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E. THE SOVIET UNION AND THE UNITED STATES

1. Conflict and Cooperation

The history of the period since November 1963 in US-Soviet relations is one of conflict and cooperation: conflict arising from the basic hostility of the USSR to the "capitalist" world and the proclaimed Soviet mission of assisting the world to communism; cooperation, as reflected in Soviet willingness, despite underlying hostility, to enter into some agreements with the United States when in the Soviet interest.

Of the two themes, conflict continued to be the dominant one during this five-year period. This conflict was a reflection of fundamental differences in the US and Soviet views of the world, what it should be and by what means it should change, and it was constantly underscored by the enormous military power of the two countries.

The positive steps taken in US-Soviet relations during this period must be seen and measured against the background

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of conflict. Without bearing this dominant theme in mind the accomplishments of the period cannot be assessed, nor can the difficulties with which they were achieved be fully understood.

The period as a whole was one of coolness in the climate of US-Soviet relations. The atmosphere of November 1963 was one of limited detente in which the Soviet Union, while giving no evidence of an interest in far reaching accommodations, was nevertheless showing somewhat greater flexibility than heretofore in its relations with the United States. The change in atmosphere which followed, beginning in late 1964 and early 1965, brought a relative chill in which business was conducted but in which initiatives by the United States for increased cooperation had less chance of success. This change resulted from a number of factors, chief among which were a shift in leadership in Moscow and a consequent modification of Soviet policies, a new relationship of the Soviet Union to the war in Viet-Nam and a change in the character of the war itself. The Soviet military intervention in

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Czechoslovakia in August 1968 inaugurated a period of heightened tension and uncertainty, whose long-term impact is still unclear.

2. Areas of Conflict

a. Sources of Discord

Conflict, as stated above, was the dominant theme of US-Soviet relations during the Johnson Administration as it had been throughout most of the postwar period. Although there were during these years no direct confrontations between the two powers comparable to the Cuban Missile Crisis of 1962, the interests and policies of the United States and the Soviet Union clashed in one way or another on most parts of the globe, the demilitarized -- and unpopulated -- Antarctic Continent being the most conspicuous exception. The specific reasons and degree of intensity varied with time and place, but virtually everywhere the underlying causes were to be found in the aim of the Soviet leadership to advance the interests of the Soviet state and of international communism (as interpreted in Moscow), and to supplant Western "capitalist" influence

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where possible. The issues themselves ranged widely, from the interpretation of Article 19 of the United Nations Charter (involving contributions to peace-keeping operations) to the Soviet fleet build-up in the Mediterranean, from a crisis in the Congo to Soviet efforts in Europe to disrupt NATO, isolate Germany and weaken the ties between Western Europe and the United States. These and many other issues found US and Soviet policies in basic opposition.

There would be little value here to attempt to discuss these numerous issues in detail; many are touched upon or treated fully in other sections of this study. Three major crises, however, merit some discussion in this section in their US-Soviet context, even though they may be recounted elsewhere in a broader way. These are: the Viet-Nam War, the Middle East Crisis and the Soviet intervention in Czechoslovakia. None of these involved a direct US-Soviet confrontation; indeed, both powers took care in each instance to see that that did not occur. Two involved a fundamental divergence of interest concerning the future of third countries.

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The other, the Middle East, seemed for a time to reveal a certain partial identity of interest between the two powers.

These three crises are discussed, insofar as they concern US-Soviet relations, in the following pages of this section. It will be noted that the final discussion of the Czechoslovak crisis also touches upon the question of Berlin and Germany, since this question became involved, perhaps inevitably, in the latter stages of US-Soviet discussions.

b. Viet-Nam

Among the numerous areas of US-Soviet discord, the most serious throughout most of this period was Viet-Nam. Late in 1964 after Khrushchev's downfall, the Soviet Government increased significantly its commitment to Hanoi (although a shift in emphasis in Soviet policy had begun earlier), this being one important element in the intricate Soviet campaign to isolate Peking in the world communist movement. While the Soviet decision came at a time when communist victory in Viet-Nam appeared close at hand and seemingly offered the Soviet leadership an attractive opportunity to associate

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themselves with that victory, it was no doubt taken with a realization that US-Soviet relations might suffer. Following the commencement of US bombing of the North in February 1965 and increased US involvement in the war (which it appears the Soviet leadership did not expect), the actions taken by the Soviet Government indicated a determination to maintain its commitment while stopping short of acts which might result in a direct confrontation with the United States.

Although, as will be indicated in subsequent sections, the Soviet leadership did not seek a total break-down in US-Soviet relations, and upon occasion apparently hoped that by holding out the prospect of better relations they could induce the United States to modify its Viet-Nam policy, the war nevertheless colored US-Soviet relations to an increasing extent. As the USSR provided massive military and economic assistance to Hanoi, in its public media it poured forth a flood of abuse against the United States, and throughout the world the Soviets played upon any foreign dissatisfaction with US policy to diminish US prestige and, to the extent possible,

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to undermine US positions.

It does not follow from this sequence of events that had there been no Viet-Nam conflict, US-Soviet relations would have taken a radically different turn; such an assumption seems unwarranted. Indeed, Viet-Nam appears at times to have provided a conservative Soviet leadership with a convenient excuse for not further developing constructive bilateral arrangements with the United States, some of which (e.g., an expanded program of cultural and other exchanges) it feared because of its own domestic problems; and also for not joining more readily with the United States in tackling some of the other basic problems of world peace. Inevitably, however, Viet-Nam remained an important source of friction between the two countries.

Although the Soviet leaders were quite prepared to ignore the Viet-Nam question in particular bilateral issues with the United States when it suited their interest, they showed themselves unwilling to work for a settlement of the conflict except on North Vietnamese terms. Viet-Nam was the subject

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of innumerable discussions between United States and Soviet representatives during the years covered by this study: Secretary Rusk discussed the matter on a number of occasions with Foreign Minister Gromyko during the latter's periodic visits to New York for UN General Assembly sessions, and many times with Ambassador Dobrynin; Harriman discussed the question at length with Kosygin in Moscow; and Thompson, Kohler and other high Department officials were in frequent contact with Soviet representatives. This virtually continuous dialogue had some value in itself, since it helped to remove uncertainties as to where each country stood with relation to the conflict and it kept the lines of communication open. Beyond this, however, it accomplished little. A few specific citations may suffice to indicate the nature of the Soviet attitude as expressed to United States representatives.

In December 1964, for example, in a conversation in New York with Gromyko, the Secretary suggested that the Soviets tell Hanoi to cease its military action, stating that if the North Vietnamese withdrew we would do the same. Gromyko replied that he had no knowledge of North Vietnamese troops

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being in South Viet-Nam. The United States, he said, should withdraw from South Viet-Nam, leaving the Vietnamese to settle their own affairs. Such a step would also be in the interests of US-Soviet relations, which the President had expressed a desire to see improved.^{1/}

In March 1965, Ambassador Dobrynin read to the Secretary a long oral statement on US-Soviet relations which contained, inter alia, the following points: (1) US assertions about "aggression from the North" were baseless; (2) US escalation of the war and aggressive action made it impossible to speak of finding what the Secretary in a previous meeting had described as a "mutually acceptable solution;" (3) if the US really desired a peaceful settlement, it should cease aggressive acts against North Viet-Nam. The Secretary, replying in part, said that while we had no quarrel with a Soviet commitment to support a socialist state, there was an issue between us if the Soviet Union intended to support

1/ Memorandum of conversation, Secretary with Gromyko, December 19, 1964 (Confidential).

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socialist countries in attacking their neighbors as North Viet-Nam was doing. He asked that the Soviet Union believe us when we said that North Vietnamese men and arms were being sent regularly into Laos and South Viet-Nam. We did not know, he added, what capabilities the Soviet Union had for persuading Hanoi to settle the South Viet-Nam problem promptly, but we had hoped that the Soviet and British co-Chairmen could have ascertained the views of the parties so as to see whether there were possibilities to solve the problem. We had been disappointed that the USSR had decided it could not act in that capacity. It was hard to believe, he said, that there was any basic conflict of interest between the United States and Soviet Union in Southeast Asia.^{2/}

In a conversation in June 1965 in Moscow, Gromyko told Ambassador Kohler that the United States must understand clearly that the Soviet Union was not authorized and could not negotiate on behalf of North Viet-Nam. The Viet-Nam situation must be discussed with the DRV. Moreover, he

^{2/} Memorandum of conversation, Secretary with Dobrynin, March 26, 1965 (Secret/EXDIS).

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wished to caution the United States that no progress could be made if any future approach to the DRV were cast in "insulting" terms, as it had been previously. Ambassador Kohler replied that the United States Government fully recognized the difficulties faced by the Soviet Government in dealing with the Viet-Nam situation; obviously Soviet maneuverability was restricted by the attitude of Hanoi and to a certain extent Peking. However, he said, we had hoped that the Soviet Government would be prepared to bring its influence to bear on Hanoi in an effort to bring about a peaceful settlement of the Viet-Nam problem, which neither of us wished to see escalated to a dangerous degree.^{3/}

In May 1966 the Secretary asked Dobrynin why we could not have a conference on the basis of either the 1954 Geneva Agreement or the 1962 agreement on Laos, to which Dobrynin replied by expressing the view that this would not be possible so long as the bombing continued. The Secretary stated that we could stop the bombing again, as we had during the pause,

^{3/} Memorandum of conversation, Kohler with Gromyko, June 25, 1965 (Confidential/LIMDIS).

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but not on a unilateral basis. We could not, he said, make the Soviets happy by pulling out of South Viet-Nam, but the continuation of the fighting was not in the interests of either the USSR or the United States.^{4/}

In June 1967, the Secretary asked Gromyko whether he saw any procedures which could open up the question of Viet-Nam for discussion, noting that we were prepared for bilateral (US-Soviet) talks, a new Geneva Conference, UN talks or direct talks with Hanoi. Gromyko replied that direct contacts with Hanoi "under certain conditions could have some possibilities for favorable development"; however, there must be unconditional cessation of the bombing of North Viet-Nam in order to create "a favorable atmosphere conducive to talks." Proceeding via the United Nations or a Geneva Conference, he said, were not "realistic" proposals. He also stated that the USSR could not act as "a post office" to transmit proposals to the DRV. The Secretary stated that we could not stop the

^{4/} Memorandum of conversation, Rusk with Dobrynin, May 26, 1966 (Confidential).

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bombing without some reciprocal step from the other side. ^{5/}

These citations are merely illustrative of a long series of US-Soviet conversations which, while differing occasionally in detail are broadly similar for the entire period under review. Time and again US representatives urged that the Soviet Union use its influence with Hanoi to try to find a peaceful settlement of the conflict, to which with monotonous regularity the Soviets replied that they could not "negotiate" on behalf of North Viet-Nam. From the beginning they insisted that the war was entirely the fault of the United States and that a solution would be found only when the United States desisted from its "aggressive" acts. Soviet diplomats, particularly in the earlier stages, frequently pointed out that the United States would suffer no loss of "prestige" by withdrawing from Viet-Nam but rather would gain from such a step (they appeared to discount the response that we were concerned not with "prestige" but with a commitment). After February 1965

^{5/} Memorandum of conversation, Secretary with Gromyko, June 21, 1967 (Secret/EXDIS).

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Soviet representatives placed primary emphasis on the bombing issue. In November 1965 Ambassador Dobrynin suggested that a short pause in bombing would result in intense diplomatic activity aimed at bringing about direct negotiations, but the 37-day pause which the United States put into effect in late 1965 and early 1966 did not produce this result.^{6/} Thereafter, and in most instances beforehand as well, Soviet representatives in conversations with US officials spoke of "unconditional" cessation of the bombing which might produce "favorable conditions" for a negotiated settlement.

In sum, the Soviet Union, both in its public pronouncements and private conversations, took care not to get ahead of the North Vietnamese in discussing or proposing conditions for a settlement. The steps taken by the United States to try to bring about a settlement are described in detail elsewhere in this study.

c. The Middle East War

Soviet policies in the Middle East helped set in motion a series of events which not only disrupted the tenuous peace

^{6/} Memorandum for the record, conversation of McGeorge Bundy with Dobrynin, January 1, 1966 (Secret/EXDIS).

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of the area but threatened a wider conflagration. The crisis illustrated both the Soviet Union's readiness to play a dangerous game in a troubled area and its willingness to engage in a limited degree of bilateral cooperation with the United States in order to avert catastrophe.

Unlike Viet-Nam, where the USSR committed itself publicly to the support of a fellow "socialist" state, its policies in the Middle East had little ideological connotation and its field of maneuver was broader. Having long regarded the Middle East as a key area of competition with the West, the Soviets sought to supplant Western influence by means of heavy economic and military assistance to various Arab nations and by exploiting Arab suspicions of Israel and its ties with the West. This policy appeared initially to achieve some success, but the hostilities of June 1967 threatened the gains the Soviets had achieved and raised the danger of a direct military confrontation with the US. Through its massive deliveries of arms to the UAR and Syria, the USSR itself bore a heavy share of responsibility for the outbreak of hostilities

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(its passing to the UAR of false reports of Israeli concentrations against Syria in the final stages also had a highly incendiary effect). Nevertheless, the outbreak seems to have taken the Soviets by surprise. Once faced with the situation, the Soviet Union showed concern first of all to prevent the great powers from being drawn in and, having done so, to prevent complete catastrophe to the Arab side and to salvage the Soviet position to the extent possible. The United States objectives were to prevent hostilities, to bring them to a speedy close once they had begun, and to seek a solution which would bring lasting peace to the area. Thus in some respects US and Soviet interests ran parallel, and a meaningful dialogue became possible. These interests came together, however, only after the war had broken out, and they diverged again on the means of finding a lasting solution.

