached article may be of interest to you.</p> <p style="text-align: right; margin-top: 100px;"><i>Das</i></p>						
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David A. Souze - ACDA/ST			5496		6404	

# AN ARMS RACE ON THE SEA BED?

1a

Missiles stored in silos drilled into the ocean floor . . . Permanent manned stations under the sea . . . Free-swimming aquanauts at depths of 1,500 feet—Current research indicates that all these are quite possible.

By Seymour M. Hersh

WAR/PEACE REPORT

AUGUST/SEPTEMBER, 1968

In June, 1964, the United States, simply by ratifying a treaty agreement, gained more land for exploitation than ever before in its history. All of the new territory, an area larger than the original 13 colonies and the Louisiana Purchase, is under water.

In that year the Senate confirmed the 1958 Geneva Convention, which gave a coastal state the unquestioned sovereign right "over the continental shelf . . . for the purpose of exploiting it and exploiting its natural resources." The treaty defined the continental shelf as "the sea bed and sub-soil of the submarine area adjacent to the coast . . . to a depth of 200 meters [about 650 feet] or, beyond that limit, to where the depth . . . admits of the exploitation of the natural resources." In other words, exploitation of the ocean was in the final analysis made contingent on how effectively such work could be carried out at depths of more than 200 meters.

In 1958, the prospect of working effectively below 650 feet of water was dim; now we know man is capable of exploiting the ocean at depths far greater. Later this year two aquanauts will live 600 feet below the water off San Clemente Island, California, in the third of the Navy's Sealab tests; eventually aquanauts are expected to be able to dive to and work at a depth of 1,500 feet.

Why challenge the ocean? "While much scientific research effort is being directed toward outer space," says one Navy position paper, "the scientists and engineers of the Naval Civil Engineering Laboratory are systematically researching one of man's oldest, and most awesome environments, the deep

ocean. The Navy believes that, eventually, undersea facilities may be constructed for a variety of purposes, such as fuel caches, supply depots, refueling stations, submarine repair facilities, nuclear weapon shelters, utility systems, and power generation. When that time comes, the Bureau of Yards and Docks [now the Naval Facilities Engineering Command], the Navy's construction agent, will design, build and maintain the facilities needed by the Navy."

## 'Essential to Defense'

Robert H. B. Baldwin, under secretary of the Navy, put it another way in a speech to a Navy symposium on military oceanography in 1967: "The plain truth is, of course, that modern oceanography is absolutely essential to national defense."

A year earlier at another symposium Baldwin outlined the Navy's mission with respect to the ocean sciences and technology. "Briefly put," he said, "it is first to advance our knowledge of ocean, coastal, and sea bed areas so we can increase the effectiveness of naval operations required to fulfill the assigned missions of the Department of Defense; and second, to provide direct support to naval systems and ship development and design, by solving immediate and long-range scientific, engineering problems associated with the marine environment. In short, our oceanography and ocean engineering programs are specifically and directly a response to military requirements. We are sponsoring basic research which has relevance to naval problems. We are involved in deep ocean engineering because it contributes to our assigned mission; we are not in the business of exploiting the ocean's abundant mineral or living resources."

In fiscal 1969, the United States will

spend a total of \$516 million for oceanographic programs. More than half of that money—\$287 million—will be spent by the Navy. Although the military—despite Baldwin's amazingly frank statement above—does much talking about the potential food and mineral wealths the oceans offer, its interest in the science of the sea is largely self-serving.

"Since the free oceans of the world comprise our operating medium," Admiral David L. McDonald, then chief of naval operations, told the Navy League Seapower Symposium a year ago, "every advance in understanding and predicting both physical and biological oceanography will be reflected immediately in an improved naval warfare capability. For instance, at the operating depths of today's submarines, each 100 feet deeper a submarine can dive adds nearly 2½ million cubic miles to the volume of water in which it can operate."

The point is not that the Navy seeks to do its job as far as oceanography is concerned, i.e., improve the nation's military posture, but that it has become the most influential spokesman for such research in the United States. Thus Robert A. Frosch, director of research and development for the Navy, was able to tell Congress last year that proposals calling for international sovereignty over ocean bottom areas "frequently look to the improvement of the underdeveloped nations. Potential benefits of such proposals must be weighed against the implications to the United States security of vesting even informal control of the sea bed in an international organization. From the standpoint of the United States military capabilities, it would appear to be generally advantageous if claims of the sea bed were limited

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to exploration and exploitation."

But civilians in the Pentagon have a way of saying things softly. In his speech cited above, Admiral McDonald listed his views on ocean sovereignty more forthrightly: "... we must do two things to protect the national interest of the United States: we must maintain an invulnerable strategic force, to ensure that our deterrence is effective; and we must make certain that the *United States* is the nation that enjoys the benefits of 'prior presence and continued use' in the ocean areas of greatest importance to us" (emphasis his).

### Growing Budgets

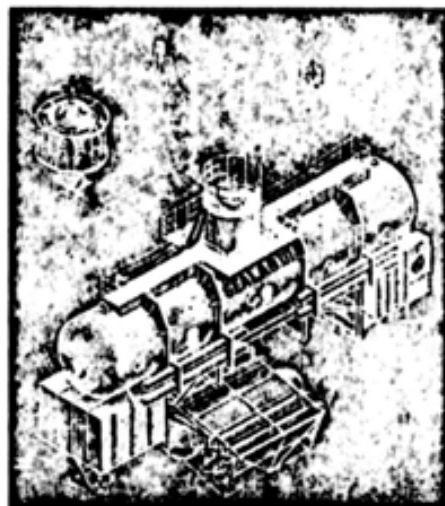
To assure America's dominance in undersea development, the Defense Department has greatly emphasized its oceanography research programs. Budgets grew from a few million dollars in the early 1960s to \$165 million in fiscal 1966; as noted above, they have climbed 50 per cent since then. Six years ago the Navy's undersea development emphasis was on science and secondary operations with a tiny engineering budget. But now the emphasis has shifted from the pure exploratory phase to practical applications; the fiscal 1968 Navy oceanographic budget included more than \$108 million for research and engineering programs. Ten years ago the Navy was sending only one or two officers a year for post-graduate oceanography study; now about 50 officers a year are doing such work. The Navy program now has the support of more than 1,000 civilian scientists and engineers at more than 100 academic and institutional facilities throughout the world, and at a dozen Navy laboratories.

In 1966 the program received another boost when then Secretary of the Navy Paul Nitze established the post of Office of the Oceanographer of the Navy and gave it expanded authority to direct all of the Navy's oceanographic operations. Before that, the oceanographic office lacked authority to make decisions in many areas of research and engineering. Currently, the Navy's undersea technology effort is supported by a large array of test facilities, including large model basins, pressure testing facilities, underwater test and evaluation ranges, and many specialized laboratories. Several ocean test ranges are in operation for underwater testing of materials and weapons systems; a new Atlantic Undersea Test and Evaluation Center (AUTEC) went into full operation last year. Two research ships and over a dozen survey

ships are in the Navy's oceanographic fleet, along with more than 20 university-operated ships. Special materials needed to withstand the great pressures of the deep are rapidly being developed (glass is one of the best) along with anti-fouling and anti-corrosion research.

The two key Navy programs concerning the use of the sea bed are its deep submergence systems project (D.S.S.P.) and the deep ocean technology (D.O.T.) project. The Sealab project is operated under D.S.S.P., but is vital to both.

D.S.S.P. is concerned with the development of technology and machinery for working under heavy sea pressure; officially the Navy says D.S.S.P.'s highest priority project is the development of a vehicle and system for rescuing crewmen from a submarine disabled on the sea bed. To do this, a number of deep submergence



U.S. Navy

Artist's concept of Navy's Sealab III

rescue vehicles and prototypes have been constructed; the goal eventually is to be capable of locating and recovering small objects on the floor of the ocean at depths up to 20,000 feet. Although the Navy will not say so, the undersea vehicles also would be capable of inspecting, repairing and refueling undersea supply depots and power stations.

Even more significant is the D.O.T. program, which the Navy described to Congress last year as advancing "the development of technology leading toward the occupation and exploitation of the deep ocean." Members of the House Defense Appropriations Subcommittee were told that some of D.O.T.'s areas of study included the development of reliable underwater motors and fuel-cell powerplants for deep-diving submarines. No further in-

formation on the program was made public.

Yet in a June, 1967, talk to the Marine Technology Society in San Diego, California, Rear Admiral O. D. Waters, Jr., oceanographer of the Navy, passed along this tip about the D.O.T. program: "I suggest that industrialists with an interest in future developments in oceanography keep an eye on it. As a line item in next year's requested budget, it accounts for only \$1 million but this is largely for basic studies that will soon lead to bigger things." The Admiral added:

"Immediately it includes experimental work on such things as deep mooring devices, super-strength plastic material, power packages and the whole complex of problems involved in facilities implanted on the deep ocean floor. For the bureaucratic location 'facilities implantment,' let's just substitute the more interesting statement that the Jules Verne idea of cities under the sea is no longer just a science fiction idea. This calls now for research and development for life support in a new and most hostile environment, new problems in underwater communications, in deep underwater navigation and a host of other problems that arise in connection with the whole new enterprise of sea floor engineering."

But the Navy isn't thinking of ocean floor mining. One hint as to its plan is found in the Sealab program designed to include man as well as vehicles in the new race to the sea bed. Navy scientists are now at work on systems that adapt the physiology of man and permit him to exist as a free swimmer at great depths in the ocean. A major breakthrough already has taken place: scientists now know that animals and men are able to exist for long periods at high pressures by breathing appropriate mixtures of helium, nitrogen and oxygen. Thus, by adapting to the environment, it was learned that man could live and work deep below the ocean. In Sealab II, conducted at the mouth of the Scripps Canyon off La Jolla, California, in 1965, aquanauts lived from 15 to 30 continuous days under 205 feet of water. Eventually it is believed man can function at depths of 1,500 feet and perhaps much more by utilizing a hydrogen-laden air mixture.

Writing in the April, 1968, *U.S. Naval Institute Proceedings*, Dr. John P. Craven, head of D.S.S.P., described



another possibility, which he said "belongs to a distant, but foreseeable future and envisions the use of an appropriate fluid which fills the lungs, but contains and is resupplied with sufficient quantities of dissolved oxygen to sustain life. The ability of mammals to exist with such fluids in their lungs has already been proven, but the total set of physiological problems . . . should keep investigators busy for at least a decade before any attempt to so condition man can be attempted. Should this possibility materialize, the depth potential for man as a free swimmer will extend to substantial portions of the ocean."

Envisioned by some Navy thinkers is a series of sub-bottom installations that would be protected from the pressures of the sea. Secretary of the Navy Paul R. Ignatius told the annual meeting of the Navy League in April of this year that "a sub-bottom installation could consist of a series of rooms, excavated from the bedrock beneath the sea floor, with a nuclear power supply and complete living facilities." The sub-sea floor bases could operate surveillance gear, man missile stations, or provide logistic support for the undersea military forces of the future.

**B**ecause of the rigid secrecy surrounding many aspects of the D.S.S.P. and D.O.T. programs, it is impossible to assert that such bases are specifically being planned. But there are some hints. *Ocean Science News*, an authoritative newsletter of the ocean market, speculated in January that "it's only a matter of time before the Polaris/Poseidon fleet ballistic missile system loses some of the security it now enjoys in the black and briny depths. And, when the Polaris subs can be found and tracked readily by the enemy, structures rising from the sea floor will not enjoy a great deal of security either. But, an eight-foot diameter shaft into the deep ocean floor would be almost impossible to find—except, of course, by trailing the submarines that supplied it. Even in this instance, however, the bases will be designed for long-term self-sufficiency—three months, maybe more. They seldom will be visited. Even if located, they might be difficult to destroy, since the main facilities would probably be many hundreds of feet down into the sea bed."

The Defense Market Service intelligence report, an exclusive newsletter for Pentagon contractors, has similarly noted that the Navy's Advanced Sea- and technology exist today." Based Deterrent program reportedly is considering for future study the deployment of missiles stored in unmanned silos drilled in the ocean floor or a tracked launch vehicle which could change location on the sea bed. In line with that, Westinghouse research facilities in Baltimore, Maryland, received an \$82,000 contract award in 1964 for studies of a "bottom-mobile weapon system."

#### Undersea Arms Lab

It isn't known how advanced Navy research into undersea missilery has become, but one indication appeared in the November-December issue of *Sea Frontiers*, the magazine of the International Oceanographic Foundation. An article written by Dr. Carl F. Austin of the U.S. Naval Weapons Center in China Lake, California, site of a large undersea weapons laboratory, graphically described the machinery and methodology needed for drilling deep holes far below the sea, along with telling how the techniques are applicable to the offshore production of petroleum and minerals. Although Austin was not identified in the article as a member of the Navy's undersea research team, his description of undersea mining was sprinkled with official U.S. Navy photographs of mine shafts and work areas far under the sea. One photograph showed an undersea machine shop 500 feet long and 30 feet high, which was said to be located 1,500 feet below sea level and beneath 400 feet of water—which means the area was roughly 1,100 feet beneath the sea bed. No further identification of the area was provided.

Austin observed that bare rock makes the ideal drilling material for installations under the sea and added that "present evidence shows that at least 20 per cent of the deep ocean floor is bare rock and as much as 40 per cent appears to have bare rock within drillable distance of the sea floor. Beneath the deep ocean there are hundreds of sea mounts [areas where the ocean floor rises] and numerous ridges, all having extensive bare rock exposures." The Navy scientist goes on to say that "the building of communities for oceanographic study and deep sea industry . . . is now within our grasp. Someday, and

Compare Austin's almost bucolic description of the future of undersea development with the more realistic appraisal offered by Dr. Craven in his article for the *Naval Institute Proceedings*: "In the Pacific, the extensive chains of sea mounts divide the Pacific Ocean into a significant number of basins which are now identifiable by the sea mounts which constitute Wake, Guam, the New Hebrides, the Fijis, the Gilberts, the Marshalls, the Ryukyus, the Kuriles, etc. Even now, these islands are important elements in the strategic outer periphery of the Asian land mass. The occupation and utilization of the undersea portion of these strategic barriers will make even more effective the utilization of the outer islands as a commercial, political, and military balance to the mainland."

**T**hus, it seems that the Navy has high hopes of spawning a new multi-billion dollar weapons system, one that envisions vast divisions of the sea bed on a first-come, first-served basis. In a speech in October, 1967, to a law conference, Assistant Secretary Froeh warned that the Navy and Coast Guard must be ready to defend any portion of the sea to protect those engaged in its exploitation. "United States capital is unlikely to be risked unless it is United States policy to protect the investments against foreign or piratical invasions," he said.

Work under the sea has not assumed the proportions of the space program, but it seems clear that the Navy has the technology and the desire to expand the miseries of the present arms race to the 70 per cent of the world's surface under the sea.

It may be too late to stop the Navy's ambition.



**SECRET**

October 3, 1968

**MEMORANDUM FOR MR. ROSTOW****SUBJECT: U. S. Objective on the Seabed**

General Wheeler is technically correct when he complained that the State Department agenda paper did not accurately state the agreed position. Pepper, who drafted the State agenda paper, telescoped the language for the sake of brevity. However, State feels that the U. S. is on record in the approved report of the Ad Hoc Committee and by the general thrust of the statements of our representatives in Rio and yesterday by the Secretary at the UN as being committed to the reservation of the seabed beyond the limit of national jurisdiction exclusively for peaceful purposes. The Secretary's speech yesterday faithfully followed the agreed U. S. position. He expressed our readiness to explore "the feasibility of a viable and effective agreement to prevent the emplacement of weapons of mass destruction on the ocean floor".

State has just distributed its draft position paper on the seabeds for use at the 23rd General Assembly. It is expected that the seabeds item will be taken up toward the end of this month. The arms control section (attached herewith) proposes that we should support the principal of the reservation of the deep ocean floor exclusively for peaceful purposes; subject, however, to the negotiation of a detailed arms control agreement specifying limitations on designated military activities. It will maintain that ENDC is the most suitable forum for the discussion of this issue. Note in paragraph 5 of the attachment that our first objective in ENDC will be to examine the question as to whether a viable international arms control agreement covering the seabeds may be achieved. This is the exact formulation that was agreed to by the Secretaries of State and Defense and the Joint Chiefs.

It appears that we are still pushing the problem ahead of us. Technically we as a government have only agreed that we would "examine the question" or "study the facts, etc.". We have not agreed among ourselves on the

**SECRET**

DECLASSIFIED  
E.O. 12958 Sec. 3.5  
NLJ-S-93001  
By JW, NARA, Date 5-2-02

minimum conditions that we would accept in a "verifiable and effective international agreement". It will probably not be necessary to decide this issue for ourselves this month in connection with the UNGA debate, although it would certainly help our delegation if we knew what we are talking about. If and when the ENDC takes up this item which is already on its agenda, we will have to face up to the problem and make up our minds.

Charles E. Johnson

Enclosure

cc: Mr. Keeny  
Mr. Davis  
Gen. Ginsburgh



2 ~~John~~ 3  
1 ~~Henry~~  
filed  
1511

INDUSTRIAL ESPIONAGE AND VERIFICATION  
OF SEABED ARMS CONTROL MEASURES

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Nature of Offshore Activities

During the next ten years there will be a large number of oil and gas drilling and exploitation facilities beyond 12 miles from the US coast which could be subject to arms control inspection. It is not anticipated that the general technological approach to exploitation will change significantly in the next five years. During the late 1970's, there may be technological breakthroughs and economic incentives to adopt different types of techniques for exploitation in water deeper than 1500 feet.

It is unlikely that there will be commercial mining activities of major significance beyond 12 miles from the US coast during the next ten years with the exception of heavy metals exploitation near the coast of Alaska. Such exploitative activities will probably utilize the same general approach as is currently under development.

Compromise of a Company's Proprietary Information

The American oil and gas industry is primarily concerned with the following types of industrial secrets related to offshore activities:

- a. location, composition, and extent of deposits;
- b. development and testing of new engineering devices  
in preparation for their use in offshore operations;  
and
- c. contents of the chips and other samples recovered  
during exploratory drilling.

Thus, the industry closely guards information about future activities and the success of current exploration. Once exploitation begins, primary reliance is placed on the protection afforded by leases and patents with much of the technology being employed routinely reported in the literature.

Inspection of rigs and related facilities would presumably involve some advance notice and would not include detailed interrogation of the crews concerning industrial secrets. Under such arrangement it is unlikely that a company's competitive position with other firms, domestic or foreign, would be compromised.

#### Outflow of Technology

As long as the US maintains its lead in offshore industrial technology, inspection of US facilities by Soviet specialists might result in Soviet insights of interest to them. These insights might be related to acquiring specifications of technological innovations that are used by the US, or to technological approaches which the US has rejected, thus saving the USSR the expense of trying such approaches.

In view of the availability of technical information through the literature and from other countries, it is unlikely that the outflow of technology which would accompany the type of limited inspections envisioned of US facilities could result in a serious loss. The Soviets have recently purchased a jack-up rig from Holland and are working with the French in the development of oil drilling technology. Additionally, to be of benefit inspection of facilities must be translated into practical use in an economy with a somewhat different industrial and technical base.