In the days immediately preceding the "June War," when it had become clear that the Middle East situation was deteriorating rapidly, senior US officials made a number

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of approaches to Soviet representatives to attempt to enlist the cooperation of the Soviet Union in efforts to prevent an outbreak of hostilities. On May 18, for example, Under Secretary Rostow called in Soviet Chargeé Chernyakov to direct his attention to the dangerous situation developing and specifically to Syrian statements that their country was assured of unlimited Soviet military and political support.^{7/} In other approaches, US officials urged the Soviet Union to use its influence with the Arab states to calm the situation, and in Moscow, Ambassador Thompson made a similar appeal to Foreign Minister Gromyko and Ambassador Dobrynin.^{8/} In letters of May 27 and 28 to Kosygin and Gromyko, the President and the Secretary expressed our particular concern over the closing of the Gulf of Aqaba.^{9/}

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- ^{7/} Department of State Telegram 197661 to Moscow, May 18, 1967 (Secret/EXDIS).
 - ^{8/} From Moscow, Telegrams 5016, May 19, 1967 (Confidential); 5078, May 23 (Secret/EXDIS); Department of State Telegrams 199746 and 199710 to Moscow, May 23 (Secret/EXDIS).
 - ^{9/} Rusk letter to Gromyko, May 28, 1968.

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To most of these urgings the Soviets responded merely that they, too, were interested in peace, but that Israel was entirely responsible for the tension. They rejected ^{10/} US suggestions for quadripartite talks on the situation.

Following the outbreak of hostilities the Soviets immediately showed a strong concern to avert a great power confrontation and, when the extent of the Arab defeat became obvious, to bring hostilities to a speedy end. The "Hot Line" was employed (for the first time since its installation) for an exchange of communications between the President and Kosygin, messages passed between the Secretary and Gromyko, ^{11/} and numerous contacts took place between US and Soviet officials in Moscow, Washington and New York. The Soviet Union, now alarmed at the turn of events, seemed to agree that the two powers had a common responsibility to try to bring an end to the fighting, despite fundamental disagreement as to where

^{10/} Fedorenko conversation with Goldberg, USUN Telegram 5370, May 19, 1967; Bohlen conversation with Zorin, from Paris Telegram 19320, May 20, 1967.

^{11/} Department of State Telegrams 208030 to Moscow, June 5, 1967 (Secret); and 208140 to London, June 5, 1967 (Secret/EXDIS).

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responsibility for the crisis lay. In New York Ambassador Goldberg succeeded, after considerable negotiation, in obtaining Ambassador Fedorenko's agreement to a simple ^{12/}cease fire resolution in the UN Security Council.

Once the immediate danger of a great power clash had passed, the Soviets set out quickly to refurbish their somewhat tarnished image with their Arab clients by carrying out by air a large-scale arms re-supply operation and by calling an emergency session of the UN General Assembly, attended by Premier Kosygin. However, despite propagandistic public statements designed to please Arab ears, the Soviet Union ^{13/}continued its private dialogue with the United States.

Premier Kosygin met twice with the President at Glassboro, New Jersey (June 23 and 25), giving the two leaders an opportunity to express their views of the Middle East and other world issues privately to one another. During these

^{12/} From USUN, Telegrams 5631, June 6, 1967 (Confidential); and 5652, June 6 (Secret/EXDIS); and 5644, June 7 (Secret/EXDIS).

^{13/} Memorandum of conversation, Secretary with Dobrynin, June 16, 1967 (Secret/EXDIS); Thompson with Dobrynin, June 19, 1967 (Secret/EXDIS).

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talks the United States stressed that Israeli withdrawal must be accompanied by removal of those dangerous factors which had led to war, while the Soviets insisted that this withdrawal must precede consideration of other aspects of the Middle East situation.^{14/}

Despite these differences, intensive discussions between the two countries (as well as extensive consultations by each with third countries) continued. Both sides agreed that it was in their interest to have peace in the Middle East and to continue to search for a formula for a resolution on which they and other states could agree.^{15/} An essential element from the US standpoint was to combine a call for Israeli withdrawal from occupied territories with a requirement for Arab acceptance of Israel's right to exist and an end to the state of belligerency. A series of discussions involving the Secretary, Ambassador Goldberg, Foreign Minister Gromyko and Ambassadors Dobrynin and Fedorenko eventually

^{14/} Department of State Circular Telegram 217511, June 27, 1967 (Secret/EXDIS).

^{15/} Memorandum of conversation, Rusk with Gromyko, June 27, 1967 (Secret).

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resulted in a tentative US-Soviet agreement on the draft text of a resolution incorporating these concepts.^{16/} However, the Soviets failed to obtain the agreement of the more radical Arab states to a formula acceptable to the United States and the Soviet Union, and the Emergency Session adjourned with the issue unresolved. Nevertheless the two sides agreed to continue their bilateral discussions on the Middle East in a search for a solution.

The tentative agreement of July proved to be illusory. Although US-Soviet discussions on a settlement of the crisis resumed in September with the opening of the UN General Assembly session, the two sides were unable to agree on an acceptable formula.^{17/} Aware that a resolution calling for

^{16/} Memoranda of conversation: Rusk with Dobrynin, July 8, 1967 and July 24, 1967 (Secret/EXDIS); Kohler with Dobrynin, July 27, 1967 (Secret/EXDIS); From USUN, Telegrams 258, July 17, 1968 (Secret/EXDIS); and 290, July 20, 1968 (Secret/EXDIS).

^{17/} Memorandum of conversation, Secretary with Gromyko, September 25, 1967 (Secret/EXDIS); Department of State Telegram 51942 to USUN, October 11, 1967 (Secret/EXDIS); From Moscow, Telegram 1388, October 9, 1967 (Secret/EXDIS); From USUN, Telegram 8292, November 4, 1967 (Confidential).

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unconditional Israeli withdrawal was not a realistic possibility, but apparently still desiring a peaceful resolution of the conflict, the Soviets supported the Security Council resolution in November which established the Mission of Ambassador Jarring. However, with an ear tuned to the demands of their Arab clients and with their own Middle East interests in mind, they appeared to abandon any thought that a solution could be found through bilateral discussions with the United States.

In the months which followed, the Soviet Union has continued to support the idea of a "political solution," though aiming toward a limited Arab-Israeli accommodation rather than the broader settlement sought by the United States. In particular, Moscow has sought withdrawal of Israeli forces, for which it could then claim credit with its Arab friends, and on opening the Suez Canal, which the USSR, like the Western Powers, desires to use. As of this writing, however, no solution has been found. At the same time, having substantially re-equipped the UAR military forces, the Soviet Union has expressed a willingness to consider the Middle East

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as an area for possible regional arms control measures (eighth part of Soviet memorandum of July 1, 1968, on Arms Control and Disarmament). However, in conversations with US officials, Soviet diplomats have indicated that discussion of arms deliveries to the area can only follow a Middle East settlement which includes Israeli withdrawal. Thus, at the present time it appears that the immediate Soviet purpose is to exploit the strong desire of the United States to achieve limitation of arms shipments to the Middle East in order to induce the United States to bring pressure to bear on Israel for concessions.

d. The Czechoslovak Crisis

Background

During the first half of 1968, the Soviet leadership watched with mounting concern the implementation of reforms and the rapid pace of liberalization in Czechoslovakia under the regime of Alexander Dubcek, a concern which was shared by certain other Eastern European communist rulers. The developments in Czechoslovakia, as seen from Moscow, seemed destined

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either to end in complete loss of control by the ruling communist party or at best a diminution of its power, already evidenced in Soviet eyes by the removal of censorship from the Czech press. To a generation of Soviet leaders raised in the belief that "Marxism-Leninism" meant, among other things, absolute power exercised by the select few this seemed a dangerous course which might well prove contagious not only to other countries in Eastern Europe but perhaps to the Soviet Union itself. Added to this was the specter of an increasingly independent Czechoslovakia at some future time withdrawing from the Warsaw Pact and striking out on its own. Here again the evident desire of Czechoslovakia to establish diplomatic relations with West Germany could not help but arouse Soviet suspicions.

In an effort to stem the liberal tide the Soviets had invited Czechoslovak leaders to Moscow in early May, and in the same month Prime Minister Kosygin and Defense Minister Grechko had each made visits to Prague. In mid-July, representatives of the Warsaw Pact powers, minus Czechoslovakia,

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issued from Warsaw a letter containing a list of peremptory demands, which the Czechoslovak Party Presidium rejected. On July 23 Soviet forces began massive military maneuvers, extending from the Baltic to the Romanian border. On July 29 - August 1, Soviet and Czechoslovak leaders met at Cierna, Czechoslovakia, close to the Soviet border, and on August 2-3, representatives of the Warsaw Pact, including Czechoslovakia, met in Bratislava. These meetings, however, failed to produce the results the Soviets desired. Whether at this time a decision for military action had already been taken is not known. In any case, on August 20, Soviet forces, together with contingents from Bulgaria, Hungary, Poland and East Germany, invaded Czechoslovakia.

US Policy in the Pre-invasion Period

US policy with regard to the developing crisis was to act with circumspection and restraint, taking care to avoid any acts or statements on the part of the United States Government which could arouse false hopes of US assistance among the Czechoslovak people, make matters more difficult for the

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reformist Czech leadership or afford the slightest pretext to the Soviet Union for military intervention.^{18/} Although, as Ambassador Thompson stated in a message from Moscow, there were pros and cons to this approach, it was a course which appeared least likely to provide ammunition to those hard-liners in the Soviet leadership who were inclined to intervention.^{19/} Moreover, this approach met with the approval, privately expressed, of the Czechoslovak Government.^{20/}

The United States had many reasons for wishing to see intervention avoided, among which were the following: (1) US sympathy with the trend toward liberalization in Czechoslovakia and hope that this in turn would have a liberalizing effect on other communist countries; (2) traditional support of the right of each nation to determine its own internal structure

^{18/} Monthly Cabinet report, August 8, 1968 (Secret); Briefing item on Czechoslovakia for Secretary's lunch with the President, July 24, 1968 (Confidential).

^{19/} From Moscow, Telegram 4751, July 22, 1968 (Secret/LIMDIS).

^{20/} See, for example, Department of State Telegram 209287 to Prague, July 25, 1968 (Confidential).

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without outside interference; (3) the detrimental effect of Soviet intervention upon US-Soviet relations, which the United States had worked painstakingly to improve; (4) the incalculable implications of intervention for European security.

Throughout the pre-invasion period, the Department, therefore, took pains to insure that nothing was done to exacerbate an increasingly tense situation. Steps were taken in May to insure that broadcasts to the USSR and Eastern Europe were restrained, non-inflammatory and factual, and US officials quietly conferred with officials of the Federal Republic of Germany with reference to the latter's instructions to its military and border patrols to avoid actions that could be regarded as provocative.^{21/} Publicly, although admitting a sympathy for the process of liberalization in Czechoslovakia which seemed to represent the aims and desires of the people of that country, the Department stressed the non-involvement of the United States in these events.

^{21/} Department of State Telegram 162738 to Bonn, May 11, 1968 (Secret/EXDIS).

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Almost inevitably, however, as the crisis developed, the Soviet Government through its controlled public media began to charge United States involvement in Czechoslovakia, alleging attempts on the part of "the imperialists" to incite "counter-revolution." On July 19, both the Secretary and the Department's press spokesman publicly denied these charges. On July 22, Secretary Rusk called in Soviet Ambassador Dobrynin to protest formally against the allegations in the Soviet press that the United States was involved in the internal developments in Czechoslovakia and to request an explanation of these charges. At the same time, the Secretary warned the Ambassador that Soviet military intervention in Czechoslovakia could not help but have a damaging effect upon US-Soviet relations.^{22/}

During the following days the Department continued to follow developments in Czechoslovakia with close attention.

^{22/} Briefing item on Czechoslovakia for Secretary's lunch with the President, July 24, 1968 (Confidential); Memorandum from EUR for Secretary, July 22, 1968 (Secret).

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It was clear that Soviet military intervention remained a distinct possibility although recent events, particularly after the Cierna meeting, suggested that a resolution of the crisis without military intervention might be possible. ^{23/} Nevertheless, the outlook for the Czechs seemed gloomy.

US policy continued to be one of extreme caution so as not to make the position of the Czech leaders more difficult or provide the Soviets with material for their propaganda. ^{24/}

It had been obvious from the start, however, that short of a direct military confrontation with the Soviet Union, which the United States was not prepared to undertake, this nation could not prevent a Soviet invasion of Czechoslovakia if the Soviet Union leadership determined on this course of action. It could only be hoped that the Soviet Politburo, in weighing the pros and cons of such action, would be deterred by the obvious negative considerations. This, however, did not prove

^{23/} From Moscow, Telegram 4910, August 2, 1968 (Secret).

^{24/} Recommendations from Ambassador Thompson, Moscow's Telegram 4695, July 18, 1968 (Secret).

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to be the case. When on August 20 Warsaw Pact forces moved into Czechoslovakia, Ambassador Dobrynin, on instructions, informed President Johnson that the Soviet Union and its allies had taken this action on the invitation of the Czechoslovak Government, that no "state interests" of the United States were involved and that these events "should not harm Soviet-American relations, to the development of which the Soviet Government as before attaches great importance."^{25/}

US Actions Following the Invasion

The Soviet aggression placed the United States in a dilemma for which there was no satisfactory solution. Clearly the action must be condemned in the strongest terms. Clearly, too, "business as usual" in our bilateral relations with the Soviet Union was out of the question, since it would seem to condone the invasion and would undoubtedly be rejected by the American people. On the other hand, whatever the Soviet action, other vital problems of world peace and security

^{25/} Circular Telegram 224692, August 21, 1968
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remained. These included such matters as the Middle East crisis and limitations on strategic weapons, in which Soviet participation was essential, and the Soviet intervention in Czechoslovakia did not render these other matters any less dangerous or urgent. At the same time, the overall situation was further complicated by ominous Soviet moves vis-a-vis Romania and a build-up in tension with regard to Berlin and Germany. Somehow these various conflicting issues must be sorted out and dealt with in a manner which would do the least damage to our principles and our concern for world peace.

The first public response to the invasion came in a nationwide radio and television statement by the President on August 21 in which he condemned the Soviet action, described the Soviet excuse as "patently contrived" and called upon the USSR to withdraw.^{26/} In the meantime, on the evening of August 20, Secretary Rusk called in Ambassador Dobrynin to inform him that we considered the Soviet statement to the

26/ White House Press Release, August 21, 1968.

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President justifying the invasion as unsatisfactory and contrary to the facts.^{27/} At the United Nations the United States, in concert with five other nations (Canada, Denmark, France, Paraguay and the United Kingdom), requested the Security Council to take up the intervention and on August 22 joined with others in sponsoring a Danish resolution condemning the Soviet action and calling for withdrawal. The resolution^{28/} was vetoed by the Soviet representative.

During the next few days the Department became increasingly concerned over a possible Soviet move against Romania. This concern was heightened on August 30 by certain pieces of intelligence information and the fact that on that date Dobrynin had requested an appointment with the Secretary for the following day.^{29/} Following consultations with the Secretary, the President therefore made a public statement

^{27/} Department of State Telegram 224690 to NATO capitals, August 21, 1968 (Secret).

^{28/} US/UN Press Releases 115 and 123; draft resolution, UN document 5/2761.

^{29/} Memorandum of conversation, Secretary with Norwegian Ambassador Gunneng, September 11, 1968 (Secret).

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warning the Soviet Union against further aggressive moves in Eastern Europe,^{30/} and the same evening the Secretary called in Dobrynin, who, as it turned out, had requested his appointment in order to present a second statement justifying the Soviet action in Czechoslovakia.^{31/} The Secretary asked for assurances from the Soviet Union concerning its intentions toward Romania, and at the same time forcefully reminded Dobrynin of United States interests in Berlin (see below).^{32/} The Soviet reply, delivered by Dobrynin on the following evening, stated that rumors of Soviet actions against Romania were "wholly without foundation."^{33/}

In the meantime, the Department had had under intensive review various specific actions vis-a-vis the Soviet Union which might be taken immediately. A number of these had been

^{30/} Ibid.

^{31/} Department of State Telegram 231323 to London, August 31, 1968 (Secret/LIMDIS).

^{32/} Department of State Telegram 231337 to US Mission, NATO, August 31, 1968 (Secret/LIMDIS).

^{33/} Department of State Telegram 231374 to NATO Capitals, September 1, 1968 (Secret/LIMDIS).

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discussed on a contingency basis prior to the actual invasion. It was recognized that the measures under consideration were unlikely to have any effect upon Soviet actions in Czechoslovakia, but it was felt that cumulatively they would help demonstrate to the Soviet Government our profound disgust over the intervention and to indicate that "business as usual" was impossible. Actions taken included cancellation of a tour of the USSR by the University of Minnesota Band and of a scheduled "second inaugural" flight by Aeroflot to the United States. It was decided that various categories of routine exchanges, such as educational exchanges, under the US-USSR Exchanges Agreement should continue, but that various "high visibility" exchanges, such as performing artists or groups would be suspended.^{34/} Discussions with the USSR were suspended with regard to implementing an earlier decision to provide Social Security annuity payments to Soviet citizens. On September 19, the Department formally protested to the Soviet

^{34/} Department of State Telegram 233658 to US Mission NATO, September 6, 1968 (Confidential).

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Government the jamming of Voice of America Broadcasts to the Soviet Union.^{35/} The jamming had been instituted on the day Warsaw Pact forces moved into Czechoslovakia, thus ending, at least for the time being, a five-year period in which Soviet citizens had been able to listen freely to most foreign broadcasts.

The Czechoslovak crisis gave new life to another issue which had troubled US-Soviet relations for many years but which in the recent past had somewhat subsided: the question of West Germany and Berlin. As the Czech crisis developed, Soviet propaganda increasingly directed its attention to an alleged resurgence of "revanchist" and "neo-Nazi" forces in West Germany, partially in order to deflect attention from the Soviet Union's own deeds and partially to help justify its policy. As Ambassador Thompson pointed out shortly after the invasion, the alleged West German threat to Soviet security was the only credible means by which the Soviet

^{35/} Memorandum of conversation, Bohlen with Dobrynin, September 19, 1968 (Confidential).

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leaders could justify their action to their own people.^{36/}
While Soviet press attacks upon West Germany were nothing new, the current campaign took on an unusually violent character, made more menacing by assertions of a Soviet "right" to take action to prevent the rise of Nazism in West Germany on the basis of the Potsdam Agreement and Articles 53 and 107 of the UN Charter. In an effort to make the US position clear on this matter, the Department issued a public statement on September 17 that an invasion of Germany would produce an immediate response by the other members of the North Atlantic Treaty Organization.^{37/}

At the same time, menacing Soviet moves toward Romania (above) raised concern within the United States Government

^{36/} From Moscow, Telegram 5633, September 23, 1968 (Secret).

^{37/} On September 18 the Soviet newspaper Pravda asserted that the USSR was ready, "together with other peace-loving states, to take the necessary effective measures, if the need arises, to stop the dangerous activities of Neo-Nazism and militarism."

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that the Soviet Union or its East German satellite might take this occasion to make some dangerous move against Berlin. These fears were based not only upon an assessment of possible Soviet moves in the immediate circumstances, but upon the record of the preceding months during which the East Germans had placed new restrictions upon the travel of West Germans to and from West Berlin. These restrictions had been the subject of conversations with Soviet diplomats in June and July.^{38/} Thus in his conversation with Dobrynin on August 30, Secretary Rusk took careful note of the Soviet Union's statements of August 21 and 30 that the USSR had no intention of acting against the "state interest" of the United States and reminded the Ambassador that among our interests was Berlin. Pointing out to the Ambassador that we did not trust Ulbricht, the Secretary emphasized the gravity with which we would view any move regarding Berlin in the current situation.^{39/}

^{38/} Memoranda of conversation, Secretary with Kuznetsov, June 14, 1968 (Secret/EXDIS); Secretary with Dobrynin, June 21, 1968 (Secret/EXDIS); Thompson discussion with Kuznetsov, reported in Moscow's telegram 4489, July 3, 1968 (Secret/LIMDIS).

^{39/} Department of State Telegram 231337 to US Mission NATO, August 31, 1968 (Secret/LIMDIS).

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On August 31, Dobrynin replied on behalf of his government that there would be no Soviet moves on Berlin.^{40/}

Despite Dobrynin's assurances, it seemed by no means certain that the Soviet leaders fully understood the seriousness with which the United States Government regarded the question of Berlin and Germany. On September 20, therefore, the Secretary again raised the issue with Dobrynin, pointing to the recent build-up of propaganda and the issuance of threats by the Soviets against West Germany and Berlin. He referred in particular to the recently emphasized Soviet interpretation of Articles 53 and 107 of the UN Charter as providing justification for Soviet intervention in Germany as well as to an "astonishing" Soviet demarche to Dutch Prime Minister de Jong attempting to dissuade him from visiting Berlin. The Secretary asked Dobrynin to explain to his Government the seriousness with which we view the recent propaganda assault and the attempts at intimidation by the Soviet Government.^{41/}

^{40/} Department of State Telegram 231374 to all NATO Capitals, Moscow and others, September 1, 1968 (Secret/LIMDIS).

^{41/} Memorandum of conversation, Secretary with Dobrynin, September 20, 1968 (Secret).

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On October 2, 1968, reviewing the world situation in an address to the United Nations General Assembly, Secretary Rusk again made clear the United States position. He reviewed the setback given to the cause of international peace and security by the invasion of Czechoslovakia and decried Soviet assertions of their inherent right to deal with fellow "socialist" countries as they saw fit. At the same time, drawing attention to the recent pressures against Berlin and Soviet assertions of their alleged right to intervene in West Germany, he reiterated the commitment of the United States and its allies to uphold the security of the Federal Republic and of West Berlin.

Conclusion

In taking their decision for massive military intervention in Czechoslovakia in order to preserve -- or attempt to preserve -- the status quo in Eastern Europe, it must be assumed that the Soviet leadership recognized that bilateral relations with the United States would suffer (just as they no doubt did in reassessing their Viet-Nam policy in the latter months of 1964).

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This clearly was a price they were prepared to pay if necessary. Nevertheless, it is also apparent that they hoped that the impact of their invasion upon US-Soviet relations could be held to a minimum. This was the import of the messages transmitted by Dobrynin on August 20 and 30 (see above), and it was obvious from his private remarks to the Secretary and others. The Soviet position was perhaps most clearly set forth by Dobrynin on September 20, when after deriding fears in the West over a Soviet threat to NATO, he stated that the Soviet Union continued to pursue a policy of peaceful co-existence but at the same time would tolerate no weakening of the solidarity or basic socialist structure of the Warsaw Pact countries.^{42/}

From the point of view of the United States, however, the events in Eastern Europe could not help but affect the climate of relations between the two countries. The important point was not, as the Soviet Government professed to believe, that

^{42/} Memorandum of conversation, Dobrynin with Secretary, September 20, 1968 (Secret).

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Soviet actions in Czechoslovakia did not directly threaten US "state interests." The point, as the Secretary endeavored to explain to Dobrynin on August 30, was our historic adherence to the principle that every country, large or small, had a right to national existence.^{43/} It was impossible for the United States in the interests of great power harmony simply to overlook the crass violation of this principle by the Soviet Union. Moreover, the recent events seemed to betray a nervousness in the Soviet leadership which made Soviet policy less predictable and more dangerous.^{44/}

Thus, inevitably, the Soviet invasion was a severe blow to the cause of US-Soviet relations, which the United States had attempted to advance slowly and patiently, piece by piece, during the years of the Johnson Administration. Undoubtedly, the Soviet action would increase the difficulty in obtaining Senate agreement to the non-proliferation and astronaut return

^{43/} Department of State Telegram to UN Mission NATO, 231337, August 31, 1968 (Secret/LIMDIS).

^{44/} Memorandum of conversation, Secretary with Norwegian Ambassador Gunneng, September 11, 1968 (Secret).

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treaties, then awaiting action.^{45/} The difficulties in moving ahead in other areas would now be significantly increased. In seeking a solution to the Viet-Nam war, as the Secretary pointed out to the Norwegian Ambassador (September 11), the chances that the Soviet Union would move ahead of Hanoi were now further reduced.^{46/} Yet the problems of Viet-Nam, the Middle East, the arms race and others still remained. In the months ahead these would have to be discussed with the Soviet Union, but the difficulties in finding solutions would now be even greater than before.

^{45/} The Senate approved the astronaut return treaty on October 8, 1968.

^{46/} Memorandum of conversation, Secretary with Ambassador Gunneng, September 11, 1968 (Secret).

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3. Seeking Areas of Agreement

a. The Overall View

US policy, followed consistently throughout most of this period and enunciated in numerous Presidential statements, was to endeavor to seek areas of agreement with the Soviet Union despite the Viet-Nam war and despite the extremely serious differences between the two countries in other areas. It was not a question of underrating or re-evaluating the magnitude of the US-Soviet conflict; the conflict loomed real and very large. It was rather a matter of not permitting events to take control, of recognizing that the dangers to world peace were too great to permit a simplistic and emotionally satisfying stance of total hostility to govern our policy toward the second most powerful nation in the world. The aim of the United States was to reduce tensions -- if only little by little -- by finding areas where practical agreement was possible and to diminish the dangers inherent in the arms race by endeavoring to interest the Soviet Union in effective measures of arms control.

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In both these endeavors, as discussed in detail in the following pages, progress was achieved. The Soviet Union, too, despite its public posture of strong hostility to the United States, showed a willingness to respond favorably to certain US initiatives which contained practical benefits for the Soviet side. Generally, it is true, the Soviet Government preferred to avoid demonstrations of amity with the United States, and it could take refuge when needed in the excuse that most of the bilateral agreements reached in this period were either, like the exchanges agreements, programs already in effect or were the culmination of negotiations begun earlier. Such protective coloration, however, need not detract from the accomplishments themselves, which would not have been possible without the determination of the United States to move ahead in the face of abuse from the USSR and, frequently, in the face of strong domestic opposition in the United States.

The Soviet invasion of Czechoslovakia inescapably produced a change of emphasis in US policy. As noted in the preceding section, an attitude of "business-as-usual"

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after the invasion was impossible for the United States, and, with Soviet troops occupying Czechoslovakia, further progress toward bilateral cooperation in many areas was inevitably retarded. However, there were also issues of overriding importance to all nations, such as arms control, on which efforts to achieve understanding with the Soviet Union could not cease. As Secretary Rusk pointed out in his address of October 2, 1968, to the UN General Assembly, despite the blow to international confidence struck by the Soviet Union, the United States would continue its efforts to seek agreement in these crucial areas.

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b. United States - Soviet Consular Convention

Background

Conclusion of a consular treaty between the United States and the Soviet Union had been foreseen in the exchange of letters between President Roosevelt and Soviet Foreign Minister Litvinov of November 16, 1933, but it was not until 1959 that active consideration was given to the matter. During Khrushchev's visit to the United States in September 1959, Foreign Minister Gromyko told Secretary Herter that the Soviet Government was interested in negotiating a treaty of friendship. Secretary Herter rejected the proposal but in so doing mentioned to Gromyko that we had given thought to negotiating a consular convention and would be prepared to enter into negotiations promptly.^{1/} In January 1960 the Soviet Government presented us a draft for consideration, and during the following three years the two

^{1/} Department of State Airgram A-65 to Moscow, September 23, 1959 (OFFICIAL USE ONLY).
Excerpt from memorandum of conversation between Secretary Herter and Gromyko, Camp David, September 26, 1959 (no classification).

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sides exchanged views on the content of such a convention.^{2/}
 Little progress was made toward a beginning of negotiations until August 1963, when Secretary of State Rusk, then in Moscow for the signing of the Test Ban Treaty, expressed to Foreign Minister Gromyko the hope that negotiations might begin soon. The Soviet Government responded quickly, and negotiations for a consular convention got underway in Moscow on September 26, 1963.^{3/}

In the opinion of the Department, conclusion of a consular convention with the Soviet Union was desirable both from a practical and a political standpoint. In practical terms, a convention would be useful to regulate the conduct of consular activities of each country in the other. Moreover, while it was true that a reciprocal opening of consulates in each country could be accomplished

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- ^{2/} Moscow's telegram 1788, January 4, 1960 (CONFIDENTIAL).
 Moscow's Airgram G-674, April 23, 1960
 (OFFICIAL USE ONLY).
 Moscow's telegram 2241, March 20, 1961 (CONFIDENTIAL).
- ^{3/} Signing of Test Ban Treaty, Moscow, August 5, 1963.
 Position Paper, US-USSR Consular Convention (CONFIDENTIAL).
 Department of State telegram 332 to Paris TOPOL,
 September 17, 1963 (LIMITED OFFICIAL USE).
 Moscow's telegram 983, September 21, 1963
 (LIMITED OFFICIAL USE).
 Moscow's telegram 1029, September 25, 1963
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without such a convention, a consular treaty would provide^{4/} the legal framework in which consulates could be operated. From a political standpoint the negotiation of a consular convention would mark another step forward in our efforts to normalize relations with the Soviet Union.^{5/} It would be our first bilateral treaty with the USSR. As Secretary Rusk stated on a later occasion, a consular convention would:

"...help us to eliminate sources of friction between us. It will encourage the Soviet Union to conduct itself like other responsible nations in its treatment of foreigners and foreign interests within its territory. It will place obligations on the Soviet authorities to respect some of the civil rights held dear by democratic nations."^{6/}

^{4/} Memorandum from L to Under Secretary for Political Affairs, November 18, 1963 (CONFIDENTIAL).