ARMS CONTROL ON THE SEABED

The United States supports the adoption of a General Assembly resolution declaring that the seabed and deep ocean floor should be used exclusively for peaceful purposes. The United States has previously supported, in the Space Treaty of 1967, the use exclusively for peaceful purposes of the moon and other celestial bodies. As we said then we understand that the test of whether an activity is 'peaceful' is whether it is consistent with the United Nations Charter and other obligations of international law.

We believe it is important to prevent the spread of the arms race to new environments. It is appropriate that the General Assembly should go on record in support of a resolution declaring that the deep ocean floor should be used exclusively for peaceful purposes. However, considering that the term 'peaceful purposes' does not preclude military activities generally, specific limitations on certain military activities will require the negotiation of a detailed arms control agreement. Military activities not precluded by such agreements would continue to be conducted in accordance with the principle of freedom of the seas and exclusively for peaceful purposes.

To that end, the United States proposes that the ENDC examine the question as to whether a viable international agreement may be achieved in which each party would agree not to emplace or fix weapons of mass destruction on the seabed or deep ocean floor. These discussions must also consider the need for reliable and effective means for verifying compliance with such an agreement.

We propose that this Committee recommend that the General Assembly request the ENDC to take up this question.

cy to Keeney 8/2/68



UNITED NATIONS  
GENERAL  
ASSEMBLY



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A/AC.135/24  
28 June 1968

ORIGINAL: ENGLISH

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN  
FLOOR BEYOND THE LIMITS OF NATIONAL  
JURISDICTION

*File*  
*MB*

*Arm Control*  
*on seabeds*

UNITED STATES OF AMERICA: DRAFT RESOLUTION ON  
PREVENTING THE EMPLACEMENT OF WEAPONS OF MASS  
DESTRUCTION ON THE SEA-BED AND OCEAN FLOOR

The General Assembly,

Desiring that workable arms limitation measures be achieved that will enhance the peace and security of all nations and bring the world nearer to general and complete disarmament,

Requests the Eighteen-Nation Disarmament Committee to take up the question of arms limitation on the sea-bed and ocean floor with a view to defining those factors vital to a workable, verifiable and effective international agreement which would prevent the use of this new environment for the emplacement of weapons of mass destruction.

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These arrangements shall reflect the other principles contained in this Statement of Principles concerning the Deep Ocean Floor and shall include provision for:

(a) the orderly development of resources of the deep ocean floor in a manner reflecting the interest of the international community in the development of these resources;

(b) conditions conducive to the making of investments necessary for the exploration and exploitation of resources of the deep ocean floor;

(c) dedication as feasible and practicable of a portion of the value of the resources recovered from the deep ocean floor to international community purposes; and

(d) accommodation among the commercial and other uses of the deep ocean floor and marine environment;

3. Taking into account the Geneva Convention of 1958 on the Continental Shelf, there shall be established, as soon as practicable, an internationally agreed precise boundary for the deep ocean floor - the sea-bed and subsoil beyond that over which coastal States may exercise sovereign rights for the purpose of exploration and exploitation of its natural resources;

Exploitation of the natural resources of the ocean floor that occurs prior to establishment of the boundary shall be understood not to prejudice its location, regardless of whether the coastal State considers the exploitation to have occurred on its "continental shelf";

4. States and their nationals shall conduct their activities on the deep ocean floor in accordance with international law, including the Charter of the United Nations, and in the interest of maintaining international peace and security and promoting international co-operation, scientific knowledge, and economic development;

5. In order to further international co-operation in the scientific investigation of the deep ocean floor, States shall:

(a) disseminate, in a timely fashion, plans for and results of national scientific programmes concerning the deep ocean floor;

(b) encourage their nationals to follow similar practices concerning dissemination of such information;

(c) encourage co-operative scientific activities regarding the deep ocean floor by personnel of different States;

/...

6. In the exploration and use of the deep ocean floor States and their nationals:

(a) shall have reasonable regard for the interests of other States and their nationals;

(b) shall avoid unjustifiable interference with the exercise of the freedom of the high seas by other States and their nationals, or with the conservation of the living resources of the seas, and any interference with fundamental scientific research carried out with the intention of open publication;

(c) shall adopt appropriate safeguards so as to minimize pollution of the seas and disturbance of the existing biological, chemical and physical processes and balances;

Each State shall provide timely announcement and any necessary amplifying information of any marine activity or experiment planned by it or its nationals that could harmfully interfere with the activities of any other State or its nationals in the exploration and use of the deep ocean floor. A State which has reason to believe that a marine activity or experiment planned by another State or its nationals could harmfully interfere with its activities or those of its nationals in the exploration and use of the deep ocean floor may request consultation concerning the activity or experiment;

7. States and their nationals shall render all possible assistance to one another in the event of accident, distress or emergency arising out of activities on the deep ocean floor.

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UNITED NATIONS  
GENERAL  
ASSEMBLY



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A/AC.135/21  
20 June 1968

ORIGINAL: ENGLISH

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN FLOOR  
BEYOND THE LIMITS OF NATIONAL JURISDICTION

India: draft declaration of legal principles governing the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the uses of their resources in the interests of mankind

The General Assembly,

Noting that developing technology is making the sea-bed and the ocean floor and subsoil thereof, accessible and exploitable for scientific, economic, military and other purposes,

Recognizing the common interests of mankind in the sea-bed and the ocean floor, which constitute the major portion of the area of this planet,

Believing that the exploitation and use of the sea-bed and ocean floor and the subsoil thereof should be carried out for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as in the legal aspects of the exploration and uses of the resources of the sea-bed and ocean floor,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples,

Mindful of the importance of preserving the sea-bed and ocean floor, and the subsoil thereof from actions and uses which might be detrimental to the common interests of mankind,

Recognizing that the exploration and use of the sea-bed and the ocean floor and the subsoil thereof should be conducted in accordance with the principles and purposes of the United Nations Charter, in the interests of maintaining international peace and security and for the benefit of all mankind,

Mindful of the provisions and practice of the law of the sea relating to this question,

Recalling its resolution 2340 (XXII) of 18 December 1967,

Convinced that, pending the conclusion of a Treaty regulating the administration and utilization of the sea-bed and ocean floor and the subsoil thereof, in the common interests of mankind, it is necessary to set forth the principles applicable in this regard,

Declares as follows:

1. The exploration and use of the sea-bed and ocean floor and the subsoil thereof, beyond the limits of present national jurisdiction, shall be carried on for the benefit and in the interests of mankind;

2. The sea-bed and ocean floor and the subsoil thereof, beyond the limits of present national jurisdiction, are the common heritage of mankind. As such, they are not subject to national appropriation and shall be used exclusively for peaceful purposes, for the benefit of all countries, particularly the developing countries;

3. The activities of States in the exploration and use of the sea-bed and ocean floor shall be carried out in accordance with international law, including the Charter of the United Nations, in the interests of maintaining international peace and security and for promoting international co-operation and understanding;

4. Taking into account the work currently being performed by other bodies, the United Nations shall endeavour to provide direction and purpose to international and inter-governmental activities with regard to the sea-bed and ocean floor and the subsoil thereof, beyond the limits of present national jurisdiction.

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UNITED NATIONS  
GENERAL  
ASSEMBLY



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5b

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN FLOOR  
BEYOND THE LIMITS OF NATIONAL JURISDICTION

United Republic of Tanzania: amendments to the draft resolution  
submitted by the United States of America (A/AC.135/24)

Replace preambular paragraph 1 by the following paragraph:

--Recalling the preamble of its resolution 2340 (XXII) on the question of the reservation exclusively for peaceful purposes of the sea-bed and ocean floor, beyond present national jurisdiction, in which it was especially stated that "mindful also of the importance of preserving the sea-bed and ocean floor, and the subsoil thereof, as contemplated in the title of the item, from actions and uses which might be detrimental to the common interests of mankind".

Add an operative paragraph as follows as operative paragraph 1:

1. Declares that the sea-bed and the ocean floor and the subsoil thereof, underlying the high seas beyond present national jurisdiction, should not be used by any State or States for any military purposes whatsoever.

Substitute operative paragraph 1 with the following paragraph which will become operative paragraph 2:

2. Requests the UNDC to consider, as a matter of urgency, the question of (a) banning the use of sea-bed and ocean floor beyond the limits of national jurisdiction by nuclear submarines; (b) banning of military fortifications and missile bases on the sea-bed and ocean-floor.



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/AC.135/20  
20 June 1968  
ENGLISH  
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56

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN  
FLOOR BEYOND THE LIMITS OF NATIONAL  
JURISDICTION

Union of Soviet Socialist Republics: draft resolution on the  
prohibition of the use of the sea-bed and the ocean floor  
beyond the limits of territorial waters for military purposes

The General Assembly,

Recalling its resolution 2340 (XXII) in which it referred to the importance of preserving the sea-bed and the ocean floor, and the subsoil thereof, from actions and uses which might be detrimental to the common interests of mankind, and recognized that the exploration and use of those areas should be conducted in accordance with the purposes and principles of the Charter of the United Nations, in the interest of maintaining international peace and security and for the benefit of all mankind,

Recognizing the need to take steps to prevent the arms race from spreading to the sea-bed and the ocean floor,

1. Solemnly calls upon all States to use the sea-bed and the ocean floor beyond the limits of the territorial waters of coastal States exclusively for peaceful purposes;

2. Requests the Eighteen-Nation Committee on Disarmament to consider, as an urgent matter, the question of prohibiting the use for military purposes of the sea-bed and the ocean floor beyond the limits of the territorial waters of coastal States.



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

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A/AC.135/26  
2 July 1968

ORIGINAL: ENGLISH

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN  
FLOOR BEYOND THE LIMITS OF NATIONAL  
JURISDICTION

United Republic of Tanzania: amendments to the draft  
resolution submitted by the Union of Soviet Socialist  
Republics (A/AC.135/20)

Substitute operative paragraph 1 by the following paragraph:

1. Declares that the sea-bed and the ocean floor and the subsoil thereof, underlying the high seas beyond present national jurisdiction, should not be used by any State or States for any military purposes whatsoever.

Substitute operative paragraph 2 by the following paragraph:

2. Requests the ENDC to consider, as a matter of urgency, the question of (a) banning the use of sea-bed and ocean-floor beyond the limits of national jurisdiction by nuclear submarines; (b) banning of military fortifications and missile bases on the sea-bed and ocean-floor.

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NATIONAL SECURITY COUNCIL

6/

Chuck

FYI

Spurgeon

file  
arms control  
on nuclear  
CJ

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No. 22 of 75 copies, Series  
A. This document consists  
of 7 pages.

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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

WASHINGTON, D.C. 20451

MEETING OF DEPUTIES TO THE COMMITTEE OF PRINCIPALS

Friday, June 28, 1968 - 2:00 p.m.  
ACDA Conference Room, 5941

PARTICIPANTS: See Attached List

REFERENCE: Draft Terms of Reference for Study on  
Seabed Verification (C)

SUMMARY OF ACTION

The Deputies decided to request a Special National Intelligence Estimate (SNIE) to study the technical capabilities and incentives for the Soviet Union to deploy weapons and associated delivery systems on the seabed, and the corresponding capabilities of the U.S. to detect and identify such deployment.

DISCUSSION

Mr. Fisher pointed out that on June 25 the President had approved language indicating the willingness of the U.S. to discuss the vital factors of a workable, verifiable, and effective international agreement which would prohibit the emplacement of weapons of mass destruction on the seabed. It was now the job of the Deputies to look at those vital factors which would contribute to a

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E.O. 13526, Sec. 3.5

NLI/RAC 17-35

NARA, Date 2/21/14

By CB

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workable, effective, and verifiable agreement. The greatest problem of the moment was that of U.S. verification capabilities; our satisfaction with verification probably would depend on both the capabilities and the military significance of the deployment. The best way to estimate the capabilities was through a SNIE. The military significance would be considered by the Deputies and Principals.

Mr. Jackson questioned whether or not a degree of assurance for detection was essential to the seabed proposals.

Mr. Fisher replied that this was not necessary for the Principals' meeting.

Mr. Jackson said he did not think the SNIE would reflect conclusions which differed from those already known.

Col. Van Hoozer asked Mr. Fisher if he had seen a recent DIA table on our capabilities.

Mr. Fisher replied that he had not.

Commissioner Tape said he thought some of the Principals may have wondered if the verification estimates were simply off the top of someone's head.

Col. Van Hoozer noted that the Joint Chiefs of Staff would very much like a SNIE.

Mr. Fisher said ACDA wanted one too. He added that the risks associated with verification could be included after the SNIE had been completed.

Mr. Schweitzer said he believed the proposed future Navy budgets available for deep submergence capabilities might have some bearing on the conclusions of the SNIE, and asked who was going to be working on this part. He felt that people outside the Navy should have a chance to look at Navy Department assumptions of funds which the Navy would consider as probably available to it in the future and judge the assumptions from an overall Government point-of-view. He said the Vice President and the Marine Council were particularly interested in this aspect.

Dr. Halperin said that the SNIE could be based on alternative assumptions of Navy support for certain programs.

Mr. Jackson asked why the time frame of 5 to 20 years was selected in the Terms of Reference.

Mr. Shaw replied that General Wheeler in describing the technical capability to deploy and verify usually talked in terms of military options available over a 20-year period.

Mr. Jackson pointed out that a detailed discussion of verification capabilities might make dissemination of the SNIE subject to such tight restrictions that it would not be useful.

Mr. Keeny and Dr. Scoville both said that this should not be a consideration, but that the report should be drafted using all available sources. Its conclusions could be "sanitized" at a later date.

Dr. Halperin said he would like time to look over the Terms of Reference and make suggestions at a later date.

Dr. Scoville noted that the Terms of Reference for the SNIE would be drafted by the USIB and submitted later to the appropriate agencies for their contributions.

Mr. Shaw emphasized that the report should not concentrate entirely on technical aspects, but should also include political motivations and inhibitions.

Dr. Halperin noted that the report should estimate the probabilities of cheating by the Soviets if such a treaty came into force.

Dr. Scoville reminded the Deputies that the ENDC would reconvene on July 16, and that seabed arms control proposals would probably be discussed. He noted the need for the U.S. to move forward quickly on establishing a firm position.

Mr. Fisher commented that we could not safely assume that seabeds will not come up during the course of the current session of the ENDC.

Mr. Keeny mentioned the possibility that the Soviets might decide to discuss a seabed agreement at the General Assembly.

Mr. Fisher replied this was a possibility, but we should still keep the ENDC in mind.

Mr. Jackson noted that the SNIE would take as long to prepare as it would take for other agencies to write their respective contributions.

Mr. Fisher asked if the first of August was realistic as a target date.

Mr. Allen noted that the U.S. position should be ready in the fall for the General Assembly if not for the summer session of the ENDC.

Mr. Jackson said he would try to have the SNIE as soon as possible.

Mr. Shaw asked if it were possible to discuss in the ENDC vital factors other than verification, since the entire proposal did not hinge solely on verification.

Dr. Halperin said the JCS would prefer to discuss any proposed agreement at the ENDC after its consideration by the General Assembly.

Mr. Fisher repeated the importance of holding open the option to talk about this topic during the summer ENDC session.

Commissioner Tape asked what was the best time frame for completion of the SNIE.

Mr. Fisher replied that we would not want to wait until September, although he realized the SNIE could not be completed by the 15th of July. It would be best to get the study completed as soon as possible, but with an outside target date of August 1.

Dr. Scoville asked the Deputies if the draft Terms of Reference were generally acceptable to all.

Mr. Keeny suggested that the Arctic, Baltic, and Black Seas be added to the areas under consideration in the study.

Mr. Schweitzer asked whether or not JCS had any hidden meanings in the words "workable, verifiable, effective."

Mr. Van Hoozer replied that there were no hidden meanings in the words as far as the JCS were concerned.

Attachment:

List of Participants



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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

66

Meeting of the Committee of Deputies

Friday, June 28, 1968 at 2:00 p.m.  
ACDA Conference Room, Room 5941

The following persons attended the meeting:

DEPARTMENT OF STATE

Mr. Ward Allen, Deputy Assistant Secretary, Bureau  
of International Organization Affairs  
Mr. Robert Packard, International Scientific and  
Technical Affairs  
Mr. Murray Belman, Deputy Legal Adviser  
Mr. Hugh Wolff, Bureau of Intelligence and Research  
Mr. John P. Shaw, Special Assistant for Communist-  
Politico-Military Affairs  
Mr. Gerald Helman, International Security Affairs,  
Office of United Nations Political Affairs

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. Adrian S. Fisher, Deputy Director  
Lt. Gen. John J. Davis, Assistant Director, Weapons  
Evaluation and Control Bureau  
Dr. Herbert Scoville, Assistant Director, Science  
and Technology Bureau  
Mr. Sidney Graybeal, Deputy Assistant Director, Science  
and Technology Bureau  
Mr. George Bunn, General Counsel  
Mr. C. Normand Poirier, Assistant Attorney,  
General Counsel (Reporting Officer)  
Mr. David A. Sousa, Foreign Affairs Officer,  
Science and Technology Bureau (Reporting Officer)

WHITE HOUSE

Mr. Spurgeon Keeny, Staff, National Security Council  
Mr. Charles E. Johnson, Senior Staff Member,  
National Security Council

MARINE COUNCIL

Mr. Glenn Schweitzer, Senior Staff Member, Marine  
Sciences Council

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E.O. 13526, Sec. 3.5

NLI/RAC 11-35

By CTS NARA, Date 1/11/14

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- 2 -

DEPARTMENT OF DEFENSE

Dr. Morton H. Halperin, Deputy Assistant Secretary  
for Policy Planning and Arms Control  
Col. Donald Humphries, Director, Arms Control and  
U.N. Affairs, ISA  
Captain James E. Heg, Deputy Director for Arms  
Control and U.N. Affairs, ISA

JOINT CHIEFS OF STAFF

Col. A. V. Van Hoozer, USAF, Deputy Special Assistant  
for Arms Control  
Captain J. E. Henderson, Special Assistant, Office  
of the Special Assistant for Arms Control

ATOMIC ENERGY COMMISSION

Dr. Gerald Tape, Commissioner  
Col. Jack Rosen, Special Assistant to Commissioner Tape  
Mr. Allan Labowitz, Special Assistant for Disarmament

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. Arnold W. Frutkin, Assistant Administrator for  
International Affairs

CENTRAL INTELLIGENCE AGENCY

Mr. Wayne Jackson, Member of the Board of National  
Estimates  
Mr. Ross Cowey, Estimates Officer

UNITED STATES INFORMATION AGENCY

Mr. Joseph Hanson, National Security Affairs  
Adviser

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Arms Control on Seabed

1

This document consists of \_\_\_\_\_ pages.  
Number \_\_\_\_\_ of \_\_\_\_\_ copies, Series \_\_\_\_\_

DRAFT TERMS OF REFERENCE  
for

A STUDY ON VERIFICATION OF A BAN ON THE PLACEMENT  
OF WEAPONS OF MASS DESTRUCTION ON THE SEABED

Estimates should be made on the probability within the next 5-20 years that the U.S. could (1) detect and (2) identify that the U.S.S.R. had placed weapons of mass destruction on the seabed. Weapons systems considered should range in sophistication from individually placed nuclear weapons without external command and control to advanced delivery systems requiring construction on the seabed and positive command and control from the U.S.S.R. The technological capabilities, motivations, and inhibitions of the U.S.S.R. in developing and deploying the various system possibilities should be considered. Estimates should be made as to how these probabilities would vary with the numbers and types of systems deployed. It should also study the risk to the deploying country of failure to have positive command and control over the deployed weapons.

The studies should concentrate on the Atlantic and Pacific ocean areas which directly threaten the U.S., but consideration should be given to how the capabilities would vary with distance from the coastline and depth of the water.

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By TOK, NARA, Date 5-3-02

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- 2 -

The study should also investigate these probabilities for reasonably feasible systems by less developed states such as China or a potential nuclear-weapon state such as India.

These studies should evaluate the military risks which would accrue to U.S. security from any undetected emplacement.

ACDA/ST:HAcoville:jbk:aaJ 6/28/68





MESSAGE TO MR. DEWEY, CHAIRMAN

FROM ROBERT H. ROSENBERG

6

# UNITED STATES MISSION TO THE UNITED NATIONS

*File 7*

## PRESS RELEASE

FOR RELEASE ON DELIVERY  
CHECK TEXT AGAINST DELIVERY

Press Release USUN-104(68)  
June 26, 1968

Statement by Leonard C. Meeker, United States Representative to the Legal Working Group of the Ad Hoc Committee to Study the Peaceful Uses of the Sea-Bed and Ocean Floor Beyond the Limits of National Jurisdiction, June 26, 1968.

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Last week the United States suggested in this Working Group the desirability of considering the adoption of certain legal principles for the sea-bed and ocean floor. Such principles could serve as a guide to States in the conduct of their activities in this environment, and also as general lines of direction to be observed in the working out of more detailed internationally agreed arrangements. We did not then comment on arms control and disarmament aspects of the sea-bed and ocean floor. I should like to indicate today our thinking on this very important subject.

Arms control and disarmament constitute a major concern and pressing task of the world community. For its part, the United States is dedicated to workable arms limitation measures that will enhance the peace and security of all nations and bring the world nearer to general and complete disarmament. Most recently, we have labored over a long period, together with other countries, to bring into being a treaty to prevent the spread of nuclear weapons. Two weeks ago the General Assembly gave its overwhelming endorsement to the treaty text. This instrument will be opened for signature next Monday, July 1st.

At the historic meeting of the General Assembly at which the Non-Proliferation Treaty was approved, the President of the United States had the privilege of addressing the Assembly. On that occasion he said:

more

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"Finally -- in keeping with our obligations under the treaty -- we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

"It is right that we should be so obligated. The non-nuclear States -- who undertake with this treaty to forgo nuclear weapons -- are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race."

In approaching the question of a new environment to which the nuclear arms race has not yet spread, the world community has an opportunity to consider whether intelligent self-restraint can prevent a spread and escalation of that race. We believe this is an issue of importance and complexity calling for urgent and thorough study.

The United States is, therefore, proposing today that the Eighteen-Nation Disarmament Committee be asked to take up the question of arms limitation on the sea-bed and ocean floor with a view to defining those factors vital to a workable, verifiable and effective international agreement which would prevent the use of this new environment for the emplacement of weapons of mass destruction. We believe that our current discussions, in this group and in the Ad Hoc Committee, should lead to a prompt reference of this problem to the ENDC.

It is our hope that the Disarmament Committee in Geneva can undertake fruitful work on this subject. We hope, moreover, that our referral of the subject to the Eighteen-Nation Committee will assist that body in proceeding with its vital work on the problem of mass-destruction weapons -- which would be the real threat in the new environment of the sea-bed and ocean floor.

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*Mr Johnson  
from Lark 405*

*9*  
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Per Col. Humphries 2:15 pm, 6/25/68, presumably Clifford took this version in to the Tuesday luncheon today, as this is as far as the Chiefs are prepared to go at this time.

" The United States is dedicated to workable arms control measures that will enhance the peace and security of all nations and bring the world nearer to general and complete disarmament. We propose that the ENDC be asked to take up the question of arms control on the seabed with a view to defining those factors vital to a workable, verifiable and effective international agreement which would prevent the use of this new environment for the emplacement of weapons of mass destruction. "

~~SECRET~~ Attachment  
DEPARTMENT OF STATE  
Washington, D.C. 20520

June 19, 1968

FOR: Mr. Walt W. Rostow  
The White House

FROM: Benjamin H. Read  
Executive Secretary

BHR

The attached revised language on Seabeds has been approved by Secretaries Clifford, Nitze and Katzenbach. Paul Nitze tells me that the JCS remains opposed but General Wheeler understands the decision which has been made in favor of this language by the Secretary of Defense.

Please let me have your approval as soon as possible because New York pressures and the need to advise key Hill figures is becoming urgent.

~~SECRET~~ Attachment

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Johnson  
Keeney

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10a

Arms Control and the Ocean Floor

The United States is prepared to enter into serious discussions on arms control and the ocean floor at an international forum such as the Eighteen Nation Disarmament Conference. In these discussions the United States would be prepared to consider the possibility of an appropriate international agreement pursuant to which each party would agree not to emplace or fix nuclear weapons or other weapons of mass destruction on, within, beneath or to the seabed beyond a narrow band along its coast and up to the coast of any other State. The appropriate means of verification and the width of this narrow band would have to be the subjects of agreement as well. The prohibition on emplacement or fixing should be aimed not only at the weapons themselves but also at launching platforms or delivery systems for such weapons.

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E.O. 12958 Sec. 3.5  
NLJ-S-99001

By Jpw NARA, Date 5-2-02

~~SECRET~~

June 19, 1968

MEMORANDUM FOR MR. ROSTOW

Subject: Seabed Item for Today's Luncheon Meeting

There is now agreement among Sec. Clifford, Gen. Wheeler, Nick Katzenbach, and Bill Foster on a statement to the UN Ad Hoc Committee announcing our willingness to consider an international agreement not to emplace or fix nuclear weapons on the seabed. The specific language of the statement is:

The United States is prepared to enter into serious discussions at an international forum such as the ENDC in order to consider the possibility of an appropriate international agreement pursuant to which each party would agree not to emplace or fix nuclear weapons or other weapons of mass destruction on, within, beneath or to the seabed beyond a narrow band along its coast and up to the coast of any other state. The width of this narrow band would be determined by negotiation. The prohibition on emplacement or fixing should be aimed not only at the weapons themselves but also at launching platforms or delivery systems for such weapons, and should be subject to agreement on the appropriate means of verification.

This language differs from that previously recommended by Sec. Rusk in that it commits us "to consider the possibility of" rather than "to achieve" an agreement and, more importantly, requires that it "should be subject to agreement on the appropriate means of verification."

Yesterday, the Soviets gave us the attached resolution, which they intend to introduce tomorrow (June 20), requesting "the ENDC to consider the question of the prohibition of the use of the seabed and the ocean floor beyond the limits of territorial waters for military purposes as an urgent matter."

I think that the proposed US statement is probably the best compromise position one could hope for at this time. It will allow us to begin

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DECLASSIFIED  
E.O. 12058 Sec. 3.5  
NLJ-S-98001  
By Jaw, NARA, Date 5-2-02



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negotiations in the ENDC. It should be recognised, however, that this simply defers the basic issue as to whether we are prepared to make an agreement on the basis of unilateral verification. The Chiefs will be free to argue that present or foreseen unilateral (or international) verification techniques are inadequate to permit any form of agreement. If we are to make any progress on this proposal, I believe our position on the verification issue will have to be faced before the ENDC resumes in mid-July.

It should be recognised that, in approving this approach, the President will in effect be giving up an opportunity to make a major arms control initiative that would be a natural follow-on to the NPT. In addition, we may be giving the initiative in this area to the Soviets. The issue for the President, therefore, is whether achieving internal agreement on a position that will permit the initiation of negotiations and defer a major issue with the Chiefs (and Sec. Clifford?) is more important than deciding the issue now so that we can make a major arms control initiative now to maintain the momentum of the NPT.

Spurgeon Keeny

Attachment:

USUN 5662, dtd 6/18/68, on  
Seabeds: Soviet Disarmament Proposal

cc: CEJohnson ✓  
NDavis

~~SECRET~~

# Soviet Proposal

~~CONFIDENTIAL~~

Unofficial translation

12

## DRAFT RESOLUTION ON THE PROHIBITION OF THE USE OF THE SEA-BED AND THE OCEAN FLOOR BEYOND THE LIMITS OF TERRITORIAL WATERS FOR MILITARY PURPOSES

### The General Assembly,

Referring to its resolution 2340 (XXII) which pointed out to the importance of preserving the sea-bed and the ocean floor and the subsoil thereof from actions and uses which might be detrimental to the common interests of mankind and to the need for their exploration and use in accordance with the principles and purposes of the Charter of the United Nations, in the interest of maintaining international peace and security and for the benefit of all mankind,

Recognizing the need to take steps to prevent the arms race from spreading to the sea-bed and the ocean floor,

1. Solemnly calls upon all states to use the sea-bed and the ocean floor beyond the limits of the territorial waters of sea states exclusively for peaceful purposes;

2. Requests the 18-Nation Disarmament Committee to consider the question of the prohibition of the use of the sea-bed and the ocean floor beyond the limits of territorial waters for military purposes as an urgent matter.

DEPARTMENT OF STATE

Washington, D.C. 20520

13

June 21, 1968

Mr. Charles Johnson  
National Security Council  
Executive Office Building

I think you will find interesting the analysis in Part VI regarding positions taken by various countries in the GA on arms control.

Gerald B. Helman  
IO/UNP



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
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A/AC.135/12  
7 June 1968

ORIGINAL: ENGLISH



AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN  
FLOOR BEYOND THE LIMITS OF  
NATIONAL JURISDICTION

SUMMARY OF VIEWS OF MEMBER STATES

Working paper prepared by the Secretariat as requested by the  
Chairman of the Ad Hoc Committee at the ninth meeting

Contents

- I. Introduction
- II. Question of the definition of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of present national jurisdiction
- III. Question of the declaration of principles by the General Assembly
- IV. Questions relating to the establishment of a legal régime
- V. Question of the avoidance of national claims and activities which might prejudice the international character of the area
- ✓ VI. Questions relating to the reservation of the area for exclusively peaceful purposes
- VII. Questions relating to the development of the resources of the area for the benefit of mankind
- VIII. Questions relating to the conservation of resources and the dangers of pollution from radio-active and other wastes
- IX. Questions relating to international scientific co-operation
- X. Other questions relating to the Committee's mandate, future machinery for considering the question and the need for co-ordination

Appendix. List of statements by Members (including references to meetings and documents in which expressed)

VI. Questions relating to the reservation of the area for exclusively peaceful purposes

A considerable number of Members specified their support of the principle that the sea-bed and the ocean floor beyond the limits of present national jurisdiction should be used exclusively for peaceful purposes and endorsed the view that the use of the ocean bed for military ends should be prevented.

Some Members considered that that principle should be stated by the General Assembly in a declaration of principles or in a resolution.<sup>1/</sup> (Chile, First Committee, 1526th meeting; Cyprus, First Committee, 1530th meeting; Ghana, First Committee, 1526th meeting; India, First Committee, 1530th meeting, Ad Hoc Committee, 7th meeting; Malta, First Committee, 1516th meeting; Pakistan, Ad Hoc Committee, 8th meeting; Somalia, First Committee, 1525th meeting, Sweden, First Committee, 1527th and 1542nd meetings, Trinidad and Tobago, First Committee, 1526th meeting; United Arab Republic, First Committee, 1528th meeting; United Republic of Tanzania, First Committee, 1527th meeting). It was suggested that if agreement could not be reached on a series of regulating principles, it would be helpful to state in a resolution that one of the aims towards which the future work of the Assembly should be directed was the reservation of the area exclusively for peaceful purposes (Mexico, First Committee, 1529th meeting).

Another formulation was suggested in the Ad Hoc Committee: that the General Assembly should express its support in principle for the prohibition of the use for military purposes of the sea-bed beyond the limits of national jurisdiction (USSR, Ad Hoc Committee, 3rd meeting). Support was expressed for this suggestion (Poland, Ad Hoc Committee, 6th meeting; United Arab Republic, Ad Hoc Committee, 8th meeting). One Member supported the idea of elaborating a binding declaration which would bar the ocean floor to military purposes (Czechoslovakia, Ad Hoc Committee, 7th meeting).

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<sup>1/</sup> See also references below to the body or bodies which should study such action.

It was also suggested that the report of the Ad Hoc Committee to the Assembly's twenty-third session might include a recommendation for the conclusion of an international convention embodying the principle of exclusive reservation for peaceful purposes of the sea-bed and ocean floor (Iceland, views of Governments, A/AC.135/1/Add.8).

The establishment of this principle in the formulation of an international régime for the area (see section IV) or in a treaty to govern its use was also emphasized (Denmark, views of Governments, A/AC.135/1/Add.2; Finland, views of Governments, A/AC.135/1/Add.6; Liberia, First Committee, 1528th meeting; Malta, First Committee, 1516th meeting; United Arab Republic, First Committee, 1528th meeting).

Many Members referred to the experience gained in connexion with the Declaration and the Treaty on Outer Space as well as the Antarctica Treaty of 1959 as offering valuable precedents (Argentina, First Committee, 1543rd meeting; Belgium, First Committee, 1529th meeting; views of Governments A/AC.135/1; Chile, First Committee, 1526th meeting; Denmark, views of Governments, A/AC.135/1/Add.2; Finland, views of Governments, A/AC.135/1/Add.6; Ghana, First Committee, 1526th meeting; Iceland, Ad Hoc Committee, 3rd meeting; India, First Committee, 1530th meeting, Ad Hoc Committee, 7th meeting; Japan, Ad Hoc Committee, 5th meeting; Norway, views of Governments, A/AC.135/1; Romania, Ad Hoc Committee, 6th meeting; Somalia, First Committee, 1525th meeting; United Arab Republic, First Committee, 1528th meeting).

Some of these Members cited specific clauses of these treaties as offering useful guidance: article 4 of the Treaty on Outer Space (Denmark, views of Governments, A/AC.135/1/Add.2; Norway, views of Governments, A/AC.135/1); articles I (affirmation of principle), V (nuclear explosions), VII (supervision) and X (contrary activities) of the Antarctica Treaty (Belgium, views of Governments, A/AC.135/1).

Some Members, however, expressed doubts concerning the similarity of the problems of those areas to those involved (Italy, First Committee, 1528th meeting; Liberia, First Committee, 1528th meeting).

It was emphasized that the arms control and security aspects of the problem required thorough consideration (Australia, Ad Hoc Committee, 7th meeting; Belgium,

/...

First Committee, 1529th meeting; France, First Committee, 1526th meeting; Netherlands, First Committee, 1525th meeting; Yugoslavia, First Committee, 1529th meeting).

It was said that it was necessary to seek effective arms control measures as part of the evolving law of the deep ocean floor; their development, it was suggested, should come under the mandate of a proposed Committee on the Oceans (United States, First Committee, 1524th meeting). It was stated that a code of law would have to be drawn up to govern the peaceful use of the ocean deeps (USSR, Ad Hoc Committee, 3rd meeting), and that the establishment of a legal régime for the area should in the end result in having the area and its resources reserved exclusively for peaceful purposes (Yugoslavia, First Committee, 1529th meeting).

It was suggested that it would be necessary to clarify and consider the implications of the terms "peaceful use" as used in General Assembly resolution 2340 (XXII) (Canada, views of Governments, A/AC.135/1; Italy, views of Governments, A/AC.135/1/Add.2). In studying the implications for international peace and security of the peaceful use of the deep ocean floor, the Ad Hoc Committee, it was suggested, should consider: (1) the relationship of the deep ocean floor to the marine environment as a whole and to the present political and security situation; and (2) the principles which might best assure that exploration and use of the deep ocean floor will be conducted in accordance with the principles and purposes of the Charter and will help maintain international peace and security (United States, views of Governments, A/AC.135/1).

It was suggested that the questions involved might be considered in:

(1) A standing committee, which some Members were in favour of establishing at the twenty-second session of the Assembly (Chile, First Committee, 1526th meeting; Malta, First Committee, 1516th meeting; Netherlands, First Committee, 1525th meeting; United Kingdom, First Committee, 1524th meeting; United States, First Committee, 1524th meeting);

(2) The Ad Hoc Committee, after this was established (Japan, views of Governments, A/AC.135/1/Add.3; Madagascar, views of Governments, A/AC.135/1; Malta, Ad Hoc Committee, 4th meeting; Norway, Ad Hoc Committee, 6th meeting; Sudan, views of Governments, A/AC.135/1; USSR, Ad Hoc Committee, 6th meeting; United Republic of Tanzania, Ad Hoc Committee, 7th meeting; United States, First Committee, 1542nd meeting, views of Governments, A/AC.135/1);

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(3) The Eighteen-Nation Committee on Disarmament (Australia, Ad Hoc Committee, 7th meeting; Italy, First Committee, 1528th meeting, Ad Hoc Committees, 7th meeting; Hungary, First Committee, 1544th meeting; Netherlands, First Committee, 1525th meeting, views of Governments, A/AC.135/1; Poland, Ad Hoc Committee, 6th meeting; United Kingdom, First Committee, 1524th meeting; USSR, Ad Hoc Committee, 3rd meeting).

Some Members suggested that both the ENDC and the proposed standing committee or the Ad Hoc Committee should be concerned. It was suggested that the Committee on the Oceans should co-operate with the ENDC (United States, First Committee, 1524th meeting); that following preliminary discussion of arms control problems in the proposed committee, there would be a useful role for the Eighteen-Nation Committee on Disarmament to play in studying the disarmament implications (United Kingdom, First Committee, 1524th meeting); that the Ad Hoc Committee might draw upon the valuable experience and work of the Eighteen-Nation Committee on Disarmament (Norway, views of Governments, A/AC.135/1).

The view was also expressed that the question of the peaceful use of the area had to be considered in the context of the whole problem of disarmament (France, First Committee, 1526th meeting; Australia, Ad Hoc Committee, 7th meeting; Italy, First Committee, 1528th meeting, Ad Hoc Committee, 7th meeting; United Kingdom, First Committee, 1524th meeting). It was stated that disarmament, primarily nuclear disarmament, would once and for all remove the danger of the ocean floor and the sea-bed being used for military purposes (USSR, First Committee, 1525th meeting, Ad Hoc Committee, 3rd meeting). It was suggested, however, that partial measures might be considered where those seemed to offer a possibility of progress (Austria, Ad Hoc Committee, 6th meeting; Australia, Ad Hoc Committee, 7th meeting).

Some Members emphasized that the military aspects of the question needed to be dealt with urgently (Austria, Ad Hoc Committee, 6th meeting; Chile, First Committee, 1526th meeting; Malta, First Committee, 1515th meeting; Sweden, First Committee, 1527th meeting).