^{5/} President's State of the Union Message.

^{6/} Secretary's statement before Senate Foreign Relations Committee, July 30, 1965 (UNCLASSIFIED).

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The negotiations, which lasted seven months, were hard and brought forth basic disagreements on certain important questions. While there were a number of contentious issues requiring protracted negotiation before they were resolved, two issues stood out as being of crucial importance: protection of nationals and consular immunities.^{7/}

The United States regarded protection as an issue of fundamental importance.^{8/} In the United States view what was required was an article which clearly set forth the right of consular officers to visit their nationals who were under arrest, otherwise detained or serving prison sentences and to be able to see them upon demand within the shortest possible time.^{9/} The Soviets showed extreme reluctance to concede satisfactory guarantees on notification

^{7/} Moscow's telegram 2044, December 27, 1963
(CONFIDENTIAL).

^{8/} Toon memorandum of conversation with Khlestov, December 2, 1963 (LIMITED OFFICIAL USE).
Moscow's telegram 2044, December 27, 1963
(CONFIDENTIAL).
Department of State telegram 1990 to Moscow, January 9, 1964 (SECRET).

^{9/} Memorandum from L to Under Secretary for Political Affairs, November 18, 1963.

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and access; they found the latter particularly objectionable, since it conflicted with normal Soviet practice of not granting access to an individual under arrest until completion of the preliminary investigation, which, under Soviet law, could be stretched out to a period of nine months. While negotiations were underway the detention of Yale Professor Frederick Barghoorn, held incommunicado in Moscow for a period of 16 days in November, 1963, pointed up in striking fashion the need for guarantees on this point.

On December 2, following Barghoorn's release, Embassy Moscow's Political Counselor, acting on Department instructions, made clear privately to his Soviet counterpart that the United States position on this question was not subject to compromise,^{10/} and on the following day Ambassador Kohler informed Gromyko that while we would make every effort to meet the Soviet point of view on certain

^{10/} Telegrams 1631, November 21, 1963, and 1695, November 23, 1963 (CONFIDENTIAL); Moscow's telegrams 1746, November 22, 1963, and 1816, December 2, 1963 (CONFIDENTIAL).

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remaining issues, the protection issue was considered vital
by the United States.^{11/}

On the question of immunities the Soviet side demanded the equivalent of full diplomatic immunity for all consular officers and employees who were nationals of the sending state, a position which went further than any United States consular treaty then in effect or than the recently concluded Vienna Convention.^{12/} The United States, while itself recognizing the desirability of maximum protection for its employees from arbitrary actions of the Soviet Government,^{13/} found itself bound by what had up until now been accepted practice in United States consular treaties, i.e., consular immunity only in the performance of official acts. Acceptance of the Soviet position would not only conflict with this long held position but would mean that, owing to most favored nation provisions in other United States consular treaties, immunities would now be

^{11/} Moscow's telegram 1823, December 3, 1963
(CONFIDENTIAL).

^{12/} Moscow's telegram 2044, December 27, 1963
(CONFIDENTIAL).

^{13/} Moscow's telegram 1996, December 21, 1963
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available on the basis of reciprocity to some 400 consular ^{14/}
officers of 35 countries in the United States.

Resolution of these two key issues was achieved through substantial modification of the traditional position of each country. On January 20, 1964, the Soviet side conceded to the United States demands on all essentials on the question of notification and access. ^{15/} This concession represented a fundamental change in long established Soviet practice, which reflected, in Ambassador Kohler's estimation, "a conscious decision at the highest levels to make a significant move toward the improvement of US-USSR bilateral relations." ^{16/}

(As finally embodied in the treaty, both sides agreed to "immediate" notification of arrest or detention of a national of the other state and access to him "without delay" on a continuing basis. "Immediate" and "without delay" were defined in an accompanying protocol as 1 to 3 days and 2 to 4 days, respectively.)

^{14/} L memorandum to Under Secretary for Political Affairs, November 15, 1963.

^{15/} Moscow's telegram 2237, January 20, 1964
(LIMITED OFFICIAL USE).

^{16/} Moscow's telegram 2238, January 20, 1964
(CONFIDENTIAL).

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The issue of consular immunities, however, remained, and on January 23 the Soviets made it clear that their concession on access was conditional upon a US concession in the matter of immunities.^{17/} On the same day, Ambassador Kohler in a telegram for the Secretary called for a high level review of the United States position on this question, pointing out that the possible breaking point in the negotiations had now been transferred to this issue.^{18/} The Ambassador followed up with a telegram of January 28 for the attention of Harriman and Thompson in which he urged the Department to find a means of accepting the essentials of the Soviet position on official personnel and expressing at the same time his own view that a change in our policy of distinguishing between consuls and diplomats was long overdue.^{19/}

Following receipt of these messages, the Department embarked upon an intensive review of the immunities question

^{17/} Moscow's 2293, January 23, 1964 (CONFIDENTIAL).

^{18/} Moscow's 2292, January 23, 1964 (SECRET-EXDIS).

^{19/} Moscow's 2346, January 28, 1964 (CONFIDENTIAL-LIMDIS).

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and by February 6 was able to report agreement within the Executive Branch for a position which would give consuls full immunity from criminal jurisdiction, combined with a provision for persona non grata action against such persons.^{20/}

On February 11, after consultations with the Senate Foreign Relations Committee, the Department authorized Embassy Moscow to proceed with the negotiations on the basis of the new US position.^{21/} While certain lesser aspects of this question still remained to be settled (e.g., the question of advance approval of consular officers by the receiving state), the new US position provided essentially what the Soviets wanted, and the various remaining issues were resolved, albeit not without hard bargaining, during the next two months. On April 28 the negotiators arrived at an agreed text.^{22/} The convention was signed in Moscow on June 1, 1964.

^{20/} Telegram 2275 to Moscow, February 3, 1964 (SECRET); telegram 2318 to Moscow, February 6, 1964 (CONFIDENTIAL).

The Department of Justice formally withdrew its objections in a letter from Attorney General Kennedy to Under Secretary for Political Affairs Harriman, February 24, 1964 (CONFIDENTIAL).

^{21/} Telegram 2369 to Moscow, February 11, 1964 (CONFIDENTIAL).

^{22/} Moscow's telegram 3301, April 28, 1964 (CONFIDENTIAL).

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Ratification

On June 12, 1964, President Johnson submitted the convention to the Senate for its advice and consent to ratification, marking the beginning of what proved to be a lengthy and difficult process. A week later Senator Fulbright recommended to the Secretary that the Department not ask the Senate to take up the convention in 1964. The Senator felt that while he could muster the necessary votes, it would be unwise to invite a harmful pre-election debate on US-Soviet relations.^{23/} The Department concluded that on balance, a postponement would not prejudice the prospects for improvement in US-Soviet relations and passage of the treaty later would have fewer negative side effects. Accordingly, it was decided not to press for Senate action until the beginning of 1965.^{24/}

On April 26, 1965, Senator Fulbright reported that the hardening Soviet stand on Vietnam was causing

^{23/} H memorandum to Secretary, June 19, 1964
(CONFIDENTIAL).

^{24/} Telegram 3752 to Moscow, June 24, 1964
(CONFIDENTIAL-LIMDIS).

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concern and that he could not recommend that the convention
be introduced at this juncture.^{25/} After consultation by
the Department within the Executive Branch and with members
of the Senate it was decided to defer action again on the
treaty, but to press ahead at the first appropriate moment.^{26/}
In July it appeared that perhaps that moment had arrived. On
July 12, Legal Advisor Meeker and Assistant Secretary Davis
appeared in executive session before the Senate Foreign
Relations Committee to speak on behalf of the convention,
following which Senator Fulbright scheduled open hearings
for the end of July.^{27/} On July 30, Secretary Rusk met in
open session with members of the committee. The questioning

^{25/} Memorandum from H (MacArthur) to Secretary,
April 26, 1965 (LIMITED OFFICIAL USE).

^{26/} Airgram A-317 to Moscow, April 27, 1965
(CONFIDENTIAL).

^{27/} Telegram 123 to Moscow, July 13, 1965
(LIMITED OFFICIAL USE).
Telegram 225 to Moscow, July 20, 1965
(LIMITED OFFICIAL USE).

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by the members on this occasion indicated a generally favorable attitude toward the treaty.^{28/} On August 3, the committee approved the convention, with Senator Hickenlooper casting the sole dissenting vote.^{29/} (Senator Lausche, who was absent, later indicated his disapproval.) Opposition in the Senate as a whole, however, appeared to be far more widespread, and the Department, therefore, determined to undertake a full scale campaign to present its views to all members of the Senate before the treaty went to the floor for a vote.^{30/}

Opposition to the treaty was fanned by a deluge of letters which now began to reach members of the Senate, a campaign inspired by various extreme right-wing organizations such as the Liberty Lobby. Opponents of the treaty were able to use with great effect the statement of FBI Director

^{28/} Secretary's statement before SFRC, July 30, 1965;
Telegram 328 to Moscow, July 30, 1965
(LIMITED OFFICIAL USE).

^{29/} Telegram 350 to Moscow, August 3, 1965.

^{30/} Memorandum from H to Secretary, August 5, 1965
(CONFIDENTIAL).

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J. Edgar Hoover, made on March 4 of that year before a Subcommittee of the House Committee on Appropriations. Mr. Hoover had stated that adoption of the treaty would increase his problems in dealing with Soviet espionage. ^{31/}

Among the numerous and varied charges levelled against the convention was the allegation that the treaty would automatically permit the Soviets to open consulates, which, with their employees immune to prosecution, would serve as centers of espionage in the United States. The Department answered such charges by pointing out that Soviet consular officials were subject to persona non grata action and that the convention did not specifically provide for the opening of consulates. Congressional and public opinion on the latter point was sufficiently strong, however, that the Department found it necessary to advise Ambassador Kohler in Moscow in June 1964⁵ that any negotiations with the Soviets

^{31/} Uncleared memorandum of conversation, August 18, 1965; Senators Fulbright, Gore, Symington, Pastore; the Secretary, Under Secretary and Assistant Secretary for Congressional Relations (CONFIDENTIAL-LIMDIS) L memorandum to Secretary, July 15, 1965 (CONFIDENTIAL).

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prior to ratification regarding the opening of consulates
would have a "harmful and negative effect."^{32/}

During the remaining months of 1965 and throughout 1966, the Department held intensive consultations on a virtually continuous basis with key Senators concerning the best timing for Senate consideration of the treaty, but opposition was judged to be so great that the treaty was not put to a vote. As late as September 1966, Senator Mansfield informed a Department official that action could not be contemplated before the next session.^{33/} By the end of 1966, however, the Department had come to the conclusion that if the Senate did not approve the convention early in 1967, it would become a dead issue. In an action memorandum to which the Secretary agreed, it was recommended that the Secretary discuss the matter with the President and suggest that he refer to the treaty in his State of the Union Message

^{32/} Moscow's telegram 3712, June 9, 1964 (CONFIDENTIAL);
Telegram 3598 to Moscow, June 11, 1964 (CONFIDENTIAL).

^{33/} H memorandum to EUR, September 26, 1966
(LIMITED OFFICIAL USE).

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and endeavor to enlist key Senators in support of it. ^{34/}

In the meantime, in an effort to undo some of the damage done by Mr. Hoover's March 1965 statement, the Department had in September 1966 obtained Mr. Hoover's agreement to an exchange of letters clarifying his position. The exchange was made public on January 20, 1967. Mr. Hoover, in a reply of September 16, 1966, to Secretary Rusk's letter of September 14, 1966, confirmed that his remarks about the treaty before the Subcommittee did not constitute opposition to the treaty as such. ^{35/}

On January 23, 1967, Secretary Rusk again testified on behalf of the treaty before the Senate Foreign Relations Committee, and on February 2, the President at a press conference urged the Senate to take favorable action. In the

^{34/} Memorandum of December 19, 1966, from EUR to Secretary (LIMITED OFFICIAL USE).

^{35/} Letter from U. Alexis Johnson to Mr. Hoover, September 6, 1966; Mr. Hoover's reply of September 7; Secretary Rusk's letter of September 14, 1966; Mr. Hoover's reply of September 16, 1966. However, on January 23, 1967, in reply to a letter from Senator Mundt, Mr. Hoover stated that he had not changed his views since testifying before the Subcommittee on March 4, 1965.

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meantime, the Department continued intensive efforts to persuade individual Senators, in person and by letter, of the importance of the treaty and to try to answer their doubts and questions concerning it.^{36/} At the same time the Department endeavored to dissuade various Senators from introducing reservations or "understandings," which, in the Department's opinion, might well cause the Soviets to reject the treaty, and gave assurances that the Department would consult with the Foreign Relations Committee and with individual Senators before taking any decision on the opening of consulates.^{37/}

^{36/} H memorandum to L, February 3, 1967 (LIMITED OFFICIAL USE).

Letter from Under Secretary Katzenbach to Senator Margaret Chase Smith, March 6, 1967.

^{37/} Letter to Senator Smith, op cit.

Letter from Secretary to Senator Dirksen, February 23, 1967.

Telegram 138124 (TO SEC 45) to Buenos Aires, February 15, 1967 (SECRET-LIMDIS).

Moscow's telegram 3523, February 16, 1967 (SECRET-LIMDIS).

Telegram 145992 to Moscow, February 28, 1967 (LIMITED OFFICIAL USE-LIMDIS).