Further studies to assist the Ad Hoc Committee in considering the question were suggested: a document on the present and clearly foreseeable technology for the military exploitation of the area (Malta, Ad Hoc Committee, 4th meeting); a study

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of the most suitable and effective means of ensuring that the sea-bed and subsoil underlying the high seas are used exclusively for peaceful purposes, and that the installation of nuclear weapons in them is expressly prohibited (Mexico, First Committee, 1529th meeting; views of Governments, A/AC.135/1); a study of the work of the ENDC with regard to the area (Norway, Ad Hoc Committee, 6th meeting).

It was also suggested that the Ad Hoc Committee should take up the question of the movement of submarines at increasingly great depths and measures for supervising their temporary stationing (Madagascar, views of Governments, A/AC.135/1) and that it should study the possibility of recommending ways and means by which the United Nations can forestall the development of international tension resulting from the appropriation of the area for military purposes (Sudan, views of Governments, A/AC.135/1). It was stated that the installation of nuclear weapons and other weapons of mass destruction and the establishment of military bases should be prohibited; the question as to whether military manoeuvres and test explosions should be allowed should be thoroughly studied (Norway, views of Governments, A/AC.135/1). The possible installation of nuclear weapons on the bed of the sea and other uses of the ocean floor for warlike purposes, it was held, warranted study and solution by the General Assembly; there was a need for an express prohibition on the use of the sea-bed and ocean floor for warlike purposes or for the stationing of weapons of mass destruction (Ecuador, First Committee, 1528th meeting). It was also stated that researches into the nature of the work of other United Nations bodies should enable the Committee to determine whether States or groups of States had been exercising military or quasi-military activities in that region, and to recommend to the General Assembly that any activity of a military character should be banished from the area and to States that they retreat from any propensity for such military exercises (United Republic of Tanzania, Ad Hoc Committee 7th meeting).

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# Department of State

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TELEGRAM

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SEA-BEDS--PEACEFUL USES

1. LEGAL WORKING GROUP ADOPTED WORK PROGRAM ESSENTIALLY AS PROPOSED BY CHAIRMAN BENITES PLACING RESERVATION OF SEABED EXCLUSIVELY FOR PEACEFUL PURPOSES HIGH ON WORKING GROUP'S AGENDA. USSR DID NOT REPEAT NOT OBJECT TO THIS PROCEDURAL ACTION DESPITE PREVIOUS PREFERENCE FOR RESTRICTING SUBJECT TO FULL COMMITTEE, AND MAY BE PLANNING TO POUND AWAY ON PEACEFUL USES IN BOTH FULL COMMITTEE AND LEGAL WORKING GROUP.

2. AT CAUCUS OF FRIENDLIES FOLLOWING MEETING, AUSTRALIA, ITALY, NORWAY, ICELAND, FRANCE, CANADA AND AUSTRIA, IN PARTICULAR, PRESSED US ON ABSENCE OF ANY STATEMENT REGARDING PEACEFUL USES IN DRAFT DECLARATION OF PRINCIPLES. CONSENSUS SEEMED TO BE THAT IT WAS IMPERATIVE FOR WEST TO HAVE ITS OWN FORMULA ON QUESTION OF PEACEFUL USES. OTHERWISE, IT WAS INEVITABLE THAT AD HOC COMMITTEE AND LATER THE UNGA WOULD ADOPT SOVIET FORMULATION. MOREOVER, ANY CONSTRUCTIVE PROPOSALS WEST MIGHT HAVE ON OTHER ASPECTS, INCLUDING EXPLOITATION OF RESOURCES, WOULD BE OVERSHADOWED BY SILENCE ON WHAT MOST COUNTRIES REGARDED AS DOMINANT ISSUE. NOT LEAST EFFECT WOULD BE TREMENDOUS PROPAGANDA DEFEAT FOR WEST AND CORRESPONDING VICTORY FOR SOVIET BLOC. NORWEGIAN DEL. WARNED THAT ANY FORMAL SUBMISSION BY US OF PROPOSED DECLARATION OF LEGAL PRINCIPLES WHICH FAILED TO DEAL WITH ARMS CONTROL COULD MEET WITH VIOLENT REACTION FROM MAJORITY OF COUNTRIES. DAMAGE TO WESTERN POSITION GENERALLY, AND NOT JUST US POSITION, WOULD BE GREAT.

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By 201w, NARA, Date 5-2-02



Department of State

TELEGRAM

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3. SEVERAL WESTERN DELS IN PRIVATE REMARKS TO DELOFFS IMPLIED THAT US SILENCE ON SEABED ARMS CONTROL QUESTIONS AT THIS TIME IS STRANGE CONTRAST WITH PRESIDENT'S NPT STATEMENT LAST WEEK THAT US WOULD PROMPTLY AND VIGOROUSLY PURSUE NEGOTIATIONS ON EFFECTIVE MEASURES TO HALT NUCLEAR ARMS RACE.

GOLDBERG

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~~SECRET~~

June 22, 1963

MEMORANDUM FOR THE ACTING SECRETARY

Through: S/S

From: IO - David H. Popper  
L - Leonard C. Mecker

Subject: Arms Control on the Seabed -- INFORMATION  
MEMORANDUM

On June 20, the USSR introduced in the United Nations Ad Hoc Seabeds Committee its draft resolution under which the General Assembly would call upon all States to use the seabed beyond the territorial waters exclusively for peaceful purposes, and request the ENDC to consider urgently prohibition of use of the seabed beyond territorial waters for military purposes.

United States representatives, lacking a position on arms control in relation to this new environment, have made no mention of this subject. Ambassador Mendeleovich on Thursday called attention to this omission on our part in the Legal Group in New York.

It is plain from the proceedings in New York thus far during the current meetings that there will be strong support for the Soviet proposal. Yesterday in a procedural discussion during which we joined with the U.K., Australia and the USSR to try to deemphasize the arms control question in the Legal Group, we ran into determined opposition from non-aligned countries. The Soviets promptly caved, and the end result was that arms control was placed expressly on the Legal Group's agenda.

Subsequently, we had a meeting with NATO allies and other Western countries, in the course of which their

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representatives stressed that there was a most serious deficiency in the U.S. position. So long as we had nothing persuasive to say on arms control, they told us we would be in great difficulty, and indicated that they could not go along with a totally negative attitude on the arms control question. Norway, Iceland, Canada and France were among those who pressed us on the issue.

We foresee the following as likely to take place if we continue on our present course without change:

- a. The Soviets will make all the political hay they can out of this issue and emphasize U.S. isolation on it.
- b. The Soviets will press their resolution, and it will be supported by a large majority.
- c. If the United States simply opposes the Soviet resolution and seeks to have it rejected on the ground that it is not acceptable to all members of the Ad Hoc Committee, the consensus procedure on which the Committee has been proceeding is likely to break down; some members will press for a vote, and in the voting our position would be decisively defeated; loss of the consensus procedure over the arms control issue could be very harmful to us on a number of other questions having substantial importance to the United States (e.g., elements of an international regime to govern economic exploitation of the seabed).
- d. In the absence of the United States developing a persuasive substantive position on arms control, the passage of time will not help us; the issue will not recede in importance, and we will face mounting political losses -- at another meeting of the Ad Hoc Committee this summer, at the General Assembly this fall, and in the ENDC.

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We believe it is indispensable for the United States to be able to express some views on seabed arms control that are consistent with our past statements and general posture on disarmament. If we are able to do so at an early date, we may still be able to work out a procedural reference of the whole subject to the ENDC. However, this will not be possible without some language by which U.N. members would express an affirmative interest in seabed arms control. If it is not feasible to secure approval within the Government of a position along the lines of that which was recently recommended to the President, we think the following ought to be considered as a formula: The United States is dedicated to workable arms control measures that will enhance the peace and security of all nations and bring the world nearer to general and complete disarmament. We propose that the ENDC be asked to take up the question of arms control on the seabed with a view to the elaboration of an effective international agreement. It is our aim to prevent the spread of the arms race to this new environment.

We could then support a resolution in the United Nations calling for negotiation in an appropriate forum (probably the ENDC) of an effective agreement designed to prevent the spread of the arms race to the seabed and ocean floor.

If we have a proposal of our own to work for in the United Nations, it should be possible to secure some such reference of the subject matter (and of the Soviet and U.S. proposals) to the ENDC. Without having something of our own to work with, we face a series of growing difficulties that can only end by our being in a substantially disadvantaged position.

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IO:DHPopper/L:LCMeeker:mjb

UNITED STATES MISSION  
TO THE UNITED NATIONS

FOR RELEASE ON DELIVERY  
CHECK TEXT AGAINST DELIVERY

Press Release USUN-101(68)  
June 20, 1968

Statement by David H. Popper, United States Representative to the  
Ad Hoc Committee to Study the Peaceful Uses of the Sea-Bed and  
Ocean Floor Beyond the Limits of National Jurisdiction, June 20, 1968.

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When this Committee adjourned its first session on March 27,  
its work might be said to have been at the end of the beginning.  
The Committee had organized itself, reviewed the requirements laid  
upon it in General Assembly Resolution 2340(XXII), heard and  
discussed the views of many Members regarding the problems of the  
deep ocean floor, and heard our Chairman's statement regarding its  
work program for the period prior to the next regular General  
Assembly meeting.

Now we are pressing on with that work program. Our representa-  
tives on the two Working Groups of the Committee are engaged in  
their tasks. Already certain problems and issues are beginning to  
emerge as those which will require our attention in the period ahead.

What is needed now is hard analysis, the selection of areas  
for priority consideration, and the preparation of Working Group  
reports which will trace out paths along which the General Assembly  
may wish to proceed. The informality and concentration of effort  
possible in the Working Groups should facilitate this process.

At the end of the series of meetings we are now holding, one  
would hope to have in hand reports from each Working Group which  
the Ad Hoc Committee might agree to have included in or attached to  
its own report to the General Assembly. This could be determined  
either at the end of our present session or at our next meeting in  
late August.

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## II

As the Committee and its Working Groups proceed, their members will no doubt bear in mind certain relevant aspects of the current situation.

First, that while our knowledge of the oceans is still limited, interest in the potentialities of the sea-bed and the ocean floor is rapidly increasing all over the world; and that international cooperation in exploring and realizing these potentialities is highly desirable.

Second, that this Committee can play a key role in stimulating such cooperation. It can be a vehicle for identifying problems and for seeking agreed solutions.

Third, that as to the legal elements of the subject, the Committee through the Legal Working Group should determine those matters which may call for international consideration at the first stage, and those which should be taken up at a later date. My Delegation believes that we are ready now to begin consideration of guidelines or principles so that the exploration and use of the deep ocean floor may proceed in as orderly a manner as possible. The U.S. Representative in the Legal Working Group discussed this subject in some detail this morning.

Fourth, that if legal arrangements are to be created for this environment, they must rest on an accurate appreciation of both the physical features of the sea-bed and the technical and scientific capabilities for exploration and exploitation -- as these capabilities exist now, and as they may be expected to improve in the future. These are questions of fact and informed judgment, requiring expert advice and analysis which we may expect to obtain through the Technical and Economic Working Group.

Fifth, that all members of the United Nations have a stake in our deliberations. At the same time, Members differ widely in their command of technical resources in this field and in their capacity to provide assistance.

Sixth, that the only practical means of attaining lasting cooperation in all these matters is through a search for general agreement on every important point.

## III

Members of the Committee will recall that at our March meetings I brought to its attention President Johnson's proposal for an International Decade of Ocean Exploration. The General Assembly resolution which established this Committee asked it to consider practical steps for international cooperation in the exploration of the ocean floor. The progress of the Decade proposal should therefore be of direct interest to the Committee.

Over the past three months the United States has discussed this far-reaching proposal for international cooperation with representatives of many governments. A report has been prepared by the U.S. National Council on Marine Resources and Engineering

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Development, which elaborates on the concept of the Decade as we have conceived it. Copies of the report have been made available to the Members of this Committee.

In proposing the Decade, President Johnson suggested that it could:

- "expand cooperative efforts by scientists from many nations to probe the mysteries of the sea;
- increase our knowledge of food resources, to assist in meeting world-wide threats of malnutrition and disease;
- bring closer the day when the people of the world can exploit new sources of minerals and fossil fuels."

Topically, we consider that the projects undertaken under such a program might fall into four separate areas:

(1) The Exploration of Living Resources. I need not elaborate here on the need to develop future sources for food for the world's growing population. By learning to harvest the edible resources of the sea, we may help to save millions of people from needless hunger or malnutrition.

(2) Exploration of the Ocean Floor. The acquisition of greater knowledge of the geology, mineral content and geography of the deep ocean floor is of direct importance to this Committee and in particular to its Technical and Economic Working Group. Such scientific activity can provide information on the nature, availability and distribution of mineral resources. It can stimulate the development of technology for the exploitation of those resources.

(3) Exploration of Ocean Processes. Studies in this area will add significantly to our scientific knowledge of the motion of the sea and its dynamics; the inter-action of the air and the sea; and the evolutionary processes of ocean basins. This should provide us with better ocean and weather forecasting services, which are essential for optimum exploration and exploitation.

(4) Assistance to Developing Nations. Although the proposal for ocean exploration covers more than simply the sea-bed, this particular aspect is of direct concern to this Committee. Assistance to the developing nations could involve mapping of selected areas of the continental shelf and surveys of resources. Perhaps even more important in the longer term would be the possibility afforded for participation by developing countries. We would hope that through a sharing of effort, developing countries would soon be able to construct national programs of their own in the marine sciences and train the experts necessary to operate such programs.

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## IV

Some representatives have quite legitimately asked what purposes can be served by an International Decade of Ocean Exploration which are not already accomplished by existing ocean science programs. As we see it, the action we have in mind pursuant to the Decade concept would include more than simply an expansion of existing international cooperative efforts, although it would of course build on the many successful programs already initiated. Among other things, the Decade would:

First, provide for long-term, continuous exploration activities on a world-wide basis, pursuant to a sustained planning process in which a prominent role would be played by some international planning body concerned with priorities and goals.

Second, accelerate activities directed toward the discovery and exploration of ocean resources to complement the existing emphasis on scientific activities.

Third, encourage greater participation by the less developed countries as well as developed countries.

Fourth, place greater emphasis on training and education programs, particularly as regards the training of specialists from developing countries.

Fifth, produce major improvements in data exchange, including that undertaken on a regional basis, and in standardization of instruments for measuring ocean phenomena.

Sixth, look toward more effective coordination of the activities of participating international organizations, and of Member States.

The representatives of certain Members of this Committee participated last week in the London meetings of the Bureau and Consultative Council of the Intergovernmental Oceanographic Commission. They engaged in a discussion concerning the International Decade of Ocean Exploration and related matters.

A recommendation adopted by the Bureau recognized the importance of long-term research programs concerning the oceans. The recommendation declares that the Bureau "considered the proposal of the USA for an International Decade of Ocean Exploration as a useful initiative for broadening and accelerating such investigations and for strengthening international cooperation." Continuing, the Bureau "endorsed the concept of an expanded, accelerated, long-term, and sustained program of exploration of the oceans and their resources, including international programs, planned and coordinated on a worldwide basis, expanded international exchange of data from national programs, and international efforts to strengthen the research capabilities of all interested nations".

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This recommendation seems to us to march in the same direction as the points made by the Secretary General in his report to the General Assembly pursuant to R solution 2172 (Document E/4487 at page 76). The Secretary General envisions an expanded program of international cooperation to assist in a better understanding of the marine environment through science. The recommendations he makes to the General Assembly are fully consistent with the concept of an International Decade. We note that he suggests an important role for the intergovernmental Oceanographic Committee.

Based on the discussions we have had and are continuing to have with others, we hope that a common approach may be developed which will enable this Committee, together with other interested international bodies, to make specific proposals with respect to this long-range scientific enterprise, for consideration by the 23rd UN General Assembly this fall. Such proposals might appropriately consider the period between now and 1970 as a time for initial planning activities, with the implementation phase beginning thereafter.

We would be interested in the reactions of other delegations to our thoughts on this subject.

#### V

However we may proceed with respect to the International Decade of Ocean Exploration, there seems no doubt that in the period ahead there will be increased activity of various kinds in the deep oceans. This will result in a continuing increase in the scale of exploration of the deep ocean floor.

In these circumstances it seems to us important that the international community take action soon looking toward the preservation of certain virgin marine areas for general scientific purposes and for the preservation of existing international marine life.

In such marine areas no activities would be permitted which would impair their value for scientific exploration, research or study. Preservation in an unmodified state of characteristic marine features such as a deep ocean trench, a group of sea mounts, and uninhabited coral atolls would provide ecological baselines to serve as a basis for comparison in future investigations of the oceans. International arrangements to this end would be a graphic demonstration of the international character of the oceans and the seabed, and of the potential for cooperation in the marine sciences. For this reason, my delegation believes that it would be appropriate for this Committee to consider this subject in formulating its recommendations to the General Assembly.

MORE

We believe that ultimately it might be desirable to establish formal treaty arrangements guaranteeing the preservation of selected marine wilderness areas. However, it might be sufficient to start with a General Assembly resolution requesting all States and their nationals to respect the virgin quality of certain designated areas, to refrain from commercial exploitation or other activities in those areas that might impair their value for scientific purposes, to avoid unnecessary collection of specimens and to cooperate in international scientific investigations within the preserves. The exercise of freedoms of the seas that did not impair the scientific value of the preserve area, including the freedom of air and sea navigation, would not be affected.

For its part, the United States would be prepared to make Rose Island, an uninhabited coral atoll in the South Pacific Ocean owned by the United States, available for use in connection with marine preserves. We would propose that certain areas of particular interest, such as the floor of the Kermadec-Tonga Trench and one or more undersea tablemounts in that area, together with the immediately superjacent waters, be similarly regarded as international marine preserves.

If members of the Committee find this proposal of interest, the United States would be pleased to present it in a more formal and specific form.

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ADDRESS BY THE HONORABLE ROBERT A. PROSCH, ASSISTANT  
SECRETARY OF THE NAVY FOR RESEARCH AND DEVELOPMENT, AT  
THE SECOND MERSHON-CARNEGIE ENDOWMENT CONFERENCE ON LAW,  
ORGANIZATION AND SECURITY IN THE USE OF THE OCEAN,  
7 OCTOBER 1967

INTRODUCTION -

*Ann  
Lentini* *file*

"Military Uses of the Ocean" is an exceedingly broad and complex subject. In presenting some of the present day manifestations of military use of the sea, together with some of the legal problems, oceanographic implications, and future thinking I want to take a quite strictly military view, that is, to present the subject from the point of view of National Security viewed fairly narrowly in terms of the protection of the United States in its present circumstances. This can provide a firm background for discussion both by introducing these views and possibly by throwing down some gauntlets. There are, of course, other non-military interests of the United States which must be taken into account in the formulation of national policy. I will put some emphasis on the technical background requirements of the military uses.

In order to develop the rationale behind military use of the sea, it would be well to first discuss it in a general sense based on taxonomy of military uses.