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On February 28, the Senate Foreign Relations Committee again reported the convention out favorably, this time by a vote of 15 to 4.^{38/} On March 16, the Senate, by a vote of 66 to 28, approved ratification, and the President signed the instrument of ratification on March 31.

It had been assumed that the Soviet Government would not take the pro forma step of ratification until after ratification by the United States. For reasons which it did not explain, but which were no doubt related to the publicly chilly state of US-Soviet relations, the Vietnam war and Soviet relations with other communist states, the USSR did not hasten to ratify the treaty once the United States had done so. Some ten months after US ratification, Ambassador Thompson was informed by Soviet Ambassador Dobrynin in Moscow that a top level Soviet decision could be expected within a month to six weeks, but that the question was one of timing rather than principle.^{39/} Foreign Minister Gromyko

^{38/} Telegram 145992 to Moscow, February 22, 1967
(LIMITED OFFICIAL USE-LIMDIS).

^{39/} Moscow's telegram 2671, February 2, 1968
(SECRET-LIMDIS).

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told Thompson on March 26 that the United States could perhaps expect word on the treaty in the near future.^{40/}

The word came in fact through a TASS announcement on May 4, 1968,^{41/} which stated simply that the Presidium of the USSR Supreme Soviet had ratified the treaty (date of ratification was not given). On June 13, 1968, instruments of ratification were exchanged at a ceremony at the White House. Under the terms of the treaty, the convention went into effect 30 days later.

Conclusion

The first bilateral treaty between the United States and the Soviet Union represented an achievement with which the United States could be well satisfied. The United States had obtained guarantees of definite value in protecting US citizens in the USSR and in so doing had brought about a fundamental revision in traditional Soviet practices regarding access. The treaty also provided much needed

^{40/} Moscow's telegram 3271, March 26, 1968 (CONFIDENTIAL).

^{41/} FBIS 28, TASS, May 4, 1968.

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protection for US consular officers and employees in the Soviet Union, while giving the Soviets similar immunities which, for different reasons, they felt to be essential. The treaty was not achieved painlessly, but its successful conclusion was due in the final analysis to the strong desire of both sides to reach agreement. Thus the convention presented a step forward toward normalizing US-Soviet relations and reducing one of the many areas of friction between them. It would also appear that the long and sometimes acrimonious process of securing the Senate's consent to ratification may have contributed in some measure to public understanding of US-Soviet relations and the many conflicting elements which go into them.

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c. The US-Soviet Civil Air Transport Agreement

Background

Agreement in principle to establish air services between The United States and the Soviet Union appeared in the first of the US-USSR Exchanges Agreements, signed in January 1958. Negotiations for an agreement were scheduled for July 1960 but were postponed by the US because of the arraignment for trial of U-2 pilot Francis Powers and the shooting down by the Soviets of an RB-47 aircraft. Negotiations eventually took place in Washington, July 18 to August 4, 1961, resulting in an agreed text which provided for direct air service between New York and Moscow to be performed by the two designated airlines, Pan American and Aeroflot. (Commercial arrangements, including frequency of flights, were covered in a separate agreement between the airlines). Again, however, political considerations intervened. The United States, in view of new, aggressive Soviet actions at that time regarding Berlin, declined to sign the agreement, but the two sides initialed the document to indicate agreement on the text.

The arguments for concluding an air transport agreement were several. Establishment of direct air service would help,

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physically, to improve communication between the two countries and would facilitate increased contacts among their citizens. In particular it was hoped that flights by Aeroflot, by removing lack of foreign exchange as one impediment to travel by Soviet citizens, would enable greater numbers of Soviet people to visit the United States. The presence of US airline representatives in Moscow and flights of US aircraft to the Soviet Union would also have certain propaganda benefits for the United States in the essentially closed society of the USSR. From a political standpoint, conclusion of an air agreement would be a visible gesture on the part of the United States to improve its relations with the USSR. The problem which concerned the Department of State from the summer of 1961 until the fall of 1966 was not whether the agreement was desirable but when, from the viewpoint both of US-Soviet relations and other US interest, was the best time to move ahead with it. During the following two years the question was reviewed periodically within the Department,^{1/} but the arguments against going ahead with it

^{1/} To Moscow, Telegram 200, July 27, 1962 (CONFIDENTIAL)

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seemed to outweigh any positive gains.^{2/}

In the fall of 1963, with the Test Ban Treaty recently signed and negotiations for a consular convention underway in Moscow, President Kennedy and Secretary Rusk discussed the possibilities of concluding the air agreement with Foreign Minister Gromyko in Washington and expressed the hope that the agreement could be signed by the end of the year. It was tentatively planned that FAA Administrator Halaby, who would be visiting Moscow in November or December, could arrange technical discussions with Soviet officials with a view to subsequent signature of the agreement.^{3/}

Concluding the Agreement

Following the assassination of President Kennedy, the Department, with White House concurrence, decided that the Halaby visit should proceed, in the belief that this was one step which could be taken quickly to demonstrate the intention

^{2/} Memorandum from Llewellyn E. Thompson to McGeorge Bundy, January 28, 1963 (SECRET)

^{3/} To Moscow, Telegram 1393, October 29, 1963 (SECRET)

of the United States to continue the trend of improving US-Soviet relations. The purpose of Halaby's visit, now set for December 11, 1963, would be to discuss arrangements for technical talks required for implementing the Agreement.^{4/} In discussing Halaby's visit with Gromyko on December 3, Ambassador Kohler, in response to Gromyko's query as to when the civil air agreement might be signed, said that while he had no specific instructions on this point, it seemed possible that air service could begin the following June, with the agreement signed at some point before then.^{5/}

During Halaby's visit, which Ambassador Kohler judged to be "useful and encouraging," the Soviets stated that they were unwilling to engage in any further technical discussions until the agreement was signed.^{6/} On January 3, 1964, Ambassador Kohler informed First Deputy Minister Kuznetsov that he was recommending to Washington favorable action on opening air service, raising at the same time the

^{4/} To Moscow, Telegram 1708, December 1, 1963
(CONFIDENTIAL)

^{5/} From Moscow, Telegram 1822, December 3, 1963
(CONFIDENTIAL)

^{6/} From Moscow, Telegram 1957, December 18, 1963
(CONFIDENTIAL)

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question of a leased teletype line which the Embassy had long since requested from the Soviets in order to improve communications with Washington.^{7/} On February 7 Gromyko informed Kohler that a leased line would be available within the next half-year. Kohler reported his view that the Soviets might delay action on the leased line to the extent we delayed signature of the air agreement, and he recommended that we try to move quickly so as to permit inauguration of service by early summer.^{8/}

During the early months of 1964 the Department weighed the desirability of signing the air agreement at that time. With negotiations on the consular convention in Moscow already going well, and taking into consideration Gromyko's remarks to Kohler on the prospects for a leased teletype line, there appeared to be good arguments for signing the agreement once the consular convention was concluded. Moreover, the basic arguments in favor of the agreement, in particular that

^{7/} From Moscow, Telegram 2077, January 3, 1964
(CONFIDENTIAL)

^{8/} From Moscow, Telegram 2462, February 7, 1964
(CONFIDENTIAL) and Telegram 2483, February 9,
1964 (SECRET)

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it would constitute an important psychological step in improved US-Soviet relations and that it would operate to increase and improve communication between the two countries, remained unchanged. On the other hand, concluding the agreement would tend to undercut our general policy of trying to restrict air contact with Cuba and would nullify our specific efforts, then underway, to persuade the OAS Foreign Ministers to cut air and sea contacts with Cuba. Furthermore, the agreement could facilitate entry by Soviet Bloc airlines into Latin America and would generally reduce our already limited ability to discourage less developed countries from concluding air agreements with communist states. Postponement of a decision would have the merit of permitting the United States to take full advantage of the possibility of OAS members' cutting air and sea contacts with Cuba and of avoiding Congressional and domestic opposition^{9/} which might arise from several US-Soviet agreements' coming

^{9/} On March 20, 1964, the Joint Senate-House Republican leadership put out a statement opposing signature of a US-USSR Air Transport Agreement. (Memorandum from E to M, April 6, 1964, UNCLASSIFIED.)

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too close together. While postponement would probably delay inauguration of air service by a year, it would, in theory, permit us to pick the most favorable time to derive maximum psychological benefit from signing while minimizing the psychological benefit to the USSR. The arguments pro and con, upon which there was some disagreement within the Department,^{10/} were summarized in a memorandum of April 4, 1964 from the Secretary to the President, with the recommendation that the matter be reassessed at a later time, after prospects for action under an OAS resolution had been exhausted.^{11/} On May 22, Governor Harriman wrote FAA Administrator Halaby that the President agreed with this recommendation.^{12/}

On November 9, 1964, soon after Khrushchev's downfall, the Bureau of European Affairs again recommended to the

^{10/} Draft Memorandum, February 18, 1964, from EUR to Secretary (CONFIDENTIAL); memorandum, February 18, 1964, from M - Governor Harriman to the Secretary (SECRET).

^{11/} Memorandum, April 4, 1964, from the Secretary to the President (SECRET).

^{12/} Letter from Harriman to Halaby, May 22, 1964 (SECRET)

Secretary that the air agreement be signed, arguing that it provided "an excellent vehicle for an initial step forward in our relations with the new Soviet regime."^{13/} Harriman and Thompson, however, expressed the view to the Secretary that the agreement should not be signed "at least until you have had a talk with Gromyko and are satisfied on Article 19 and on a number of other issues about which we have no information on the direction of the new Soviet Government's policy."^{14/}

During the next year and a half no action was taken on the agreement. Secretary Rusk, appearing before the Senate Foreign Relations Committee on July 30, 1965, to testify on behalf of the Consular Convention described the agreement as being "in a state of suspension" because "there have been some general problems in our relations that have stood in the way."^{15/}

^{13/} Memorandum from EUR to Secretary, November 9, 1964
(SECRET).

^{14/} Attached note from Harriman to Secretary, November 9, 1964 (SECRET)

^{15/} Secretary's appearance before SFRC, July 30, 1965
(UNCLASSIFIED)

By mid-June of 1966 the Department concluded that the time had arrived to move ahead with the agreement. With the Consular Convention and East-West trade legislation likely to be held up in Congress for some time, it was felt that some means should be found to give positive content to our repeated professions of desire for an improvement in US-Soviet relations.^{16/} In a memorandum to the President, sent to the White House on July 15, the Secretary pointed out that "the only feasible proposal we can make at this time which the Soviets will recognize as significant is the conclusion of the Air Agreement," and he recommended that the President authorize the Department to inform the Soviet Government that we would be willing to conclude the Agreement in November or December.^{17/}

On August 30, Secretary Rusk discussed the matter with Secretary McNamara and Mr. Walt W. Rostow and asked for an urgent review to see whether there were any factors that

^{16/} Memorandum, EUR to the Secretary, June 16, 1966
(CONFIDENTIAL)

^{17/} Memorandum, Secretary to President, July 15, 1966
(CONFIDENTIAL)

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should be brought to his attention and that of the White House since his recommendation of July 15 to the President.^{18/} On the same day, the Department sought the views of Ambassador Kohler in Moscow.^{19/} Kohler replied that he believed the chances of Soviet agreement at this time were slightly less than 50-50. He thought that the offer would place before the top Soviet leadership a difficult choice: on the one hand there was no reason to think that they did not basically favor the agreement; on the other, they would find it hard to reconcile with their vituperative campaign against the United States over Vietnam. Kohler nevertheless favored an approach as evidence of our sincerity in our stated desire to continue normal relations with the USSR.^{20/}

In a memorandum of August 31 to Mr. Rostow at the White

^{18/} Memorandum, Benjamin Read to Walt Rostow, The White House, August 31, 1966 (SECRET-EXDIS)

^{19/} To Moscow, Telegram 38129, August 30, 1966 (SECRET-EXDIS)

^{20/} From Moscow, Telegram 1053, August 31, 1966 (SECRET-EXDIS)

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House, Executive Secretary Benjamin Read pointed out that in the present world situation and since the conclusion of the Soviet-Canadian air agreement, "there is a reasonable likelihood that other governments will not misconstrue or overreact to an American initiative in this field." He transmitted the Secretary's suggestion that the President authorize the Department to consult immediately with interested Congressional leaders, including Senators Fulbright, Hickenlooper, Magnuson and Monroney. If Congressional attitudes seemed to warrant it, we would then request highest level authorization to permit us to instruct Ambassador Kohler to inform the Soviet Ministry of Foreign Affairs of our interest in proceeding with the signing of the Agreement and suggesting that this be done by Secretary Rusk and Foreign Minister Gromyko in New York at the time of the convening of the General Assembly.^{21/}

Congressional soundings having been taken on September 12

^{21/} Memorandum from Read to Rostow, op. cit.

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with a generally favorable reaction,^{22/} the decision was made to proceed with signing the Agreement as soon as possible. On September 13, the Scandinavian embassies were informed of our intentions; the Icelanders and Danes were asked not to permit Soviet overflights over sensitive US military installations in Iceland and Greenland,^{23/} and assurances were given to the Department of Defense on this point.^{24/} The British and Canadians were also informed. Simultaneously, on September 13 Ambassador Kohler was instructed to convey the US proposal to Gromyko. If the Soviet Government concurred, it was suggested that the Agreement might be signed by the Secretary and Gromyko at the time of the UN General Assembly session or by an ambassador and appropriate official in either capital.^{25/}

^{22/} H memorandum for the record on Congressional Consultations, September 12, 1966 (LIMITED OFFICIAL USE)

^{23/} Memorandum of conversation between Stoessel and Ambassadors of Norway, Sweden, Denmark and Iceland, September 13, 1966.