Many military uses of the ocean stem from general uses of the ocean: Where man goes his problems go, where man's problems go his conflicts go, and where man's conflicts go his military forces follow. A second class of military uses of the ocean stem from special properties of the ocean, including the fact that there is no sovereignty there, the fact that the sea provides special kinds of concealment, and the fact that it is an arena generally empty of human population concentrations. A third class of military uses stems from uses generated in response to the military uses called out by the first two classes, and by those in the third class. (I fold the third class into itself to avoid a useless sequence.)

*Antarctica  
&  
Space*

In the first class (military uses generated in response to non-military uses) we find policing problems, including the protection of our own shipping, fishing, shores, and property at sea.

In the second class (military uses generated from special properties of the sea) we may put deterrence forces,

sea based forces for attacks on foreign shores, and forces based at sea for surveillance of foreign activities. The ocean is also used as a convenient place for testing of some military systems.

In the third class (military uses generated by other military uses) we may put anti-submarine warfare (ASW), air defense of and attacks on fleets, submarine attacks on fleets, surveillance of military forces, etc. We also include here the problem of providing the scientific and technological basis for military use of the sea.

The remainder of this paper will describe some of the particular uses and consequences in a general way, to try to provide some basic information on military interests in the oceans.

#### Some Specific Military Uses of the Sea

In general, the United States Navy may be considered to be made up of Strategic Deterrent Forces (class two), Anti-Submarine Warfare Forces (class three), and Tactical Forces (all three classes).



The first basic force structure is the Strategic Deterrent Forces, in particular, our Fleet Ballistic Missile submarines. The success of the POLARIS program as a major component of our national strategic deterrence system, has thrust the POLARIS submarine to the fore. POLARIS, with a high degree of invulnerability, has become a cornerstone of the Nation's strategic forces. This submarine system relies on the ability to hide in the ocean for its invulnerability. It is a flexible system and highly mobile. In many ways it would appear to be an ideal deterrent to nuclear warfare for a long time. The mobility aspect can only be limited by further limitation on use of the sea.

Future design of sea based deterrents following POLARIS/POSEIDON may take many forms. Underwater silos, for example, are a possibility. Should that be so it may be that the maritime nuclear powers would like to keep the continental shelves and deep ocean available for some use by such military systems. This, however, would not necessarily be a bar to use of these areas or the ocean bottom also for exploration and exploitation of natural resources.

The next major subdivision of Naval forces is the Anti-Submarine Warfare Forces. The submarine threat to the United States has been and is expected to remain a very serious consideration in defense planning. The Soviet Union now has a large submarine force consisting both of nuclear and non-nuclear ships. This force is being modernized and increased in size on an intense scale. Red China has built a sizeable submarine force (third largest in terms of operational ships in world), and even smaller powers such as North Korea and Egypt have conventionally-powered submarine forces.

The submarine threat jeopardizes both our naval forces and our merchant shipping. In addition, the missiles carried by foreign submarines can also strike a significant portion of continental United States with nuclear weapons. To counter this, the country now spends several billion dollars annually in developing and operating anti-submarine forces. When one looks at the anti-submarine warfare problem from a military standpoint, serious dilemmas are posed. The problem of protection against a ballistic missile threat is especially serious since a large portion of the ocean is

available for deployment. Continuous surveillance is required to minimize the danger of surprise attack.

Area surveillance is extremely difficult. Even if it were possible to erect barrier lines which could count and identify every submersible which passes, these would soon be lost in the vast ocean expanse on the other side of the barrier. One possible solution that might be posed is continuous tracking. If a transit through a barrier line were to occur, friendly forces might conceivably follow the potential aggressor. This tactic, however, may prove to be both technically and operationally difficult. Indeed, it is doubtful if the tactic would be of value after discernment of our intentions by other submersibles.

There is a temptation to look for a legal principle which permits the use of a barrier. The idea comes to mind that a power could prevent penetration of an announced barrier by military submersibles. This rule would be akin to the blockade rule, which requires both announcement and

the necessary power to enforce it. This rule, however, would be a two-edged sword. It would be highly destabilizing to other free uses of the sea.

The alternatives then would appear to be to conduct intensified attempts to track or to conduct effective area surveillance. If the latter effort is undertaken another problem arises. This would be the perfection and deployment of the sensing elements. The rules for military use of the sea should not forbid installations on the ocean bottom for the detection of submarines.

Between the closing of a portion of the seas to military submarines and maintaining the freedom of the seas for both deployment and surveillance, the latter appears the more attractive course from the point of view of our defense. This choice is heavily conditioned by the fact that United States has free access to the seas and a large stake in maintaining free movement on and in them.

The case of the submarine armed with nuclear missiles is a serious consideration from the standpoint of protection

of national interests. Certain policies which might favor our military and our defense systems in this respect, are: The rules should not deny freedom of the seas for deployment of strategic forces by all nations. The rules should not deny freedom of the seas for deployment of strategic detection and warning devices. Future developments of international agreements should allow use of the ocean surface, the air and space above it, and the ocean bottom for warning devices.

Tactical Naval Forces are made up of many elements including Strike aircraft and their carriers, amphibious craft, mine warfare forces, shore bombardment ships, forces for fleet defense and logistic support ships.

The use of the oceans as a base for mobile airfields for air attack against land and sea targets, as well as for ASW search planes is an important military use of freedom of surface movement on the seas. In a sense these carriers can be viewed as either strategic or tactical depending on how they are deployed and used. They must be accompanied by forces intended for their protection and logistic replenishment.



The United States has developed and practiced amphibious warfare a great deal. This form of warfare has been required by conflicts on foreign shores particularly those involving allies. This projection of force sometimes, however, can have the concomitant advantage to the United States of keeping conflicts remote from our national boundaries. This, too, is a use of the oceans as a base for the projection of infantry and armored power ashore. These forces too must be protected, and generally require air cover.

Where the military presence of these forces have been invited no legal problems are raised by their deployment. But if the territorial seas of neighboring neutrals or potential hostile powers were to be unilaterally extended so that ambiguity existed or serious deployment interference resulted then political factors would have an impact on the conduct of the military campaign. For this reason extension of sovereignty to the extent that it denies freedom of military forces is inimical to the continuation of past tactical doctrines.

Mine Warfare is another area of concern. The moored mine, though designed to be fixed in a specific location, becomes highly hazardous when set adrift by the sea, or as a result of minesweeping or minelaying attempts. This problem has already resulted in legal restrictions covering the use of moored mines, the sanitation thereof, and the prohibition of free drifting mines. Bottom mines may be actuated by magnetic, acoustic, pressure influence, or communication from shore. The United States military position regarding the legal status of mines on such areas as the continental shelf beyond the territorial sea has been that they are property belonging to the owner.

The further extension of military capability to the seabed is a clear possibility. Saturation or extended diving operations, together with vehicles, sensors, and tools, will permit broader utilization of sea floor and may provide many military advantages. The right to deploy units on the sea floor in international waters for the purpose of inspecting for mines or other impediments to the legitimate exercise of the free seas in particular

seems useful. Extension of territorial limits and/or establishment of seabed sovereignty would threaten or limit this possibility.

One other military possibility to be noted specifically is protection of those engaged in exploitation of the sea. United States capital is unlikely to be risked unless it is United States policy to protect the investments against foreign or piratical invasions. This will be a Navy and/or Coast Guard mission.

In order to understand the military use of the oceans we must continually observe, measure and attempt to understand them.

#### Some Technological and Scientific Background to Military Use of the Sea

A knowledge of the various oceanographic conditions for the particular area involved is important if a naval operations are to be successful. Forecasting techniques, developed during World War II and refined in the years since,

have proven to be highly successful. In the planning stages of an amphibious landing for example, forecasts of tides, tidal currents, and surf conditions must be made. Since these conditions are affected by weather, meteorologists in conjunction with oceanographers are employed.

If wind velocities and directions can be accurately forecast, these can be translated into wave heights and ultimately into heights of surf. Wave and surf forecasting can be made if measurements have been made over a wide area days and weeks in advance and in remote locations. This combined with a careful study of the hydrography of the area will enable the forecaster to predict whether the landing craft will be hampered by the presence of rip currents and inshore currents. Finally a reconnaissance of the area by frogmen will aid in establishing the presence or absence of underwater obstacles, mines, sensors, pinnacles, rocks, shoals or coral heads.

Developments in oceanography and ocean engineering are important to the overall objective in mine warfare. Since the influence which sets off the mine and the destructive



force of the mine explosion are transmitted through the water, a knowledge of various water properties is necessary for intelligent employment of both mines and mine countermeasures. Until recently only areas with water depths shallower than 100 fathoms were considered to be mineable. Looking to the future the ability to work on the bottom raises the possibility that mines may be found in deeper water.

Many of the oceanographic problems related to submarine operations concern the use of sonar. For example, we have learned that changes in sound velocity can cause marked variations in detection zones and ranges. These changes cause the true position of a target and that shown by sonar to differ. Our limited knowledge about these changes makes the fire control problem more difficult than it should be. We require more understanding of the velocity and direction of sound through an entire water column.

The North Atlantic is an ocean space that requires priority attention. The Gulf Stream region along the east

coast of the United States possesses many imperfectly understood phenomena that affect ASW operations. We must investigate these phenomena and exploit them intelligently in order to gain advantages for our own forces.

The Mediterranean represents a unique array of various basins of sea water. The dynamics of the Mediterranean waters may well prove to be a miniature model of the circulation and mixing that occurs within and between the great seas. As in the Western Atlantic, it is militarily desirable that we know the maximum possible concerning ocean phenomena, its geographic locations, and seasonal variations that affect ASW operations in the vital Mediterranean area.

Our knowledge of the great currents and counter-currents at the surface, bottom and at various intermediate depths in the ocean is limited. We know that many great submerged currents do exist, but very little is known about their daily, seasonal, and annual variations. These variations affect the reliability of sonar detection and the effectiveness of anti-submarine warfare weapon systems. We also require more understanding of the relations between weather and the oceans, in order that an improvement in the accuracy of weather forecasting may result.

This required regular collections of oceanographic data in order that synoptic analyses and forecasts of oceanographic factors may be available for fleet operations, particularly anti-submarine warfare, in the same way that weather phenomena is now analyzed and forecast for air operations. For example, to support ASW forces, experimental synoptic sea surface temperature and mixed-layer depth charts are currently prepared by the Naval Oceanographic Office and Fleet Weather Central and transmitted to the Fleet via daily radio facsimile broadcasts.

The world weather maps that are now drawn at least four times daily are based primarily upon representative data from about twenty-five percent of the earth's surface (limited to land areas) and a small number of ocean stations. It is therefore advantageous to develop more ships, buoys, manned small submersibles and various instruments to measure ocean parameters, and it is desirable that we provide for the simultaneous collection of meteorological data as well.

The ability to monitor and survey the entire ocean is vital to ASW. ASW is, as practiced in World War II, a war of attrition, and in addition a strategic confrontation.

It may be characterized as the closest parallel that we have in the ocean to guerrilla warfare. In order to be able to combat guerrillas, one must be able to know their environment--where the trees and ravines are--and how they can be identified in an unknown hamlet. We have the same problem in the oceans. In order to find the "guerrilla," or in this case the submarine, we must, in addition to a good understanding of the oceans, know exactly how we can best take advantage of the ocean permeability to our benefit, and how a submarine will employ the medium to avoid us. And it is our task to concentrate on the area which he is employing to successfully detect, classify, localize, and remove him as a threat. In order to cope with the strategic threat it is important to learn the scope and characteristics of his deployment.

The effectiveness of the submarine-based missile force is highly contingent on concealment, dispersion, high mobility, and very long patrol time. It is precisely for this reason that key interests of oceanography and the Navy,



reflected in the development of the submarine-based strategic-missile force, have so much in common. With this relationship in mind the Navy instituted a special program of long-range research support for oceanography and intensified field studies by its own laboratories and ships.

#### A Remark on Arms Control

Since much of the sea is remote from population centers there are special desires and suggestions for arms control and arms limitations there. These desires and suggestions frequently have as their genesis the basis that this is an area for potential agreement and the assumption that such agreements cannot pose a material threat to national security. It has been suggested that there is some similarity between this concept and the limitations that have been imposed in Antarctica and outer space. On the other hand, in relation to general conflict management, it may prove most desirable to separate weapons from the populations and the sea could play a special role in this effort. The escalation potential of war at sea should be much less than war near civilian populations. Of course several nations already have the capacity to use the deep seas for military purposes, so that any effort to limit military uses will require the same sort of effective international control that is needed for other types of disarmament.

### Some Particular Legal Interests

In the field of International Law, there have been and will continue to be special military interests in the following areas:

1. Seaward extension of territorial waters and the contiguous zone. The United States has for years followed the principle of the three-mile limit. Some other nations, for economic or other reasons, have claimed that territorial waters exist out to four, six, twelve and even two hundred miles. These claims have been resisted, albeit somewhat unsuccessfully, by the United States. The future development of this doctrine is of considerable importance to our military posture.

2. Seaward extension of jurisdiction and sovereign rights on the continental shelf. With respect to this proposal, some of you may note -- what about the fact that the United States Continental Outer Shelf Lands Act of 1953 unilaterally proclaimed jurisdiction on the seabed of the continental shelf subject to the full force and effect of the Constitution and the laws pursuant thereto? Didn't this conflict with the Treaty on the Continental Shelf which limited sovereignty to exploration and exploitation?

Presumptively, the Treaty which was ratified after enactment of the statute is superior to the internal legislation. In any event the act and Treaty both serve to protect private enterprise against unfair competition, theft, usurpation of claims, and outright piracy in the exploitation of the ocean.

3. Establishment of jurisdiction and rights on the seabed of the deep ocean. We must remain alert to advances in technology in this area. For the time being, however, in the absence of clear developmental directions, perhaps our wisest course of action would be to adopt a "wait and see" attitude.

4. Vertical extension from the continental shelves and seabed. It is only natural that nations in the future will attempt to claim rights on the waters above these areas by extension from the rights of the areas themselves. This will inevitably affect freedom to operate on the high seas of the world.

5. Modifications in the law of air and space over the seas. Control of air and space over the seas is presently

limited to control of the air (not space) over the territorial waters and land areas belonging to a state. Any extension of these controls would appear to violate current basic freedom of movement. Control of the high seas in a military sense depends to a great extent upon control of the air above the high seas. The United States should therefore carefully regard any proposal to restrict the free use of the air over an area that is not territorial waters, and indeed should be cautious with respect to space agreements that might impede future use of satellites in ocean surveillance.

6. Introduction of international jurisdictions in the ocean. International sovereignty over ocean bottom areas has been suggested with the view of charging fees for some uses of them. Proposals of this sort frequently look to the improvement of the underdeveloped nations. Potential benefits of such proposals must be weighed against the implications to United States security of vesting even informal control of the seabed in an international organization.

From the standpoint of the United States military capabilities, it would appear to be generally advantageous

if claims of the seabed were limited to exploration and exploitation. The right of military surveillance could be endangered by permitting establishment of sovereignty or control jurisdiction, either by nations or international bodies, over the sea bottom.

It is militarily desirable to:

- (1) minimize any extension of territorial seas
- (2) closely limit sovereignty over the continental shelves, and
- (3) maintain freedom of the air space above the high seas.

#### Conclusion

In summary, from the viewpoint of the United States Navy, only the most gradual changes from current law of the sea appear desirable. The security of the nation rests in part on the uninhibited use of the sea lanes.

These remarks can only suggest the breadth of military interests in the oceans, and some of the complicated interactions between legal possibilities and these national security interests.



~~SECRET-NOFORN~~

*late  
Arms Control  
on seabed.*

June 11, 1968

*Mr. Johnson  
Chuck:- FYI  
I do not know whether  
this was actually  
used. SMC*

Mr. President:

*18*

In the attached memorandum, Sec. Rusk recommends we announce our willingness to negotiate an international agreement not to emplace or fix nuclear weapons on the seabed, at the UN Ad Hoc Committee on the Seabed which opens on June 17. The specific language of the statement would be:

"The United States is prepared to enter into serious discussions at an international forum such as the Eighteen Nation Disarmament Conference in order to achieve an appropriate international agreement pursuant to which each party would agree not to emplace or fix nuclear weapons or other weapons of mass destruction on, within, beneath or to the seabed beyond a narrow band along its coast and up to the coast of any other State. The width of this narrow band would be determined by negotiation. The prohibition on emplacement or fixing should be aimed not only at the weapons themselves but also at launching platforms or delivery systems for such weapons."

This recommendation has been developed by the Committee of Principals. The JCS, however, do not concur. Sec. Clifford is still considering his position.

The issue as to whether this proposal is in the over-all interests of the United States can be broken down into the following questions:

1. What is the net military significance of the proposal? It would prohibit the introduction of nuclear weapons in a new environment. It is agreed that the statement would not affect any current or planned US military systems. The JCS, however, do not want to give up the option for possible use of the seabed in the future for nuclear weapons systems.

2. How important is the statement politically? This proposal strongly complements our current policies involving international cooperation involving the oceans and seabed. It would also fend off less acceptable seabed arms control proposals. However, the JCS and OSD have questioned how serious the political consequences of not advancing a concrete proposal would really be.

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NLJ-S-88001 16394-407  
By JOL, NARA, Date 5-2-02

3. Could the proposal be adequately verified? The intelligence community agrees that, while we would have little assurance of detecting clandestine emplacement of small numbers of weapons on the seabed, we would probably detect larger deployments that could endanger our security. On balance, Sec. Rusk believes US security interests would be adequately protected. The Chiefs do not agree that our unilateral intelligence capability can adequately monitor the agreement. The JCS and OSD have also raised the question as to whether we could convince the Senate of the adequacy of our unilateral verification capabilities.

4. How does the statement affect our legal position on territorial limits? In order to avoid internal debate as to whether the proposal should be in terms of a 12-mile limit and how it would be defined, the statement now refers to a "narrow band" which would be negotiated. Nevertheless, we will presumably have to surface our position on this early in any negotiations.

W. W. Rostow

Att.

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bcc: SMK file and chron

WWR (2)

CEJ

SMK comeback copy

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DEPARTMENT OF STATE

19

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E.O. 12958 Sec. 3.5  
NLJ-S-98001

Memorandum of Conversation

By JW, NARA, Date 5-2-02

DATE: June 7, 1968

*file  
Hearns Control*

SUBJECT: Legal Aspects of ACDA Proposal re  
Denuclearization of the Seabed.

PARTICIPANTS: Rear Admiral Wilfred A. Hearn, Navy  
Leonard C. Meeker, Legal Adviser, Department of State  
Stanley N. Futterman, Ass't. Legal Adviser, State

COPIES TO: ACDA/GC - Mr. Bunn  
G/PM - Mr. Farley  
G/PM - Mr. Shaw  
IO - Mr. Popper  
S/P - Mr. Owen  
SCI - Mr. Pollack  
✓ NSC - Mr. Johnson  
DOD - Mr. Halperin  
DOD - Admiral Hearn  
L - Mr. Belman

1-1403

Admiral Hearn called on Mr. Meeker to continue their discussion of legal aspects of the ACDA proposal concerning denuclearization of the seabed. Admiral Hearn restated his concern that any mention of a 12-mile zone in a United States arms control proposal for the seabed might possibly have a negative effect on our negotiating position as regards the fixing through world-wide agreement of a limit to the territorial sea and a satisfactory regime for international straits.