^{24/} Letter from U. Alexis Johnson to Robert McNamara, September 13, 1966 (SECRET)

^{25/} To Moscow, Telegram 46389, September 13, 1966 (SECRET-LIMDIS)

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On September 14, Kohler conveyed the proposal to Gromyko, who said the proposal was a "positive sign" and that he might be ready to sign the agreement in New York.^{26/}

On September 22, Secretary Rusk discussed the matter with Gromyko in New York, pointing out that there were a number of technical details to be taken care of to bring the agreement up to date and noting that the beginning of the tourist season in April might be a desirable time to start service. Thus, it was important to sign the agreement as soon as possible in order to give the technical people time to work out their arrangements.^{27/}

The Soviets agreed to proceed with the conclusion of the air agreement, but desiring, presumably for political reasons, to play it down, designated Minister of Civil Aviation Loginov to sign the document in Washington after his trip to

^{26/} From Moscow, Telegram 1271, September 14, 1966
(SECRET-LIMDIS)

^{27/} Memorandum of conversation, the Secretary with
Foreign Minister Gromyko, New York, September 22,
1966 (SECRET-EXDIS)

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Montreal on Aeroflot's inaugural flight under the new Soviet-Canadian air agreement.^{28/} In the meantime, as the Secretary had told Gromyko, it was necessary to update the 1961 text in certain minor respects.^{29/} Accordingly, lists of proposed changes were exchanged,^{30/} and on October 18, Mr. Danilychev of the Soviet Ministry of Civil Aviation began discussions with Deputy Assistant Secretary Loy in Washington. While Danilychev immediately agreed to the minor amendments proposed by the United States, the Soviet proposals, which Danilychev initially described as "minor" and "technical," turned out to be in fact substantive and important.^{31/} The principle sticking point was Soviet insistence that, notwithstanding the wording of the text to which the Soviet Union

^{28/} Item for President's Evening Reading, September 26, 1966 (SECRET)

^{29/} To Moscow, Telegram 51807, September 21, 1966 (SECRET-LIMDIS)

^{30/} Memoranda of conversation, Thompson with Dobrynin, September 24, 1966 (CONFIDENTIAL); Thompson with Zinchuk, October 3, 1966 (CONFIDENTIAL); Stoessel with Zinchuk, October 7, 1966 (CONFIDENTIAL)

^{31/} Item for President's Evening Reading, October 26, 1966, (CONFIDENTIAL); Memorandum from EUR/SOV (Toon) to EUR (Stoessel) October 26, 1966 (CONFIDENTIAL); Memorandum of conversation, Stoessel with Zinchuk, October 26, 1966.

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had agreed in 1961, the present language concerning safety standards be drafted in such a way as to avoid the implication of Soviet adherence to ICAO through a bilateral agreement with the United States. After numerous negotiating sessions, as well as consultations between the Department and US civil aviation authorities (principally the FAA), on October 28 agreement was reached on a text which satisfied the Soviet requirement without any dilution of the US insistence on adequate safety standards.^{32/} The final text took the form of a basic agreement, a supplemental agreement and an exchange of letters. The agreement was signed in Washington on November 4, 1966, by Ambassador Thompson and Minister Loginov.^{33/}

Implementation

Implementation of the Agreement proved to be a far more lengthy process than originally expected, with the result that inauguration of service was delayed more than a year beyond the approximate date contemplated when the Agreement was signed.

^{32/} To Moscow, Telegram 75508, October 28, 1966
(CONFIDENTIAL)

^{33/} Circular Telegram 78498, November 3, 1966
(LIMITED OFFICIAL USE)

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In addition to the specific phases in the delay discussed below, it seems apparent in retrospect that part of the delay was attributable to inefficiency and confusion within Aeroflot and, at times, a lack of coordination between the Soviet Ministries of Civil Aviation and Foreign Affairs. Moreover, the fact that the Soviet Union was not a member of ICAO and thus did not automatically follow that organization's standardized rules and procedures, and that it intended to use an aircraft of unknown (to the United States) performance capabilities, meant that the Federal Aviation Administration had to examine a whole range of Aeroflot procedures and aircraft performance data to ensure the safety of its operation in the United States. It meant, too, that Aeroflot had to comply with a new set of unfamiliar, and frequently more stringent, procedures and practices, which were standard for other foreign airlines operating services to the United States.

Shortly after conclusion of the Agreement, Embassy Moscow was instructed to deliver a note to the Foreign Ministry setting forth a proposed schedule of steps for implementation

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of the Agreement. These included reciprocal visits by US and Soviet technical teams, exchanges of various types of information, documentary and other requirements for Aeroflot operation in the United States, technical flights by aircraft of the two countries, and, finally, inauguration of service by May 1, 1968.^{34/}

In January 1967, a US technical team arrived in the USSR to hold talks with Soviet civil aviation officials and inspect facilities, and a Pan American group arrived to amend the commercial agreement between the two airlines so as to take account of certain changes which had occurred since it was concluded in 1961. Although both groups accomplished their respective missions,^{35/} it became immediately apparent that the Soviets were unhappy about opening service with the TU-114 aircraft, and preferred to wait until the IL-62 jet was ready for service. Ambassador Thompson, feeling that we should not "let the Soviets off this one easily," pressed Loginov on the proposed delay, noting the political interpretation which

^{34/} To Moscow, Telegram 85961, November 16, 1966
(LIMITED OFFICIAL USE)

^{35/} From Moscow, Telegram 3151 and 3152, January 23, 1967
(LIMITED OFFICIAL USE)

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would be placed on it. Loginov indicated that he wished to avoid any such implication, but he was disturbed about the bad publicity Aeroflot had received regarding the TU-114 on the Moscow-Montreal route.^{36/} However, apparently as a result of this prodding, Aeroflot informed Pan American on January 21 that they would open service in May with the TU-114 and convert later to the IL-62.^{37/}

By the middle of March, when a Soviet technical team arrived in New York for discussions with FAA and Port of New York Authority officials, it was already clear that it would be extremely difficult to meet the May 1 deadline for beginning service. The timing was a matter of concern to the Department because of the possibility that a postponement might be misinterpreted by the public or by the USSR as being politically motivated.^{38/} Thus the Department had continued to press the Soviets to move ahead on the various implementing

^{36/} From Moscow, Telegrams 3093 and 3103, January 20, 1967 (CONFIDENTIAL)

^{37/} From Moscow, Telegram 3146, January 21, 1967 (CONFIDENTIAL)

^{38/} Memorandum from E to the Secretary, March 3, 1967 (CONFIDENTIAL)

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steps. However, the New York technical discussions, which ended on March 25, revealed that the TU-114 was not equipped with certain navigational equipment stipulated in the Agreement and that it might have performance deficiencies while operating in the congested New York air traffic area. Soviet team members again indicated a desire to wait for the IL-62.^{39/} By mid-April the FAA had also come to the view that the TU-114 might well prove unsuitable for New York service. Faced with this possibility, the Department now instructed Embassy Moscow not to reject any new Soviet suggestions that it would be preferable to wait for the IL-62.^{40/} In discussions with Embassy Moscow, however, Soviet officials continued to speak in terms of the TU-114, and on April 18, Deputy Minister of Civil Aviation Bykov stated that Aeroflot intended to begin service on May 25.^{41/} The Soviet tactic at this point

^{39/} To Moscow, Telegram 147607, March 2, 1967
(LIMITED OFFICIAL USE)

^{40/} To Moscow, Telegram 175035, April 13, 1967
(CONFIDENTIAL)

^{41/} From Moscow, Telegram 4471, April 18, 1967
(CONFIDENTIAL)

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appeared to be to attempt to obtain agreement to a firm date for beginning service and, counting upon US eagerness to begin, to hope that US civil aviation authorities would relax or waive some of the requirements for the TU-114 and others stipulated in the Agreement which the Soviets had not yet fulfilled. The United States, however, was unwilling to set a starting date until the implementing steps had been completed.^{42/}

On June 29, 1967, the Department learned that Loginov, in a letter dated June 1, had informed Pan American of Aeroflot's decision to wait for the IL-62.^{43/} On June 13, the Ministry of Foreign Affairs confirmed the decision to Embassy Moscow, indicating that Soviet and US officials might confer in late July or early August concerning a date for an IL-62 proving flight to New York.^{44/}

^{42/} To Moscow, Telegram 180031, April 21, 1967 (CONFIDENTIAL); Moscow's Telegrams 4600 (CONFIDENTIAL) and 4601 (LIMITED OFFICIAL USE), April 25, 1967.

^{43/} To Moscow, Telegram 209751, June 9, 1967 (LIMITED OFFICIAL USE)

^{44/} From Moscow, Telegram 5393, June 13, 1967 (CONFIDENTIAL)

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Another problem which arose in the implementation of the Agreement concerned the question of legal liability. In applying to the Civil Aeronautics Board for a foreign carrier permit to operate in the United States, Aeroflot agreed to an upper limit of \$75,000 liability, as provided for under the so-called "interim arrangement" on the Warsaw Convention, but it refused to accept the principle of absolute liability (i.e., that liability up to this limit would not depend on negligence on the part of the carrier), which was an integral part of the interim arrangement.^{45/} In subsequent discussions Department officers pointed out to the Soviets that all major foreign carriers operating services to the United States had accepted this principle and that the alternative to the "interim arrangement" was US denunciation of the Warsaw Convention, with the result that all airlines, foreign and domestic, would be subject to unlimited liability in US courts. It was made clear, moreover, although never explicitly stated, that acceptance of the interim arrangement was a

^{45/} To Moscow, Telegram 175034, April 13, 1967 (LIMITED OFFICIAL USE) and Telegram 182679, April 26, 1967 (LIMITED OFFICIAL USE).

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condition for obtaining the CAB permit. The details of this matter were spelled out in a Department aide-memoire handed to Soviet Charge Chernyakov on May 4, 1967,^{46/} but it was not until November 28 of that year that the Soviet Government changed its mind and informed the United States Government of its acceptance of this principal.^{47/}

On October 24, 1967, Dobrynin informed Kohler, now Deputy Under Secretary for Political Affairs, that Aeroflot wished to carry out its proving flight of the IL-62 to New York in mid-November. While this proposed schedule created some problems for the FAA, which needed time to study data on the aircraft which they had only just received from the Soviets, they concurred in the Department's view that it was important to maintain the recently recovered momentum in implementing the Agreement. Therefore, it was agreed that the aircraft

^{46/} Memorandum of conversation, Assistant Secretary Solomon with Chernyakov, May 4, 1967, with attached aide-memoire (LIMITED OFFICIAL USE)

^{47/} Aide-memoire from Soviet Embassy, November 28, 1967 (LIMITED OFFICIAL USE)

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could arrive on November 20, with a Soviet aviation delegation coming at the same time for a final round of technical discussions with the FAA and the Port of New York Authority. Arrangements were also made for the IL-62 to make test landings and take-offs at John F. Kennedy Airport and at the alternate airports in Washington, Boston and Philadelphia.

The results of the flight and technical discussions were in most respects satisfactory. The one major area of concern was the demonstrated inability of the Soviet cockpit crew to understand and respond to air traffic control instructions in New York. However, after a brief but heated outburst in defense of national prestige, the Soviet team accepted an FAA suggestion that a few Soviet crew members be sent over for training at a Pan American school in New York. On November 29, the FAA and Soviet delegations signed a memorandum of understanding, recording agreement on all technical questions. With Soviet acceptance of the interim arrangement on the Warsaw Convention (above), there remained to be resolved certain procedural matters and the question of

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intermediate stops on the Moscow-New York route.^{48/}

The desire to include an intermediate stop on the New York-Moscow route stemmed from a recognition of the limited commercial potential, at least initially, of non-stop service to Moscow. With US Government approval, Pan American had proposed to Aeroflot during their talks in January 1967 that each airline be permitted to choose one of six intermediate points at which it could make a traffic stop, but without traffic rights between that point and the other country. Aeroflot accepted the proposal, and the two airlines agreed to recommend to their respective governments that the Civil Air Transport Agreement be amended to permit an intermediate stop at London, Copenhagen, Stockholm, Paris, Amsterdam or Brussels.^{49/} On March 16, 1967, having obtained the concurrence of the CAB and Department of Defense, the

^{48/} To Moscow, Telegram 76827, November 30, 1967
(LIMITED OFFICIAL USE); Memorandum of conversation,
Kohler with Dobrynin, November 29, 1967
(CONFIDENTIAL)

^{49/} Memorandum, Solomon to Kohler, March 15, 1967,
approved March 16 (CONFIDENTIAL)

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Department requested White House authorization to amend the Agreement to include the intermediate points of Copenhagen, Stockholm and London. Paris, Amsterdam and Brussels were omitted since they were of only secondary interest to Pan American and since granting Paris or Amsterdam could, possibly, increase the chances of the Soviet Union's obtaining transit rights at one of these points en route to Cuba.^{50/}

On March 31 the Department instructed Embassy Moscow to propose officially to the Ministry of Foreign Affairs that the Agreement be amended to include these three intermediate stops. The proposed amendment also included a provision for so-called "stopover rights," i.e., the right of each airline to pick up at the intermediate point passengers who had disembarked at that point and subsequently, within the validity of the ticket, re-embarked for the final destination.^{51/}

^{50/} Memorandum, Read to Rostow, March 16, 1967
(CONFIDENTIAL)

^{51/} CA 07498, March 31, 1967 (CONFIDENTIAL)

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The Soviets did not respond formally until November 17, 1967, ^{52/} at which time they accepted the proposal, provided that Montreal were added to the list of intermediate stops and that the question of a stopover rights were deferred to a later date. Consultation by the Department with Pan American revealed that the airline had no objection to the addition of Montreal but strongly desired the inclusion of stopover rights from the start. ^{53/} Therefore, with the concurrence of the White House, the CAB and the Department of Defense, the Department on November 29 instructed Embassy Moscow to accept Montreal but to inform the Soviets that we could see no reason to defer the stopover question to a later date. From the Department's viewpoint, since the Soviets had already obtained stopover rights from the Canadians, there seemed to be no logical reason why they would stand firm against this principle if pressed. If, however, we were unable to persuade the Soviets to accept stopover rights

^{52/} From Moscow, Telegram 1830, November 17, 1967
(CONFIDENTIAL)

^{53/} Memorandum of conversation, Mr. Styles with Mr. Adams, Pan American Vice President, November 22, 1967
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the Department was prepared to drop that provision, subject to concurrence of the CAB, since Pan American preferred this to no route amendment at all.^{54/}

There ensued a somewhat confused period of informal exchanges in which the Foreign Ministry, without responding formally to the US proposals, suggested unofficially that Prague, Warsaw and Berlin be added as intermediate stops, but later dropped Warsaw and Prague while insisting that Berlin was necessary to Aeroflot, which, allegedly, could

^{54/} Memorandum, E (Solomon) to G (Kohler) November 24, 1967 (CONFIDENTIAL); Memorandum, Read to Rostow, November 27, 1967 (CONFIDENTIAL); Telegram 76020 to Moscow, November 29, 1967 (CONFIDENTIAL). On December 11, 1967, the CAB informed the Department that if the Soviets did not accept stopover rights the Board would favor maintaining the status quo, with no intermediate stops. (Letter from CAB Chairman Murphy to Deputy Assistant Secretary Loy.)

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derive no commercial benefits from stopover rights at Montreal.^{55/} The illogic of this position (since there appeared on the face of it to be no commercial gain for Aeroflot in Berlin stopover rights) raised in the Department the suspicion of a political motive on the part of the Soviet Ministry.^{56/} Subsequently, however, Aeroflot's New York representative suggested to a representative of Pan American that Aeroflot sought full traffic rights, i.e., the right to pick up and discharge passengers in both directions, in Berlin (so-called "fifth freedom" rights), thus perhaps explaining the basic motive behind these proposals.^{57/} In any case, while the Department on its own briefly explored

^{55/} From Moscow, Telegram 2272, December 29, 1967 (CONFIDENTIAL); To Moscow, Telegram 104258, January 25, 1968 (CONFIDENTIAL); from Moscow, Telegram 2745, February 9, 1968, and 2787, February 15, 1968 (CONFIDENTIAL)

^{56/} To Moscow, Telegram 116996, February 17, 1968 (CONFIDENTIAL)

^{57/} From Moscow, Telegram 3035, March 6, 1968 (CONFIDENTIAL)

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some of the implications of such intermediate stops as Berlin, Prague and Warsaw,^{58/} the line taken with the Soviets was that Berlin was unacceptable. Having apparently tired of this game, the Foreign Ministry on April 18, 1968, provided an official response which in essence accepted the US position on intermediate points and stopover rights.^{59/} On May 6, 1968, an official exchange of notes in Moscow amended the Agreement accordingly.^{60/}

Following settlement of the intermediate stops question, the remaining steps to implement the Agreement were completed relatively quickly. Aeroflot provided the few

^{58/} To Bonn, Telegram 124575, March 5, 1968 (CONFIDENTIAL); To Bonn, Telegram 125775, March 6, 1968; To Moscow, Telegram 133273, March 20, 1968; From Moscow, Telegram 3038, March 6, 1968 (CONFIDENTIAL-NOFORN); From Bonn, Telegram 9232, March 7, 1968 (CONFIDENTIAL); From Berlin, Telegram 1166, March 22, 1968 (CONFIDENTIAL).

^{59/} From Moscow, Telegram 3570, April 18, 1968 (CONFIDENTIAL)

^{60/} From Moscow, Telegram 3745, May 6, 1968 (CONFIDENTIAL)

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remaining pieces of technical data which it had promised the FAA and filed an amended application for a foreign carrier permit with the CAB to take account of the intermediate stops. On June 18 the Department requested Embassy Moscow to suggest to the Foreign Ministry that service commence on July 15,^{61/} on June 21 the President signed the CAB foreign carrier permit for Aeroflot^{62/} and on July 8 a formal exchange of notes took place in Moscow setting July 15 as the starting date.^{63/} On that day an Aeroflot IL-62 arrived in New York and a Pan American Boeing 707 departed for Moscow, arriving on the following day.

^{61/} To Moscow, Telegram 185035, June 18, 1968
(CONFIDENTIAL)

^{62/} To Moscow, Telegram 188394, June 21, 1968
(LIMITED OFFICIAL USE)

^{63/} From Moscow, Telegram 4429, June 28, 1968
(CONFIDENTIAL); from Moscow, Airgram A-1580,
July 9, 1968 (LIMITED OFFICIAL USE)

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d. Fisheries Agreements

Background

Of the various areas of US-Soviet agreement during this period, that of fisheries was perhaps the least affected by political considerations (US domestic political considerations excepted). Negotiations between US and Soviet representatives on fisheries matters showed the Soviets in this area, too, to be hard bargainers with a clear idea of what Soviet fisheries interests required. However, the various negotiations discussed below and numerous other contacts on a technical level seemed to be relatively untouched by the larger considerations of US-Soviet relations, and representatives of the two sides seemed to be able to attack at least some of their problems in a spirit of mutual understanding and a desire to reach practical agreement. In fisheries, as in most other areas of bilateral concern, it tended to be (though it was not invariably) the US side which took the initiative. The Soviet side, however, while frequently difficult to deal with, seemed to recognize common long-term interests of the two countries in fisheries

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matters and, perhaps in part for this reason, the value of reaching certain short-term bilateral understandings.

During the period under consideration the United States and the Soviet Union concluded several agreements designed to reduce conflicts between US and Soviet fishermen, promote conservation of fishery resources, facilitate the exchange of scientific data and, in exchange for certain concessions to the Soviet side, give some protection to the interests of US coastal fishermen in the face of intensive competition from large, modern Soviet fishing fleets off the Pacific and Atlantic Coasts. There follows a summary account of these agreements.

The "Juneau" Agreement of December 14, 1964

In 1962 American king crab fishermen in the vicinity of Kodiak Island, Alaska, began to suffer losses of crab gear as the result of Soviet trawling for bottom fish in the same area. In order to find ways to remedy this situation, representatives of the United States and Soviet Governments met, at US initiative, at Juneau, Alaska, June 11-23, 1964. These discussions resulted in an agreed text, which was signed by

US and Soviet representatives at Washington on December 14, 1964.

The Agreement established a number of areas in the vicinity of Kodiak Island in which mobile gear (trawls) would not be used during the period July-October and established procedures by which the boundaries of these areas or the periods reserved for fixed gear could be amended. The Agreement also established a system of direct radio communication between the Soviet fleet and US fishery officials in Alaska which could be used for reporting to the Soviet fishing fleet the position of US king crab vessels outside the designated areas so that precautionary measures could be taken to avoid damage to them.^{1/}

The King Crab Agreement of February 5, 1965 (Extended 1967)

Public Law 88-308, signed by President Johnson on May 20, 1964, prohibited the taking by foreign vessels of any Continental Shelf fishery resource which appertained to the United States, except as provided for by international agreement. The law was enacted against the background of

^{1/} TIAS Series 5703 (Unclassified)

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the Convention on the Continental Shelf, adopted by the Conference on the Law of the Sea at Geneva in 1958, granting to the coastal state sovereign rights over natural resources on the shelf, including living organisms of sedentary species. President Johnson at the time of signing PL 88-308 pointed to the desirability of consultation with other countries prior to implementing the continental shelf provisions of the act.

On July 1, 1964, the Soviet Union, which carried out major king crab fishing operations on the US continental shelf in the eastern Bering Sea, requested consultations on the new law.^{2/} Discussions, which were held in Washington in January and February, 1965, culminated in the Agreement Relating to Fishing for King Crab, signed February 5, 1965. In the Agreement both sides confirmed that king crab is a resource of the continental shelf over which the coastal state has sovereign rights. The Agreement took into account the fact that the Soviet Union had for several years maintained a crab fishery on the US continental shelf in the

^{2/} Aide-Memoire from Soviet Embassy, July 1, 1964
(Limited Official Use).

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eastern Bering Sea, while US fishermen had at that time only a small fishery for king crab in that area. The United States agreed that Soviet fishermen could continue to fish for king crab in the eastern Bering Sea, though at a reduced level of catch, for two years. The Agreement also provided for conservation measures to be applied to crab fishermen of both countries in the eastern Bering Sea, for study of king crab resources and for enforcement of the terms of the agreement. In addition, the Agreement specified a sub-area in which only crab pots (the type of gear used by US fishermen) would be employed.^{3/} The Agreement was extended on February 13, 1967, for an additional two years with a further reduction in the permissible Soviet annual catch quota.

Agreement of February 13, 1967

The extension of Soviet fishing operations to new areas off the shore of the continental United States, particularly off Oregon and Washington, created a situation which required

^{3/} Department of State Press Release No. 20, February 6, 1965; TIAS Series (Unclassified).

efforts on the part of the United States to reach further agreements with the Soviet Union to provide for conservation of fisheries resources and to afford protection to the economic interests of US fishermen.

The appearance of a large Soviet fishing fleet off Oregon and Washington in early 1966 created great concern among US fishermen and the general public in the area.^{4/} The Soviet fleet initially harvested considerable quantities of Pacific Ocean perch, a species of importance to the local fishing communities, and later began harvesting Pacific hake, which had been counted upon for a new US fishery beginning in 1966. US fishermen also complained that the Soviet fleet, which at one point reached a total of about 130 vessels, also in effect denied them access to traditional fishing grounds, since it

^{4/} See, for example, letter from Governor Daniel J. Evans of Washington, to the President, July 12, 1966; letter from Congressman Wendell Wyatt to Secretary Rusk, July 8, 1966; letter from Capt. Lloyd W. Sheldon, President, International Organization of Masters, Mates and Pilots, to the President, June 24, 1966 (Unclassified).

became hazardous for small US coastal vessels to operate among such large numbers of modern trawlers and support ships.^{5/}

Most of this Soviet fishing activity appeared to be more than 12 miles offshore and not susceptible to remedy by the then pending legislation to extend US jurisdiction over fisheries to 12 miles (see below). The Department was not prepared to accede to public demands from the West Coast that the United States "solve" the problem unilaterally and without regard to international law by establishing a "conservation zone" beyond 12 miles or by extending US fisheries jurisdiction to the limit of the continental shelf.^{6/}

As a first step, on May 27, 1966, the Department proposed to the Soviet Embassy in Washington an experts' meeting for

^{5/} Letter from Governor Mark Hatfield of Oregon to Secretary Rusk, June 7, 1966 (Unclassified).

^{6/} Memorandum from Under Secretary Thomas C. Mann to Marvin Watson, The White House, June 6, 1966 (Confidential); Memorandum from Stuart Blow (S/FW) to Mr. Shaver (S/S-S), Monthly Report for Cabinet Use, July 27, 1966 (Limited Official Use).

a "technical examination of conservation problems and possible means of solution."^{7/} As a result, in July 1966, fisheries

experts of the two countries met in Moscow to consider the matter.^{8/} The July meeting resulted, inter alia, in a

recommendation by the experts that the Soviet Government take action to ease problems arising from the concentration of vessels in traditional US fishing grounds with immediate attention to the area off Oregon and Washington, and that Soviet fishing vessels, except for research vessels, not approach to within 12 miles of the Washington-Oregon coast.

No action of this sort followed, however, and in response to further representations on this point in Moscow, Soviet fishery officials maintained that they had made no commitments and had every right to fish in international waters.^{9/}

^{7/} To Moscow, Telegram 2801, May 27, 1966 (Limited Official Use).

^{8/} Report of the Meeting of Experts, Moscow, November 15-25, 1966 (Unclassified).

^{9/} Department's Press Release No. 180, August 3, 1966 (Unclassified); from Moscow, Telegram 1380, September 23, 1966 (Limited Official Use).

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Ambassador Thompson in subsequent discussions with the Soviet Charge d'Affaires in Washington and later with Soviet Ambassador Dobrynin ^{10/} stressed the seriousness of the problem and suggested again that some of the resentment could be eased if the Soviet fishing fleet off the West Coast were to stay outside of 12 miles and refrain from concentration in one area. On October 10, 1966, Dobrynin told Thompson ^{11/} that orders to this effect had been issued to the Soviet fishing fleet for the month of October, "particularly in view of the election campaign in Washington and Oregon." To Thompson's suggestion that the Soviet fleet continue this practice indefinitely, Dobrynin replied that the matter could be discussed in the forthcoming fisheries talks in Washington.

Prior to these discussions, which were now scheduled for early January 1967, Public Law 89-658 established a US

^{10/} Memoranda of Conversation, Thompson with Zinchuk, September 14, 1966 (Confidential), Thompson with Dobrynin, September 24, 1966 (Confidential).

^{11/} Memorandum of Conversation, Thompson with Dobrynin, October 10, 1966 (Confidential-LIMDIS).

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contiguous fisheries zone of nine miles, beyond the three-mile territorial sea, within which the United States would exercise the same exclusive rights over fisheries as in the territorial sea, subject to continuation of such traditional fishing by foreign states as the United States might recognize.^{12/} On November 25, 1966, the Department officially advised the Soviet Government of the new law, with an accompanying oral statement that (1) the legislation would not be strictly enforced against Soviet vessels off Alaska "for a brief time," (2) the United States was unaware of traditional Soviet fisheries in this area but would be willing to review any claims if submitted in the near future, and (3) in all other areas the law would be enforced against Soviet vessels.^{13/}

In the bilateral negotiations, which lasted from January 16 to February 13, 1967, three major questions were under consideration: (1) prolongation of the King Crab Agreement;

^{12/} To Moscow, Telegram 90318, November 23, 1966 (Confidential).

^{13/} To Moscow, Telegram 91254, November 25, 1966 (Confidential).

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- (2) problems arising from the great increase in Soviet trawling off the US Pacific Coast in 1966 and off the Atlantic Coast south of the area of the International Convention for the Northwest Atlantic Fisheries (ICNAF); and
- (3) implementation of PL 89-658.^{14/}

The King Crab Agreement, which was due to expire shortly, was technically speaking a separate matter, but it bore an indirect relationship to the others. In essence, the Soviets had hoped to obtain US agreement to extend the agreement (which involved fishery resources entirely under US jurisdiction) before holding talks on the other problems; the United States, on the other hand, would have preferred to discuss the other problems first, separately, leaving the Soviets uncertain at that stage whether the King Crab Agreement would be renewed. As the situation finally developed, the various questions were all discussed together, but US negotiations made it clear that they were not prepared to reach final agreement on King Crab until the other questions

^{14/} Position Paper, US-USSR Conference on Fishery Problems, Washington, January 16, 1967 (Limited Official Use).

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had also been settled. Thus King Crab was to an extent a useful element in obtaining Soviet concessions in other areas.