Mr. Meeker said that he thought that our action two years ago in claiming a 12-mile fisheries zone had a much more direct effect on that position, limited as that effect was, than the effect of incorporating a 12-mile zone in an arms control proposal that was concerned exclusively with the seabed and had no effect on the superjacent waters. However, he was prepared to consider any suggestions that the Defense Department might have for dealing with this problem. One possibility was to think in terms of a limit that was slightly greater or less than 12, such as 15 or 9. However, there would still be the problems attached to such a proposal that attach to any proposal containing an essentially arbitrary element.

It was suggested that perhaps the matter at this stage was more one of timing than anything else. We had just received word

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*Cy sent Keeny 6/10/68*

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- 2 -

this morning that the Soviets were prepared to consult with us about a new Law of the Sea Conference concerning the territorial sea and passage through straits on July 15. Following such talks we would be in a better position to assess this aspect of the problem. It might, therefore, be advisable at the meeting of the United Nations Ad Hoc Committee on the Seabeds in June to make a general proposal regarding denuclearization of the seabeds without specific mention of a 12-mile zone. We could propose that negotiations begin at the ENDC on the conclusion of a treaty to keep the seabed free of nuclear weapons. With respect to the scope of such a prohibition, we could emphasize our interest in keeping any excepted areas to very narrow limits, as well as our interest in ensuring opportunity for adequate verification of the prohibition. With respect to the Soviet proposal for prohibitions that would apply only beyond the limits of national jurisdiction, we could point out how very broad such limits might be with reference to the seabed, and thus the unsatisfactory nature of such a formulation.

Admiral Hearn responded that he thought that keeping our proposals at the United Nations at this time to the described level of generality would satisfy his concerns. Following our talks with the Soviets next month we could then decide within the Government on a more specific formulation of the geographical area to which the prohibition on nuclear weapons would apply.

Mr. Meeker and Admiral Hearn agreed that they would each consult within their Departments on the acceptability of such an approach.

  
L:L/SPA:SNFutterman:edk

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*Arms Control*  
20

DEPARTMENT OF STATE REFERENCE SLIP				DATE 5/8/68	
TO:	Name or Title	Organ. Symbol	Room No.	Bldg.	Initials Date
1.	Mr. Charles E. Johnson	EOP/NSA			
2.		Rm. 368	EOB		
3.					
4.					
5.					
<input type="checkbox"/>	Approval	<input type="checkbox"/>	Initial for Clearance	<input type="checkbox"/>	Per Conversation
<input type="checkbox"/>	As Requested	<input type="checkbox"/>	Necessary Action	<input type="checkbox"/>	Prepare Reply
<input type="checkbox"/>	Comment	<input type="checkbox"/>	Note and Forward	<input type="checkbox"/>	See Me
<input checked="" type="checkbox"/>	For Your Information	<input type="checkbox"/>	Note and Return	<input type="checkbox"/>	Signature
REMARKS OR ADDITIONAL ROUTING					
<p>The attached lists might be helpful in considering U.S. arms control proposals for the seabed.</p>					
FROM: (Name and Org. Symbol)			ROOM NO. & BLDG.		PHONE NO.
David A. Sousa - ACDA/ST			5496		6404



# Changes in Territorial Sea Claims between April 1965 and April 1968

<u>State</u>	<u>Claim</u>	
	<u>April 1965</u>	<u>April 1968</u>
<u>Increase: (19 states)</u>		
	<u>nautical miles</u>	
1. Brazil . . . . .	3	6
2. Cameroon . . . . .	6	18
3. Dahomey . . . . .	3	12
4. Dominican Republic . . . . .	3	6
5. Gabon . . . . .	3	12
6. India . . . . .	6	12
7. Jamaica . . . . .	3	12
8. Kuwait . . . . .	6	12
9. Lebanon . . . . .	6	12
10. Liberia . . . . .	3	12
11. Malaysia . . . . .	3	12
12. Mauritania . . . . .	3	12
13. Nigeria . . . . .	3	12
14. Pakistan . . . . .	3	12
15. Panama . . . . .	12	200
16. Portugal . . . . .	3	6
17. Somalia . . . . .	3	6
18. Thailand . . . . .	6	12
19. Yugoslavia . . . . .	6	10
<u>Decrease: (4 states)</u>		
1. Columbia . . . . .	12	6
2. Ivory Coast . . . . .	12	6
3. Jordan . . . . .	12	3
4. Morocco . . . . .	12	3

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4/29/68

# TERRITORIAL SEA CLAIMS AS OF 1 APRIL 1968

## 3 MILES (31 States)

1. Angola
2. Australia
3. Barbados
4. Belgium
5. Canada
6. China (Taiwan)
7. Costa Rica
8. Cuba
9. Denmark
10. France
11. Gambia
12. Germany (West)
13. Guyana
14. Ireland
15. Japan
16. Jordan
17. Kenya
18. Malta
19. Morocco
20. Muscat & Oman
21. Netherlands
22. New Zealand
23. Nicaragua
24. Philippines #
25. Poland
26. Singapore
27. Tonga
28. Trinidad & Tobago
29. United Kingdom
30. United States
31. Viet Nam

## 4 MILES (4 States)

1. Finland
2. Iceland
3. Norway
4. Sweden

## 5 MILES (1 State)

1. Cambodia

## 6 MILES (16 States)

1. Brazil
2. Ceylon
3. Colombia
4. Dominican Republic
5. Greece
6. Haiti
7. Israel
8. Italy
9. Ivory Coast
10. Portugal
11. Senegal
12. Spain
13. Tunisia
14. Turkey
15. South Africa
16. Uruguay

## 9 MILES (1 State)

1. Mexico

## 10 MILES (2 States)

1. Albania
2. Yugoslavia

## 12 MILES (40 States)

1. Algeria
2. Bulgaria
3. Burma
4. Communist China
5. Cyprus
6. Dahomey
7. Ethiopia
8. Gabon
9. Ghana
10. Guatemala
11. Honduras
12. India
13. Indonesia #
14. Iran

15. Iraq
16. Jamaica \*
17. Korea (North)
18. Kuwait
19. Lebanon
20. Liberia
21. Libya
22. Malagasy
23. Malaysia
24. Mauritania
25. Nigeria
26. Pakistan
27. Rumania
28. Saudi Arabia
29. Sierre Leone
30. Somali
31. Sudan
32. Syria
33. Tanzania
34. Thailand
35. Togo
36. UAR
37. USSR
38. Viet Nam (North)
39. Venezuela
40. Yemen

## 18 MILES (1 State)

1. Cameroon

## 50 KILOMETERS (1 State)

1. Chile

## 130 MILES (1 State)

1. Guinea

## 200 MILES (4 States)

1. *Argentina*  
Ecuador
2. El Salvador
3. Peru
4. Panama

# Claims archipelago theory  
\* Pending

UNSPECIFIED OR UNKNOWN

1. Congo (both)
2. Germany (East)
3. Korea (South)
4. Maldiv Islands
5. Monaco

Argentina: By law of 29 Dec 66, sovereignty was claimed over a 200-mile zone but freedom of navigation of vessels and aircraft was not curtailed. It is not clear whether or not this is a territorial sea claim in extension of the previously claimed three-mile limit.

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4/29/68

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of 3 pages. *A*

*Mr. Johnson*

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY  
WASHINGTON

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*21*

OFFICE OF  
THE DIRECTOR

June 4, 1968

MEMORANDUM FOR THE DEPUTIES TO THE COMMITTEE OF PRINCIPALS

Subject: Arms Control on the Seabed (U)

In accordance with the decision of the Committee of Principals' meeting on June 3, we are forwarding herewith for your review and comment a draft memorandum from the Secretary of State to the President recommending a U.S. position on arms control on the seabed. In order to meet our tight time schedule, we would appreciate receiving your comments on this draft along with your concurrence or dissent by noon, Friday, June 7, 1968. It is requested that any dissenting views be presented in a brief format which can be included in subject memorandum or attached thereto.

*William C. Foster*

William C. Foster

Attachment:

Draft Memorandum from  
the Secretary of State  
to the President.

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Authority NLS 030-019-2-3-6  
By JW, NARA, Date 5-3-02

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DRAFT

MEMORANDUM FOR THE PRESIDENT

Subject: Arms Control on the Seabed (U)

Recommendation

That the U.S. Government adopt the position that nuclear weapons and other weapons of mass destruction shall not be emplaced on or within the ocean seabed, and that it is prepared to enter into serious discussions in order to achieve an appropriate international agreement in this area.

Discussion

The U.S. Government is strongly supporting international cooperative efforts involving the ocean, including your most recent proposal on "An International Decade of Ocean Exploration". A positive arms control approach to the seabed complements our current stated policies involving the ocean and its resources. It is important in its own right by prohibiting weapons of mass destruction in a new environment, will provide a means for fending off less acceptable seabed arms control measures which have been suggested by other nations, and could lead to further steps in controlling the strategic arms race.

This position, if implemented, would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass

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Authority NLJ 030-019-23-6  
By Joh, NARA, Date 6-3-02

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destruction on or in the seabed. It would not prohibit any U.S. military systems in current DOD plans; the deployment of submarines and necessary surveillance and detection systems would not be limited in any way.

Verification problems of this position are similar to, but somewhat more difficult than, those associated with the banning of weapons of mass destruction in outer space. I believe that our verification capabilities are adequate to protect U.S. security interests when considered in conjunction with the current and projected overall strategic balance, the limited relative advantage to the Soviet Union of limited clandestine deployments of such weapons on the seabed, and the political penalties attached to the detection of such deployments.

Your approval of the recommended position will permit the U.S. Government to take a positive approach to arms control on the seabed at the meeting of the U.N. Ad Hoc Committee on the Seabed opening June 17. It would serve as a basis for subsequent discussions at the resumed session of the Eighteen-Nation Disarmament Conference in Geneva and the U.N. General Assembly.

I believe that the foregoing represents a consensus of the views of most members of the Committee of Principals.

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June 3, 1968

MEMORANDUM FOR MR. W. W. ROSTOW

SUBJECT: Committee of Principals Meeting, June 3, 1968

I concur with Keeny's briefing note on the above subject. We have been working together on this matter and his memorandum reflects our joint views.

Although the ACDA proposal is being considered in what is largely an arms control context, I believe it important that certain broader foreign policy implications of the proposal be considered.

The proposal under consideration is the result in some large measure of pressures from the U.S. and international oceanographic community. It is an integral part of the President's broad program of ocean initiatives along with the Decade of Ocean Exploration, the anti-pollution campaign, the establishment of Marine Preserves, the re-thinking of the Law of the Sea and the development of a legal regime for the deep ocean floor.

The arms control proposal with the establishment of a 12-mile limitation will strengthen our efforts at reaching a successful solution to the territorial waters problem and will help in further evolution of international understandings with respect to the use of the Continental Shelf.

I understand that although the Vice President will not be at the Committee of Principals meeting this afternoon, he is communicating his strong view of the importance of this arms control proposal both for its own sake and in relation to the entire Administration's oceanographic effort to the Secretary of State before the meeting.

LSI

Charles E. Johnson

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cc: Mr. Keeny

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NLJ-S-99001  
By DW, NARA, Date 5-2-82

*Mr. Johnson*

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**TOP SECRET**

**May 31, 1968**

**MEMORANDUM FOR MR. ROSTOW and DR. HORNIG**

**Subject: Committee of Principals Meeting, June 3, 1968**

The Committee of Principals will meet at 4:30 pm, Monday, June 3, in Secretary Rusk's conference room to consider and make recommendations to the President on the ACDA proposal:

"That the U. S. attempt to negotiate in the ENDC a treaty, or the relevant provisions for a more general seabed treaty, in which each state party to the treaty undertakes not to emplace or fix nuclear weapons or other weapons of mass destruction on, within, beneath, or to the seabed beyond 12 nautical miles from its coast and up to the coast of any other state."

Verification of this proposal would be based on unilateral capabilities.

The ACDA case for this proposal (Tab A) is based primarily on the following general considerations: (1) it is in our net security interest since we have no plans in this area while others might; (2) it will preempt other more extensive seabed arms control proposals which would not be to our net security interests; and (3) it will be responsive to strong anticipated pressures that the nuclear powers move to negotiate further arms control measures as called for in Article IV of the NPT.

With regard to verification, ACDA argues that, although there are obvious limitations on our capabilities, this would not endanger our security with respect to the Soviets since we would be able to detect any large-scale deployment of strategic significance and there would be no real incentive for the Soviets to undertake a small-scale clandestine deployment. In the case of other countries where the deployment of a few weapons might be significant, the treaty would provide a clear basis for us to exercise any capabilities we might have and to take action against any violations we might discover.

The JCS has strongly opposed the ACDA proposal. In the attached memorandum (Tab B) dated April 27, 1968, they conclude that it "would not be

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By *Jph*, NARA, Date *5-2-02*



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in the national interest and, in fact, has a potential for grave harm." The Chiefs' main objection is that they do not wish to give up the option of future seabed deployments if our present systems should become vulnerable. They also do not believe we have an adequate unilateral verification capability to monitor the agreement effectively.

At the meeting of the Committee of Principals on May 14 (minutes attached -- Tab C), no decisions were reached on the recommendation. Secretary Rusk spoke strongly in support of the ACDA proposal (see page 4 of the minutes); however, General Wheeler and Secretary Nitze were generally critical of it. Nitze was particularly concerned that there had not been adequate interagency staff work prior to the meeting. It was agreed, therefore, that the Deputies to the Principals would examine and seek agreement on several specific questions prior to Monday's meeting. Secretary Rusk emphasized the importance of an early recommendation to the President so that he would have ample opportunity to make a final decision on this matter prior to the opening of the UN Ad Hoc Committee on the Seabed on June 17.

The Deputies have agreed (with the exception of the JCS which simply resubmitted its previous paper -- Tab B) on a paper (Tab D) covering the following questions raised at the Principals meeting:

1. The definition as to what would be prohibited or permitted under the ACDA proposal.
2. Legal opinion as to proposal's effect on law of the sea.
3. Net security significance of proposal.
4. US unilateral intelligence capabilities to monitor proposal.

For my own part, I believe the ACDA proposal is in our net interest and agree with the ACDA analysis of the problem. I believe that we could probably successfully negotiate a useful international agreement on this subject that would keep up the momentum of the NPT and have political value broader than its immediate arms control implications. At the same time, I do not consider it to be a "critical" arms control measure at this time but rather a good add-on and useful next step.

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-3-

Failure to be forthcoming on this issue would deprive us of a useful initiative and give us problems in the UNGA and ENDC. This would also put more pressure on us on the comprehensive test ban issue. It would not, however, result in any immediate proliferation of nuclear weapons on the seabed or force us to go along against our wishes with an unacceptable proposal "demilitarizing" the sea.

I believe the meeting on Monday will depend largely on how strong a position Secretary Rusk takes in support of the proposal. If he maintains his position from the May 14th meeting, I do not believe that General Wheeler or Secretary Nitze will strongly oppose the proposal. However, the final decision will still have to be made by the President since I do not believe that General Wheeler will withdraw the formal JCS objection.

If you have time, I suggest you read the attachments in the following order:

1. Tab A - Foster's covering memo
2. Tab D - Deputies Report
3. Tab B - JCS memo
4. Tab C - Minutes of May 14th Principals meeting
5. Tab A - ACDA paper

Spurgeon Keeny

Atts.

bcc: CEJ ✓

SMKeeny:jb:5-31-68/1:30p

bcc: SMK file and chron

Del'd redtag by jb before 2:00p.

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~~TOP SECRET NOFORN~~

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

WASHINGTON, D.C. 20451

ACDA - 2926  
M. Johnson  
May 29, 1968

SANITIZED  
E.O. 12958, Sec. 3.6  
NLJ 09-155  
By is, NARA, Date 5-4-10

MEETING OF DEPUTIES TO THE COMMITTEE OF PRINCIPALS

Monday, May 27, 1968 - 4:00 p.m.  
AID Conference Room - State Dept. Building

PARTICIPANTS: See Attached List

- REFERENCES: (a) Agenda for Discussion by Deputies of  
Measure for Arms Control on the Seabed,  
May 27, 1968  
(b) Memorandum for Deputies to the Committee  
of Principals, dated May 18, 1968; Subject:  
Arms Control on the Seabed

SUMMARY OF ACTION

The Deputies to the Committee of Principals discussed certain issues to serve as a basis for recommendation by the Principals to the President. Except for the representative of the chairman of the JCS whose opposition to the entire ACDA proposal was noted, the Deputies reached consensus on the following issues: (1) Weapons systems prohibited or permitted under the ACDA seabed proposal; (2) That the ACDA proposal will not adversely affect future U.S. legal positions concerning the law of the sea; (3) That while there exists no military advantage for the U.S. in the ACDA proposal, the proposal is in the net U.S. interests; (4) That verification of potential violations of any resulting treaty would present varying degrees of assurance but that overall these were adequate to meet U.S. net security interests.

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DISCUSSION

Mr. Fisher said that the agenda document (reference (a)) distributed to each participant at the beginning of the meeting could serve as an appropriate vehicle on which to express agreement or dissent for the Committee of Principals.

Maj. Gen. Evans stated that the JCS believe the proposal is premature, and that neither the Soviets nor the U.N. Ad Hoc Committee have to know now the U.S. position on arms control on the seabed.

Dr. Halperin stated that the DOD had not yet reached any definite conclusion on the proposal.

Mr. Fisher responded that not just the Soviets were involved but a great many nations including some of our allies (Norway). He said it was the general sense of the Principals that while there existed no agreement among them on particular issues, it was important to get our thoughts in order soon and to have a U.S. policy to be able to respond by June 17 to pressures from other states and not just from the Russians.

Maj. Gen. Evans said that the JCS does not want to relinquish the option for future use of the seabed, and that the JCS believes that their views should be presented and considered by the Committee. Gen. Evans asked if anyone agreed with the proposal.

Mr. Bohlen responded that if the U.S. did not take a position on the issue, we would be accused of planning to do the opposite. Does the JCS want to use that option?

Maj. Gen. Evans stated that we may have to go to the ocean floor and that it is important to retain our options.

Mr. Bohlen said that the JCS should indicate the reasons for and conditions under which the JCS wish to retain options.

Dr. Halperin commented that the JCS written objections to the proposal should be attached to the report of the Deputies to the Principals. This will assure that the JCS opinion is heard. This was accepted by Mr. Fisher.

Dr. Frosch asked if the U.S. normally met a diplomatic proposal with a counter-proposal? If that were involved in this case, that attitude worried DOD more than the ACDA proposal, because it would open up the possibility of a whole class of proposals.

Mr. Fisher replied that it would depend on whether you thought the original proposal bad. If you think your own position is pretty good, you take the initiative and present it. If you think a proposal is bad and have no substitute to offer, you oppose it and take the consequences.

We would like to announce an amendment to the proposed draft treaty language set out in Tab 1 of the attachment to the May 18 memo to the Deputies (reference (b)). In line 2 of the first paragraph, replace the word "station" with "emplace". In para. III of the same tab, add the words "or for readiness to launch missiles" in line 7 after the word "detection". This was accepted.

Dr. Frosch asked if the criteria would permit anything that floated off the bottom and could move horizontally through the water. It was thought that this example could cover torpedoes.

Mr. Graybeal stated that the proposal was intended to exclude equipment designed for operation on the bottom of the ocean.

Dr. Frosch suggested that subpara. B. of para. II be amended to read:

B. Unmanned encapsulated nuclear missiles  
or other nuclear weapons

and that the following example be added: Torpedoes

Mr. Fisher accepted the suggested amendment and said that these interpretations would be for internal Government use and not be made public. They would however be disclosed to the Congress.

Dr. Frosch asked if other states would understand the treaty language as we do?

Mr. Fisher replied that this would not be giving the negotiator a very difficult task. The cut-off point, of course, would be our interpretation of what is prohibited and what is permitted.

Mr. Schweitzer asked if this clearly meant that submarines can sit indefinitely on the bottom.

Mr. Graybeal replied that this would be a question of intent of the basic vehicle, i.e. designed to operate primarily in the ocean or on the seabed.

Mr. Fisher asked if Tab 1 as amended were acceptable to all. No objections were made. He then asked Mr. Meeker to discuss Tab 2, the relationship of the proposal to the law of the sea.

Mr. Meeker said that the problems associated with the ACDA proposal are different from those involved in any prospective law of the sea conference on the breadth of the territorial sea. In the latter case, the U.S. would be concerned with passage through straits, and with fisheries. In the case of the ACDA proposal, he had suggested the low water line as the baseline from which to measure the proposed 12 mile exclusion zone in order to avoid big problems with claims to historic bays and waters. We would be prepared to make concessions, such as for historic bays allowable under the 1958 Convention on the Territorial Sea, but the proposed definition is a good starting point for negotiation with the Soviets.

Dr. Frosch asked how you would handle rivers.

Mr. Meeker replied that you would draw a straight line between two points.

Mr. Fisher suggested this problem would be irrelevant.

Dr. Frosch recommended that a map be drawn using the low water line as the baseline to see if there would be residual problems.

Dr. Halperin stated that DOD had received comments from RAdm. Wm. Hearn (a retired Navy Judge Advocate General) and that perhaps they could be inserted in the record.

Dr. Frosch commented that Adm. Hearn was worried about the same things as Mr. Meeker. The current Navy expert on law of the sea may, however, disagree with Mr. Meeker's proposal. In response to Mr. Meeker's query, Dr. Frosch replied that he was unaware of any alternative proposal to the low water baseline.

Mr. Fisher concluded the discussion on the relationship of the proposal to the law of the sea by saying that, subject to DOD's decision to submit a paper on this point, the general view was that the proposal did not interfere with the U.S. position on the breadth of the territorial sea.

Mr. Fisher, proceeding to Agenda item 3, asked what was the DOD view on the JCS paper concerning the relative military value of U.S. seabased strategic options.

Dr. Halperin said that they did not see any military value in the ACDA proposal, nor did they see any need to use the seabed for nuclear weapon deployment. DOD felt that the U.S. must be assured that giving up the option is worthwhile. He stated that he believed that Mr. Nitze had not yet made up his mind.

Commissioner Tape commented that the value of some of the military options being discussed was not clear to him. Neither Polaris nor Poseidon missiles could be launched from our continental shelf. As for the purported "asymmetries", just what were they? Exactly what options were we proposing to give up?



Dr. Frosch replied that the U.S. is beginning the development of 4000-mile range missiles which could be launched from the continental shelf and elsewhere. The U.S. capabilities at the moment were between the Polaris missile and the fixed Minuteman. As for the asymmetries, the Soviets could disperse nuclear missiles away from populated areas over their very large land mass, whereas the U.S., being deprived of an equal advantage on land, could find its equivalent on the seabed.

Dr. Halperin commented that was an argument favoring use of the sea but not necessarily fixed seabased systems.

Commissioner Tape asked what was the value of tunnel complexes.

Dr. Frosch replied that they could be constructed on the continental shelf. In addition, encapsulated missiles could be sown--along with extensive decoys--on the seabed in the most covert form of deployment and taking advantage of the most sea room. The disadvantages of such missile deployment would lie in providing protection, and the command and control problems associated with such systems.

Commissioner Tape asked if any consideration had yet been given to tactics in the U.N.

Mr. Fisher answered that we had reached no conclusion on tactics yet since we were awaiting a mandate on the U.S. position. It was clear that Secretary Rusk wanted a decision on this proposal so the U.S. would know what to do. In the meantime, we had to do as much internal work as possible--for the Principals' meeting on June 3rd, and for the President's consideration shortly thereafter.

Commissioner Tape asked if any consideration had been given to fixed ABM systems on the seabed.

Dr. Frosch answered that only surface shipborne systems had been considered. There were no plans for fixed seabased ABM

systems yet. He asked what the economic and political benefits referred to in para. 3 of the Agenda meant. Did they mean the benefits from doing nothing--not spending any money?

Mr. Fisher agreed that the expected benefits related to economic savings. From the political point it provides the opportunity to establish a stable seabed regime. He then asked for a discussion on the verification aspects of the ACDA proposal to see if we could get an indication of the range of views.

Dr. Frosch commented that the U.S. was not worried enough about possible theft to stop firing hardware into the ocean. He added that DOD read technical detail into the verification language--that is, that the U.S. would be verifying fixed seabed installations requiring extensive construction, cabling and so forth.

[REDACTED] with reference to para. 4 of the Agenda (reference (a)), asked what constituted a "significant threat" to the U.S. even though the hostile acts would not upset the existing strategic balance. What was the meaning of the words "protecting security interests".

Mr. Graybeal replied that we had encountered similar problems involving verification of the Outer Space Treaty with respect to orbiting weapons.

Mr. Fisher said he thought the three phrases (under-scored above) meant about the same thing.

Dr. Halperin suggested that perhaps we should use the same words each time--such as "significant threat to the U.S."

Mr. Graybeal suggested that the following words should be added to such a phrase: "in light of the present and projected strategic balance".

Commissioner Tape suggested that the report to the Principals should recite the verification difficulties posed by different classes of equipment--such as bottom crawlers.

Dr. Frosch added that the probability of detecting was higher before deployment than after deployment--although the U.S. search and detection capabilities were improving all the time. If it would take several hundred missiles fixed on the seabed before the U.S. became worried, the likelihood of finding one missile among so many would be high.

Commissioner Tape referred to the publicity on the "bombs in orbit" and commented that such FOBS situations could be reproached to the Executive branch by the Congress during the ratification process of this proposal.

Mr. Graybeal said that we would be using all our intelligence sources and that the cumulative effect would enable the U.S. to see some observable features of a production, testing or deployment effort made by a hostile state.

Dr. Halperin asked how one communicated with missiles "seeded" on the seabed.

Dr. Frosch replied by VLF or submarine sonar.

[REDACTED] suggested that the verification paragraph in the report to Principals be rewritten in terms of differing weapon categories and followed by value judgments on our verification abilities.

Dr. Frosch commented that the probability of learning of a new system was good; that the system was seabased--fair; where the system would be deployed--poor; and finding it after deployment--very poor.

Mr. Fisher asked [REDACTED] Dr. Halperin, Mr. Shaw and Mr. Graybeal to redraft the verification paragraph.

Dr. Halperin suggested that it be rewritten as two paragraphs: the first reflecting intelligence estimates of deployed weapons and the second reflecting our judgment of the consequences.

Mr. Fisher asked Gen. Evans how he wanted to note the JCS position on the seabed arms control proposal.

Maj. Gen. Evans replied that they did not concur with the entire proposal except that they did not disagree with the interpretation of what would be prohibited and what would be permitted if such a proposal were made.

Commissioner Tape asked what kind of tactics would be used to negotiate the ACDA proposal.

Mr. Fisher replied that this proposal would be more difficult to negotiate than the Outer Space Treaty. It would be about as difficult to negotiate as the Limited Test Ban Treaty. The most serious element would be to assure that it did not affect our present and future mobile submarine systems; it is not an anti-Polaris measure.

Commissioner Tape asked if the interpretations of the proposed treaty language were examples rather than a complete list.

Mr. Fisher replied in the affirmative.

THOSE PRESENT:

DEPARTMENT OF STATE

Ambassador Charles E. Bohlen, Deputy Under  
Secretary of State for Political Affairs  
Mr. Phillip J. Farley, Deputy Assistant Secretary  
for Politico-Military Affairs  
Mr. John Shaw, Special Assistant for Communist  
Politico-Military Affairs  
Mr. Leonard C. Meeker, Legal Adviser  
Mr. Herman Pollack, Director, International Science  
and technological Affairs

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. Adrian S. Fisher, Deputy Director  
Mr. Sidney Graybeal, Deputy Assistant Director,  
Science and Technology Bureau  
Mr. George Bunn, General Counsel  
Lt. Gen. John J. Davis, Assistant Director,  
Weapons Evaluation and Control Bureau  
Mr. C. Normand Poirier, Assistant General Counsel  
(Reporting Officer)  
Mr. David A. Sousa, Foreign Affairs Officer,  
Science and Technology Bureau (Reporting Officer)

U.S. ATOMIC ENERGY COMMISSION

The Honorable Gerald F. Tape, Commissioner  
Col. Jack Rosen, Special Assistant to the Commissioner  
Col. Roy Crossland, Assistant to Mr. Labowitz

WHITE HOUSE

Mr. Spurgeon Keeny, Staff, National Security  
Council  
Mr. Charles E. Johnson, Senior Staff Member, National  
Security Council



MARINE COUNCIL

Mr. Glenn Schwietzer, Senior Staff Member,  
Marine Sciences Council

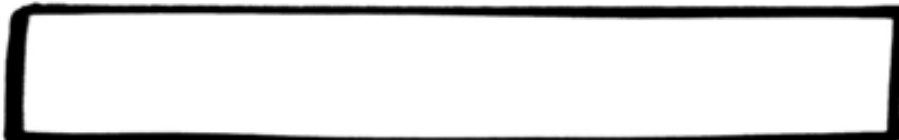
DEPARTMENT OF DEFENSE

Dr. Robert A. Frosch, Assistant Secretary of the  
Navy for Research and Development  
Commander Carlton MacDonald, Special Assistant to the  
Assistant Secretary of the Navy for Research  
and Development  
Dr. Morton H. Halperin, Deputy Assistant Secretary for  
Policy Planning and Arms Control  
Col. Donald Humphries, Director, Arms Control and  
UN Affairs, ISA  
Captain James E. Heg, Deputy Directory for Arms  
Control and UN Affairs, ISA

JOINT CHIEFS OF STAFF

Maj. Gen. Benjamin F. Evans, Special Assistant  
for Arms Control  
Captain J. E. Henderson, Special Assistant, Office  
of the Special Assistant for Arms Control

CENTRAL INTELLIGENCE AGENCY



NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. Arnold W. Frutkin, Assistant Administrator  
for International Affairs

UNITED STATES INFORMATION AGENCY

Mr. Joseph Hanson, National Security Affairs  
Adviser

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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY  
WASHINGTON

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OFFICE OF  
THE DEPUTY DIRECTOR

May 27, 1968

Agenda for Discussion at Deputies of  
Measure for Arms Control on the Seabed (U)

The U. S. position concerning arms control on the seabed was discussed at a meeting of the Committee of Principals of May 14, 1968. At that meeting the Secretary of State indicated that a U. S. position concerning arms control on the seabed is required for resumption of the U. N. Ad Hoc Committee on June 17, 1968 in order to respond to views expressed by other governments. The U. S. needs a position in order to deal effectively with the proposals of other nations which could adversely affect U. S. security interests. A "demilitarization" proposal is clearly unacceptable. The "peaceful purposes only" approach would require carefully considered qualifications to be compatible with certain defensive military purposes. Adoption of a basic position on denuclearization would enable the U. S. to take a positive approach in fending off other less acceptable proposals.

At that meeting the Principals instructed the Deputies to analyze certain particular issues to serve as a basis for a recommendation by the Principals

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By JOW, NARA, Date 5-7-02

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- 2 -

to the President. This memorandum sets forth a proposed approach for the Deputies to consider the four major issues.

1. There is general agreement on the interpretation of what would be prohibited or permitted under the ACDA seabed proposal. These interpretations are contained in Tab 1 attached to my memo of May 18, 1968.

2. The Legal Adviser of the Department of State advises that the ACDA proposal, when coupled with explanatory comments as to our position, will not adversely prejudice future U. S. legal positions concerning the law of the sea.

JCS footnote  
3. Although we see no military advantage to the ACDA proposal, it is our belief that this measure is in the overall net U. S. interest. There are no planned U. S. systems which are prohibited. The option to employ mobile sea-based systems is preserved, and such systems can redress present and future asymmetries; permanently fixed sea-based systems are not necessary for this purpose. We recognize that there are some uncertainties involving possible future technological breakthroughs which might jeopardize some of our existing weapons systems; however, we believe that the economic and political benefits from proscribing the emplacement of nuclear weapons in this new environment outweigh these rather remote and unforeseen contingencies.

4. There is general agreement that our current unilateral verification capabilities are adequate to protect U. S. security interests. The deployment of fixed installations on the seabed would be detected

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- 3 -

before a sufficient number became operational to constitute a significant threat to the U. S. The "bottom crawlers" could pose a more complex verification problem, but should be detected before a sufficient number were deployed to upset the strategic balance. The dropping or sowing of individual nuclear missiles on the seabed would create serious verification problems. We believe it highly unlikely that the Soviet Union would deploy large numbers of such unprotected systems on the seabed due to the risk of one or more being discovered and acquired by the U. S. The political loss of such an event combined with the technical intelligence losses should deter this course of action.

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*Mr Johnson*

21f

NATIONAL SECURITY COUNCIL

May 22, 1968

Mr. Keeny --

Spurg -- I'll go over these notes with  
you at your convenience.

Charles E. Johnson

5/22



NATIONAL SECURITY COUNCIL

May 21, 1968

NOTE FOR MR. JOHNSON

Chuck--

For your information and  
comment. Please return.

Spurgeon

Att.:  
ACDA memo  
dtd May 18 to  
Deputy Principals  
re Seabeds

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May 14, 1968

MEMORANDUM for MR. ROSTOW and DR. HORNIG

Subject: Committee of Principals Meeting, May 14, 1968

The Committee of Principals will consider the attached ACDA proposal (Tab A) on Arms Control on the Seabed at 4:00 pm today (May 14) in Secretary Rusk's conference room. In the covering memorandum, Bill Foster recommends that the Principals approve the following action:

"That the U. S. attempt to negotiate in the ENDC a treaty, or the relevant provisions for a more general seabed treaty, in which each state party to the treaty undertakes not to station or fix nuclear weapons or other weapons of mass destruction on, within, beneath, or to the seabed beyond 12 nautical miles from its coast and up to the coast of any other state."

Verification of this proposal would be based on unilateral capabilities.

The ACDA case for this proposal is based on the following general considerations: (1) it is in our net security interest since we have no plans in this area while others might; (2) it will pre-empt other more extensive seabed arms control proposals which would not be to our net security interests; and (3) it will be responsive to strong anticipated pressures that the nuclear powers move to negotiate further arms control measures as called for in Article IV of the NPT.

With regard to verification, ACDA argues that, although there are obvious limitations on our capabilities, this would not endanger our security with respect to the Soviets since we would be able to detect any large-scale deployment of strategic significance and there would be no real incentive for the Soviets to undertake a small-scale clandestine deployment. In the case of other countries where the deployment of a few weapons might be significant, the treaty would provide a clear basis for us to exercise any capabilities we might have and to take action against any violations we might discover.

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By JW, NARA, Date 5-3-02

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The JCS oppose the ACDA proposal. In the attached memorandum (Tab B) dated April 27, 1968, they conclude that it "would not be in the national interest and, in fact, has a potential for grave harm." The Chiefs' main objection is that they do not wish to give up the option of future seabed deployments if our present systems should become vulnerable. They also do not believe we have an adequate unilateral verification capability to monitor the agreement effectively. Finally, they are concerned that the proposed 12-mile limit would reduce the credibility of our current position on the 3-mile limit on territorial seas. In an earlier memorandum (also attached with Tab B) dated April 15, 1968, which they recommended be forwarded to the President, the Chiefs opposed arms control measures on the seabeds in general at this time.

The OSD position on this proposal is not clear at this time. I understand that Nitze will question whether it is really necessary to make a decision now and will ask whether this is not a retreat from our position that arms control agreements should be effectively verified in view of some of the obvious limitations on our capabilities. There is also a possibility that he will raise an alternative suggestion by the Navy that, instead of the 12-mile limit, the treaty only apply to the deep ocean either beyond depths of 1500 or 1700 meters or beyond some substantially greater distance from the coast such as 100 to 500 miles.

The staff in State (IO and G/PM) support the ACDA proposal. I do not know, however, where Rusk will come out on this. He will not receive his final briefing until just before the meeting. Without his support -- particularly on the "urgency" question which will presumably be raised by Nitze -- the proposal is obviously not going to get very far today.

The Vice President, who reportedly strongly endorses the proposal, will not be at the meeting and will be represented by Ed Welch. Dick Helms will be represented by Adm. Taylor.

The problem is complicated by the separate issue of the 12-mile limit that is central to our current consideration of the definition of territorial seas. Chuck Johnson has prepared a separate memo, which follows, on this subject.

For my own part, I believe the ACDA proposal is in our net interest and agree with the ACDA analysis of the problem. I believe that we

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-3-

could probably successfully negotiate a useful international agreement on this subject that would keep up the momentum of the NPT and have political value broader than its immediate arms control implications. At the same time, I do not consider it to be a "critical" arms control measure at this time but rather a good add-on and useful next step. While I think it would be desirable to resolve this issue now, I do not believe one can argue that it is really essential to reach a final decision at this meeting. Failure to be forthcoming on this issue would deprive us of a useful initiative and give us problems in the UNGA and ENDC. It would also put more pressure on us on the comprehensive test ban issue. It would not, however, result in any immediate proliferation of nuclear weapons on the seabed.

I suspect that Rusk will not attempt to reach a decision at this time but will simply use the meeting as an opportunity to give the JCS their day in court, deferring a decision until the pressure builds up for a U. S. position in the UNGA or ENDC. However, if he does seek a decision, I recommend that you support approval of the ACDA proposal. I strongly recommend against "compromise" proposals, such as denuclearization below 1500 meters or beyond 100 to 500 miles, that might be suggested by Nitze or Wheeler. I believe we would be better advised to oppose any action in this area than to advance proposals that would be so permissive as to appear ridiculous.

If you have time, I suggest you read the attachments in the following order:

1. Tab A - Foster's covering memo.
2. Tab A - Annex A, B, and D (short draft treaty articles) to ACDA paper.
3. Tab B - JCS memo dated April 27, 1968.
4. Tab A - ACDA paper.

Spurgeon Keeney

Atts.:

Memo fm CEJohnson  
Tabs A and B

cc: CEJohnson ✓

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cc: Mr. Schweitzer 5/15/68



**SECRET**

May 14, 1968

MEMORANDUM FOR MR. ROSTOW

SUBJECT: Supplementary Briefing Memorandum - Committee of  
Principals Consideration of a Draft U. S. Proposal for  
Arms Control on the Seabed, May 1968

1. This briefing note supplements Spurg Keeny's briefing memorandum--with which I concur.
2. It now appears that the Vice President will not be able to attend the meeting. Ed Wenk will represent him at the meeting.
3. The 12-mile proposal is becoming more and more interesting for a number of reasons. The Soviets have now canvassed approximately fifty states on a proposal on the limits of the territorial sea. They propose the adoption of a 12-mile territorial sea. Now they are pressing for quiet bilateral discussions with the United States in the near future and prior to the General Assembly meeting if feasible. We have been affirming our support for the present 3-mile territorial sea, but there seems to be an informal consensus in the Government that we would support a 12-mile limit if the problem of certain international straits could be solved. The Soviets are apparently becoming more flexible on this point.
4. There is great attractiveness to the idea of having the same arbitrary limit (12-mile) for both the territorial sea and the limit of possible national fortification of the seabed.
5. Some elements in the Government are worried about possible opposition to the 12-mile limit from certain economic interests that are now or may soon be exploiting the seabed beyond the 12-mile limit. Their installations would be subject to verification inspections if the Treaty comes into force. This is not a valid argument against arms control. It really doesn't matter what limit is placed for arms control purposes. There would always be the possibility of private economic activity beyond the arms control line. There are a number of areas in the world where the Continental Shelf and shallow waters extend for hundreds of miles

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Authority NLS 030-019-2-8-1  
By JBN, NARA, Date 5.3.02



from shore -- the Bering Sea, the Soviet Arctic waters, the Gulf of Mexico, the Mediterranean, the North Sea, and the fishing banks off the mouth of the St. Lawrence: all these are examples of areas subject to economic exploitation in years to come.

6. The problem of delimiting the Continental Shelf is now concerning the policy-makers in a number of maritime countries. The present Continental Shelf convention is obviously open-ended and would permit a coastal state to extend its national jurisdiction (or at least sovereign rights to the ocean floor) to the median line of the ocean. This is assuming that the technology develops as has been predicted.

7. The adoption of the 12-mile limit for arms control and territorial waters may lead ultimately to the use of the same limitation as an arbitrary cut off to unilateral national rights to the exploitation of the ocean floor. There is increasing support for a concept that a coastal state could exploit for its own gain the Continental Shelf out to 12-miles, and beyond the 12-mile line it would administer the Shelf with a share of the profits reserved for the United Nations. There are several variations of this scheme being considered but the basic idea is to adopt an arbitrary line that would have more equity and be more easily understood than a limitation based on depth of water as is presently the case.

8. In view of the large number of endorsements by UN delegates at the last session of the principles of arms control in the oceans, it would seem that the U. S. must either propose a meaningful arms control initiative that clearly eliminates certain military options or the U. S. should remain silent. The worst possible policy would be to surface a proposal that obviously reserves the U. S. Navy's freedom to operate on the ocean floor without any real constraint.

12/

Charles E. Johnson

cc: Mr. Keeny

cc: Mr. Schweitzer

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May 9, 1968

NOTE FOR MR. KEENY

Spurg --

Here is the first draft of the briefing paper for the Vice President. Schweitzer is adding an additional point to handle the possible "red herring" industrial espionage.

*C.E.J.*

Charles E. Johnson

Draft of Briefing paper for Vice President concerning seabed arms control.

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11

## Parley Would Ban Nuclear Weapons From Ocean Floor

Special to The New York Times

HARRIMAN, N. Y., May 5—

An international agreement to prohibit the deployment of nuclear weapons on the ocean floor was recommended here today by a group of 75 leading scientists, lawyers, businessmen and public officials.

The group, which ended a four-day meeting of Columbia University's American Assembly, also proposed that exploitation of resources in the ocean beyond national waters be regulated by an international agency.

Other points in the group's final report included support for an international decade of ocean exploration, increased Federal spending for ocean research and the creation of a new independent agency in the United States Government to direct research in ocean engineering.

The American Assembly meeting, entitled "Uses of the Seas," was the 33d in a series of public affairs discussions that began in 1951. It was supported by a grant from the Ford Foundation and was held at Arden House, the old Harriman estate that Columbia maintains for special seminars.

From a military standpoint, the participants were told that it was possible to mine strategic parts of the ocean with nuclear explosives or install missile silos clustered around control centers on the ocean floor.

The recommendation on nuclear weapons was carefully phrased, the participants said, so as not to rule out use of Polaris missile submarines. The submarines are not designed for use on the ocean floor.

The assembly also proposed that territorial waters be as narrow as possible but might extend as far as 12 miles.

*NY Times  
May 5, 1968*

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22  
DEPARTMENT OF STATE  
ASSISTANT SECRETARY

April 2, 1968

NSC - Mr. Charles Johnson

For your information - per  
our telephone conversation.

David H. Popper  
Deputy Assistant Secretary  
for International  
Organization Affairs

UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/AC.135/5  
27 March 1968

ORIGINAL: ENGLISH

23a

AD HOC COMMITTEE TO STUDY THE PEACEFUL  
USES OF THE SEA-BED AND THE OCEAN FLOOR  
BEYOND THE LIMITS OF NATIONAL  
JURISDICTION

STATEMENT BY THE CHAIRMAN OF THE AD HOC COMMITTEE AT ITS  
NINTH MEETING ON 27 MARCH 1968

The Committee during its discussion of the programme of work heard a series of statements.

The most important matter for consideration now is the material which we need from the Secretariat in order to proceed with the substance of our work. This would have to be prepared in time for the next session of the Committee allowing a sufficient interval between the presentation of such material to members and commencement of the next session for the study of the material by members and their Governments. We would have to bear in mind the need for giving the Secretary-General an opportunity as suggested by some members and also implied in General Assembly resolution 2340 (XXII) on referring to Member Governments for information which they may be in a position to furnish and falling within the scope of our terms of reference.

A number of concrete and valuable suggestions have been made by members. These have all been incorporated in the list of material which I suggest we should seek from the Secretariat and which I now set out in detail:

At its second meeting the Committee decided to establish two Working Groups: (i) a Technical and Economic Working Group to deal with the technical and economic aspects of this item as well as related aspects; (ii) a Legal Working Group to deal with the legal aspects. There are other aspects of the question which the Committee as a whole would consider although, in so far as they have a bearing on either of the two Working Groups, those groups would find it necessary to take them into consideration.

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To come to the material itself: in addition to the studies specified in operative paragraph 3 of General Assembly resolution 2340 (XXII), namely those being undertaken in pursuance of General Assembly resolution 2172 (XXI) and ECOSOC resolution 1112 (XL), operative paragraph 2 of General Assembly resolution 2340 (XXII) sets out in sub-paragraphs (a) and (b) in broad outline the nature of information we need from the Secretariat.

The suggestions and proposals made by members of the Committee during the debate amplify for the most part the provisions of sub-paragraphs (a) and (b) of paragraph 2 of General Assembly resolution 2340 (XXII) and make them more specific. I will first deal with information required for the Technical and Economic Working Group. I suggest we request the Secretary-General to furnish us with papers on (a) present state of knowledge of the characteristics and resources of the sea-bed and ocean floor and its subsoil including full estimates of extent of such resources and the economic implications of their exploitation with particular reference to world trade and prices; (b) the present state of knowledge of methods of exploration and exploitation of these resources and foreseeable developments in this field; (c) the effect of such exploitation on the superjacent waters and on other uses of the marine environment; (d) account of present state of exploratory and exploitative activities in the sea-bed and ocean floor and its subsoil.

For the Legal Working Group we would require from the Secretariat the following material: (a) a statement of existing international agreements concerning the sea-bed and ocean floor and its subsoil underlying the high seas beyond the limits of present national jurisdiction and the extent and nature of State claims in this field; (b) an account of the legal status of the sea-bed and ocean floor and its subsoil beyond the limits of national jurisdiction in so far as it is relevant to the exploration and exploitation of the resources thereof including provisions and practice of the law of the sea relating to this question; (c) a survey of bilateral and multilateral treaties concluded among coastal States as to their continental shelves; (d) paper on national legislation programmes of various States concerning exploitation procedures, research in natural resources of the sea-bed and ocean floor and subsoil including available legislation on safety practices in connexion with oil drilling and mining in marine areas; (e) a statement of various legal régimes which might be applied to the exploitation of the resources

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covered by the Committee's terms of reference. The Committee will also like to have from the Intergovernmental Oceanographic Commission a paper on the scientific aspects of this item.

For the purpose of paragraph 2 (c) the Committee would wish to have a working paper containing a summary of the views expressed by Member States in the General Assembly, in the Ad Hoc Committee and their replies to the Secretary-General's note verbale. In regard to the military aspects of this item the Committee would wish to have documentation concerning the work of the Eighteen-Nation Disarmament Committee in regard to the ocean floor.

In the concluding paragraph of his note of 31 October 1967 (A/C.1/952), the Secretary-General has referred to the administrative machinery which would be necessary for effective management and control of the resources of the sea-bed, the question of adopting a system of licensing and possible arrangements for redistributing or utilizing the funds derived from exploitation of these resources. The Committee might request the Secretary-General to include in his reports any proposals which he deems worth considering.

The Ad Hoc Committee itself will consider the political aspects and implications of this question. The Committee will also deal with the question of practical means of promoting international co-operation in the exploitation, conservation and use of the sea-bed and ocean floor and the subsoil thereof and of their resources pursuant to General Assembly resolution 2340 (XXII) and include in its report to the General Assembly an indication of such means. The working groups would be free in their reports on their respective spheres of work to include any indications regarding practical means of promoting international co-operation which may emerge during their consideration of their work. As an example the legal working group may be able to identify specific problems which are likely to arise with the development of technology and the group may wish to suggest various possible means of dealing with these problems. The co-ordination of the work of the two working groups will be the responsibility of the Ad Hoc Committee itself. While it is contemplated that to ensure expeditious disposal of our work, the working groups may have to meet simultaneously, we would have to take into consideration the burden imposed upon the Secretariat itself.

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The Committee attaches the highest importance to the assistance that can be rendered to it by the Secretary-General, the specialized agencies, the inter-governmental organizations listed in General Assembly resolution 2340 (XXII) and other inter-governmental bodies interested in this item and looks forward to receiving such assistance.

The members of the Committee will be aware that there is a good deal of overlapping. There are also a number of divergencies between the titles or subjects of various of the working papers proposed, and in some cases the suggestions reflect lines of approach to the subject matter of our discussion which may not be those of all members, or which may appear to lead further than some might wish to go, at least at this stage. I think that there would be little point in trying now to subject all these ideas to an over-all scheme. For one thing, such an attempt might take more time than we can afford. But the essential fact, I think, is that we are all agreed that the need is for papers which would provide the Committee with the basic information which it requires for this work to be carried out at the next session. The nature of this information is fairly clear. It is also clear that a very considerable burden is being laid upon the Secretariat, which after all, has limited resources and many heavy commitments. I therefore propose that we should ask the Secretariat to do as much as is possible and that we should rely on it to use its discretion in regard to the formal division and arrangement of subject matter or material.

I suggest that the Committee agree that the material described by me be requested from and through the Secretary-General. Certain other suggestions have been made which would not require preparation of special material but which the Committee would no doubt consider at its future sessions. There is the proposal that the 1970's be declared an international decade of ocean exploration. The Committee would no doubt wish to have further details from the distinguished representative of the United States to enable it to consider these proposals at a later stage. It has also been suggested that the Committee recommend to the General Assembly the adoption of a declaration on the analogy of the Declaration regarding Outer Space, referring in particular to the need for preserving the peaceful character of all activities in this field. This, too, the Committee would wish to consider at some time in the future. The distinguished representative of

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the USSR in his statement suggested a recommendation to the General Assembly to favour in principle the prohibition of the military use of the sea-bed and ocean floor beyond the limits of national jurisdiction. The Committee may at a later stage wish to consider this proposal.

Finally, mention has been made of the public relations aspect of our work. Considering the vital significance of this item we are considering and its amplitude, I have no doubt that the Secretariat will give due attention to this aspect of the matter.

I now come to the time-schedule for our work. It is expected that sufficient material will be ready in time to permit the two Working Groups to start their work by Monday, 17 June. That date is therefore proposed for the commencement of the second session of the Ad Hoc Committee. A meeting of the Ad Hoc Committee itself may be necessary on that occasion and before the working groups begin their discussions.

Further meetings of the Ad Hoc Committee would be necessary to consider reports of the working groups on progress or to resolve matters of common interest or matters concerning the Ad Hoc Committee as a whole.

It is expected that this second session will take about three weeks.

A third and final session of the Ad Hoc Committee would be necessary to enable it to prepare its report for submission to the General Assembly. It is proposed that this session should be held in the last week of August. Even during the last session there might be need for the working groups to meet in order to dispose of matters carried over from the second session.

In regard to the procedure to be followed by the working groups, it is proposed that they conduct their business in informal sessions during which no record will be maintained. Each working group will decide when it should move into formal session and summary records of such formal sessions will be maintained.

Finally, I come to the kind invitation of the Government of Brazil. It is, I think, the desire of the Committee that this invitation be accepted in principle. If this is acceptable, I would propose that the third session of the Committee be held in Brazil. I think I have covered the entire field of relevant questions.

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*Sealed*

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March 22, 1968

MEMORANDUM FOR MR. W. W. ROSTOW

Walt --

For your information there is attached a copy of the memorandum Ed Wenk sent the Vice President this afternoon alerting the President to the Soviet initiative regarding arms control in the oceans and suggesting that the Vice President support an effort to get the Committee of Principals to deal as a matter of urgency with the development of a U. S. position on this matter.

As you probably already know, it is expected that Bill Foster may refer to the desirability of proceeding with Arms Control in the Oceans as the next attainable goal for the ENDC when it convenes again next summer.

*61*

Charles E. Johnson

Enclosure

*cc: Mr. Keeney  
Mr. Davis*



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~~SECRET - NO FOREIGN~~

March 22, 1968

MEMORANDUM

TO: The Vice President

FROM: Edward Wenk, Jr.

SUBJECT: Arms Control on the Seabed

DECLASSIFIED  
E.O. 12958 Sec. 3.5  
NLJ-S-98001  
By Jow, NARA, Date 5-2-02

On March 20th, the Soviet delegation to the UN ad hoc Committee on the Seabed proposed that the General Assembly adopt principles banning military activities on the seabed and noted that the nuclear arms race should not be allowed to spread to the seabed. The Soviets also proposed that detailed study of this subject be undertaken by the Eighteen Nation Disarmament Conference. Although the precise nature of the Soviet proposal is not clear, the Soviets probably consider this as an important initiative, and we expect that they will continue to press in this area.

At the present time the U. S. Government does not have a position on this question. ACDA has prepared a good paper for submission to the Committee of Principals proposing that weapons of mass destruction be banned on the ocean floor beyond a distance of 12 miles from the coast. ACDA has made a rather persuasive case that the benefits to be derived (e. g., maintaining the momentum in the disarmament field after conclusion of the non-proliferation treaty, as well as putting another boundary on the arms race) may outweigh the risks (e. g., denying the Navy of several options such as nuclear mines and seabed missiles, and minor verification uncertainties).

This Soviet initiative has generated considerable interest at the top levels of Government and in the Congress. It is my understanding that some elements in the Navy are mobilizing opposition to serious consideration of this issue on the Hill and elsewhere. Walt Rostow's office, the State Department, and the U. S. Mission to the UN believe that the Government should come to grips with this problem quickly, and I believe that Bill Foster or Butch Fisher may be consulting with you in the very near future.

I recommend that we support efforts to have this matter considered by the Committee of Principals on an urgent basis to insure that the issues are clearly understood and a US position developed as soon as possible.

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WEC = Glen Davis

DOD = no letter

G/PM

NATIONAL SECURITY COUNCIL

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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

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March 5, 1968

MEMORANDUM

TO: White House - Mr. Charles E. Johnson  
FROM: ACDA/ST - David A. Sousa *DS*  
SUBJECT: Draft Proposal for Arms Control on the Seabed (U)

In reply to your telephone request of March 4, the latest draft of a proposal for arms control on the seabed is attached, along with summaries of comments received from other Government agencies. The proposal has been recently revised and therefore has not been cleared in ACDA.

As you can well imagine, the problem of verification is a difficult one to solve in this type of proposal. We are considering the possibility of including an article providing for physical access to large enclosed installations on the seabed. The language of the article is similar to that used in the Outer Space Treaty. I would greatly appreciate your comments on this inspection article, as well as the proposal in general.

If I can be of further assistance to you, please feel free to contact me at any time.

Attachments:

1. Draft seabed proposal
2. Summaries

When separated from attachment, handle this  
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Authority NLS 030-019-2-9-0  
By JDL, NARA, Date 5-3-02

*Copy for S. Kennedy 5/6*



FEB 21 1968

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The Seabed Arms Control Proposal - Who Says What?

- I. ACDA - With the exception of WEC, there is general agreement that the proposal merits Agency support. Specifically:
- A) E recommends that the proposal also prohibit the deployment of conventional weapons on the seabed.
  - B) WEC feels the discussion of the proposal (1) might lead to widespread reprobation of the U.S. for its Polaris operations; (2) would not restrain nations for placing weapons on the seabed; and (3) would interfere with possible U.S. options.
- II. G/PM - Agrees the proposal has merit particularly as a demonstration of U.S. willingness to limit competition in the nuclear arms race. It questions, however, the proposal's effect on U.S. security interests, the U.S. position on defining territorial waters, and Nth-country seabed deployment.
- III. L - In general, favors the basic proposal with some minor changes in the language of the operative article. It states specifically that
- A) the prohibition should include "stationing" as well as "fixing";
  - B) the U.S. make clear that the temporary anchoring of vessels to the ocean floor is not affected by the proposal;
  - C) a statement be included to make clear the proposal does not imply U.S. recognition of 12-mile territorial sea claim.

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Authority PLJ 030-019-2-9-0  
By 504, NARA, Date 5-3-02

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- 2 -

D) it questions the rationale for prohibiting one state from placing weapons in the territorial sea of another state with consent.

IV. IO - Favors the proposal in its present form and agrees with the necessity of a U.S. position on seabed arms control for the U.N. Ad Hoc Committee meetings.

V. SCI - Supports the proposal in its present form.

VI. DOD - ISA notes that there is considerable resistance in DOD to the proposal at this time because:

A) it would preclude two future seabed systems now under consideration, namely, bottom-stationed submarines and fixed missiles;

B) our present technological capabilities could not guarantee 100% verification;

C) it is too early for the U.S. to take an initiative in this area.

VII. White House (Keeny) - Believes proposal has merit, although does not feel there is strong interest in White House at this time. Favors 12-mile criteria rather than depth limits.

IX. CIA - Has no objection to the proposal.

ACDA/ST:DASousa:aa  
2/21/68

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