Strenuous negotiations at length produced an Agreement Concerning Fisheries of the Northeastern Part of the Pacific Ocean off the US Coast, signed, together with the extension of the King Crab Agreement, on February 13, 1967. (The "Juneau" Gear Agreement of 1964 was unaffected and remained in force.) In essence the Agreement provided that Soviet fishing vessels would refrain from fishing in certain designated areas beyond twelve miles off Washington and Oregon and during a certain part of the year in two areas off Alaska. In return, Soviet vessels would be permitted to fish within the contiguous zone in areas of the Aleutians and the Gulf of Alaska and to conduct loading operations within the contiguous zone in certain areas off the West Coast. The Agreement also provided for cooperation in research, exchange of scientific data and personnel, exchange of fishermen or their representatives aboard vessels and general procedures for avoiding gear conflicts. On December 18, 1967, representatives of

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the two Governments meeting again in Washington agreed to extend the validity of this Agreement for another year.

Agreement of November 25, 1967

Problems similar to those encountered on the Pacific Coast existed on the Atlantic side, although the problem was somewhat less severe. Here too, US coastal fishermen were threatened by a depletion of fish stocks from intensive exploitation by Soviet fishing fleets and were troubled by the large concentrations of Soviet vessels in areas traditionally fished by US fishermen. In February 1967 the conferees in Washington had discussed the question of the Atlantic Coast fish stocks, but had agreed to make further studies of available data and to consider the question again in greater depth at a later date.

In November 1967, US and Soviet fisheries delegations met in Moscow and on November 25 concluded an Agreement on Certain Fishery Problems on the High Seas in the Western Areas of the Atlantic Ocean. This agreement, which was similar in approach to that concluded for the Pacific, was intended to provide relief for US commercial and sports fisheries in the

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area between Cape Cod and Cape Hatteras through a reduction in the Soviet fishing effort. In return for a commitment to refrain from fishing in certain areas of the high seas, the Soviets received the right to fish in a limited area within the contiguous zone off Long Island and to conduct loading operations in limited areas off New Jersey at specified times during the year. The Agreement was to be of one year's duration, at the end of which time both sides would meet to reconsider the problem.

e. US-USSR Cooperation on Desalting

Background

In the March 1962 Exchange Agreement between the US and the USSR, provision was made, at Soviet suggestion, for an exchange of delegations to study the desalting of saline waters. Soviet authorities, however, did not respond to implementation proposals at first put forward by the United States. Finally, during the visit of Dr. Jerome Wiesner (former Special Assistant to the President for Science and Technology) in May 1964 to the USSR, V. A. Kirillin, Vice President of the Soviet Academy of Sciences, expressed an

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interest in early cooperation in the desalting field, especially as it might concern the use of nuclear energy.

Agreement

During a visit to the United States by a Soviet desalination delegation in July 1964, the groundwork was laid for a bilateral agreement in this field. On November 18, 1964 the Agreement on Cooperation Between the US and the USSR in the Field of Desalination, Including the Use of Atomic Energy was signed in Moscow. The agreement provided for the exchange of documents (including results obtained from work at pilot and demonstration plants), the organization of symposia and scientific meetings, and the exchange of visits by experts to appropriate installations and laboratories. Unfortunately, very little was accomplished under this agreement during the remaining years of the Johnson Administration. Four months prior to its signing, the above-mentioned group of Soviet specialists toured US desalting facilities, and at the time of the signing, a US group was making a similar tour in the USSR. No further exchange of visits took place in the next few years. In September 1964 an invitation to an

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international conference in the United States was issued to the USSR, among other nations. The Conference was held in October 1965 and the Soviets attended. No other conferences or meetings were subsequently organized. The AEC sent a substantial quantity of documents to the Soviets who, on December 24, 1966, sent the AEC a set of their own publications; though the volume of their material was not as great as ours, a number of items not otherwise available were included.

US Initiatives Under Agreement

After earlier mutual correspondence had determined agreed areas of exchange, AEC Chairman Seaborg sent a letter on December 7, 1965 to A.M. Petrosyants, Chairman of the State Committee of the USSR for the Utilization of Atomic Energy, proposing the holding of joint symposia on topics within these areas and an exchange of scientists. The Soviets, in a belated reply on December 24, 1966, promised an answer to the Seaborg proposals "at a later date." In a letter on February 14, 1967, Seaborg reminded Petrosyants that Soviet comments are still awaited. There has been no Soviet reply.

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In view of the disappointing Soviet performance, the US was both surprised and encouraged when the USSR took the initiative on November 18, 1966 to renew the agreement. On December 3, 1966 the US agreed to the renewal. However, the absence of Soviet interest continued.

f. Exchange of Satellite Weather Data

Background

In the June 8, 1962 space cooperation agreement between NASA and the Soviet Academy of Sciences, the US and the USSR undertook to establish communications facilities adequate for the two-way transmission of satellite-derived weather data between Washington and Moscow. A Memorandum of Understanding dated May 24, 1963, authorized the use of the link for the exchange of conventional weather data on an interim basis until the regular exchange of satellite data should commence "in the beginning of the second half of 1964."

Subsequent Agreements

A Protocol of June 6, 1964, provided for the actual establishment of the communications link, with the United States and the USSR paying the costs in alternate months.

The target date for the beginning of the satellite data exchange was moved up to "early 1965." A Memorandum of Understanding of November 5, 1964, which set forth the detailed arrangements for conventional data exchange, provided for the formal review of the status of the exchange "early in 1965 and at six-month intervals thereafter." It stipulated that "if satellite data do not become mutually available within a reasonable time, the exchange of data over this link will be discontinued."

Implementation

Despite Soviet assurances since mid-1964 that Soviet weather satellites would soon be operating, it was not until September 11, 1966, that the Soviets transmitted weather data from their first working meteorological satellite, Cosmos 122. Even though transmission from Cosmos 122 stopped on October 26, the United States continued to send satellite data. Three Soviet weather satellites - Cosmos 144, 156 and 184 - were launched in 1967, and Cosmos 206 and 226 were launched in 1968; but by the latter part of that year only data from 226 was being received. Up to July, 1968, Soviet satellite

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weather data was of little use due to erratic transmission, variable quantity and quality, and delays in sending of up to 23 hours.

To rectify this unsatisfactory situation, NASA and ESSA attempted to engage the Soviets in meetings to review the status of the data exchange. Even though the Memorandum of Understanding of November 1964 calls for six-month reviews, the Soviets declined or evaded US invitations until June 1968, when they agreed to a meeting for July 9-12 between representatives of ESSA and the USSR Hydrometeorological Service in Moscow. This meeting resulted in agreement on measures to improve the technical operation of the circuit and the format in which data is presented and to minimize the delays between time of observation and transmission. These measures include a twice-daily exchange of reports on circuit difficulties. It was also agreed that further technical discussions should take place, with the possibility of a meeting to be held in Washington in 1969.

Assessment

The Soviet performance in the project has been inadequate. The USSR was unable to orbit a successful experimental satellite

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until 1966 and since that time has been unable or unwilling to transmit data with regularity or timeliness. It has been reluctant to make the necessary unilateral and bilateral efforts to remedy this situation. However, the US Government has felt that this project offers much potential scientific and political benefit; it has therefore rejected recommendations for suspension or termination and instead has decided to work patiently for an improved Soviet effort. The expense of maintaining this link, however, will work against the indefinite continuation of this project if the Soviets continue to be negligent in fulfilling their obligations.

Fortunately, the July, 1968 meeting in Moscow had beneficial results. Since the meeting, the Soviets transmitted data that is far more useful than before. The US hoped that this trend would continue.

g. Joint Review of Research in Space Biology and Medicine

On October 8, 1965, agreement was reached between NASA and the USSR Academy of Sciences for the preparation and

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publication of a joint review of research in space biology and medicine. The agreement provided for a joint editorial board which was responsible for determining the topics, selecting compilers from both sides for each topic, collecting and distributing the reference material, and choosing the principal authors. Publication was initially set for 1967-1968. Soviet reluctance to be seen entering into bilateral arrangements with the US was demonstrated in this case by their insistence that the agreement should appear to have an inter-agency rather intergovernmental character. This concern was reflected in the text of the agreement as well as in the language of the press release issued by NASA on October 13.

This project remained inactive, however, since there were no Soviet communication on the matter subsequent to December 29, 1966. Two letters from the US co-chairman of the editorial board, Professor Calvin, to the Soviet co-chairman, Professor Gazenko (sent on April 21, 1967 and December 6, 1967) received no response. On July 18, 1968,

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NASA Administrator James E. Webb sent a letter to Academician Blagonrovov expressing his concern over the status of the joint review and requesting information as to when, if at all, the project could be completed. Were no satisfactory response to be forthcoming, the US might wish to exercise the option, provided for in the Agreement, to publish its material independently.

h. Treaty on Outer Space

Background

The origins of the Outer Space Treaty, which was signed on January 27, 1967, and came into force on October 10, 1967, can be traced back to 1957 when President Eisenhower requested the then Senate Majority Leader, Lyndon Johnson, to appear before the United Nations to present a US resolution urging that the exploration of outer space be undertaken for peaceful purposes, as an enterprise of international cooperation among all member nations. On October 17, 1963, the General Assembly passed a resolution (1884) calling upon all states to refrain from stationing weapons of mass destruction in outer space. This was followed by a December 13, 1963 resolution (1962) entitled, "Declaration of Legal Principles

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Governing the Activities of States in the Exploration and Use of Outer Space." These resolutions formed much of the basis of the Treaty.

Negotiation

On September 23, 1965, in a speech before the 20th Session General Debate, Ambassador Goldberg suggested that the United Nations begin work on a comprehensive treaty on the exploration of celestial bodies. On May 7, 1966, President Johnson issued a statement outlining the essential elements of a celestial bodies treaty and said that he was asking Ambassador Goldberg to seek early discussions on such a treaty in the appropriate United Nations body. After requesting the Chairman of the UN Committee on Outer Space to arrange for an early meeting of the Legal Subcommittee, Goldberg gave the Permanent Representative of the Soviet Union an outline of the points the United States wished included in the treaty. On May 31, Soviet Foreign Minister Gromyko sent a letter to Secretary General U Thant which set forth proposals for a celestial bodies treaty and asked that the matter be taken up by the 21st General Assembly. The United States was encouraged by the Soviet interest in the treaty and by the

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fact that the principles involved in the Soviet proposal were quite close to its own. On June 16, both countries submitted draft treaty texts and the 28-member Outer Space Legal Subcommittee began deliberations on July 12, 1966.

In the ensuing month-long session, the Subcommittee reached agreement on many substantive issues. The most serious area of disagreement concerned the right of free access to all areas and installations on celestial bodies. The United States considered free access essential to insure compliance with the "peaceful purposes" provision of the treaty. The Soviets insisted on conditions that could give them a veto on access. Largely at Ambassador Goldberg's prompting, the Soviets agreed to resume both formal Subcommittee Sessions and confidential bilateral talks on September 12. Ambassador Goldberg resolved the problem of access with the reciprocity formula that was later incorporated into the treaty. The Soviets, however, used the resumed negotiations to throw up another roadblock, insisting on the inclusion in Article X of a "most favored nation" tracking station clause that would have obligated each party to the

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treaty to provide equal tracking facilities for all other parties who so request. Suspicions were raised that the Soviets were dwelling on this unacceptable and unpopular position to impede negotiations. Throughout September, October and November the US Delegation held private conversations with the Soviets and with other members of the Legal Subcommittee. Finally, compromise language was reached which preserved the right of nations to determine for themselves which states they would grant tracking facilities. An agreed text was reached, and met with UN approval on December 19, 1966.

Conclusion

Though the Outer Space Treaty is a multilateral document, its bilateral US-USSR characteristics are evident in the substance and purpose of the treaty as well as in the process of its negotiation. There are a number of factors that could have motivated the Soviets to conclude this treaty at a time when the Viet-Nam war made public displays of US-USSR cooperation potentially harmful for the Soviet image among doctrinaire communist and left-extremist groups at home and

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abroad:

(1) The Treaty offers a number of advantages to any country that conducts space activities. Like the United States, the USSR stood to benefit from provisions calling for orderly regulation of space exploration, freedom of scientific investigation, assistance to and return of astronauts and space objects, notification of dangerous phenomena, measures to prevent contamination or harmful interference, and so on.

(2) The Soviets, out of economic and security interests, desired to avoid extending the arms race into the realm of outer space.

(3) The Soviets probably hoped to derive some benefit from Article X, which was inserted at their insistence, and which could eventually lead, on a basis of agreement between the States concerned, to some expansion of the tracking facilities then available to the USSR.

(4) The Soviets may have estimated that Communist China's anticipated opposition to a treaty expected to receive overwhelming international approval would further discredit

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Peking's policies and contribute to its isolation, as in the case of the Test Ban Treaty of 1963.

(5) Finally, there is little doubt that the Soviets felt the Treaty contributes to their international prestige. They hoped that their treaty draft would be taken up by the UN before ours, and they have continued to claim that the treaty was drafted at the initiative of the USSR.

i. Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space

Background

In his letter of March 7, 1962, to Premier Khrushchev, President Kennedy proposed that the United States and USSR lend their tracking facilities to support one another's manned spaceflights. In his reply on March 20, Khrushchev stated that a rescue treaty would be desirable. In June of 1962 the USSR proposed a rescue treaty in the UN Outer Space Legal Subcommittee.

Negotiation Since November, 1963

In June 1962, the United States proposed a General Assembly resolution to deal with the rescue of Astronauts,

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but in 1964 we concluded that the best way to handle the matter was by treaty and therefore introduced our own treaty proposal. Though many areas of agreement emerged, it became evident in 1965 that negotiations might founder on the hard Soviet stance on the question of return of Astronauts and space objects. The Soviets argued that while the duty to rescue Astronauts was to be unconditional, the return must be conditional upon the launch having been made in accordance with the General Assembly's Declaration of Legal Principles (Resolution 1962 XVIII). The United States maintained that this criterion would be open to subjective interpretations. Consideration resumed in the summer of 1967, with the Soviets still insisting on a narrow approach to an agreement dealing only with rescue of Astronauts.

Finally, in September 1967, the Soviets agreed with the US view that the agreement should have a broad scope and deal with three related questions -- assistance to Astronauts, return of Astronauts, and return of objects launched into space. The Soviets then proposed bilateral negotiations to work out a draft agreement. Fifteen US-Soviet meetings were

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held from September 27 to December 14 and substantial accord was reached. The results of US-USSR negotiations were referred to the Outer Space Legal Subcommittee which incorporated suggestions of other members. The General Assembly unanimously endorsed the Agreement text on December 19; the Agreement was signed on April 22, 1968, and is now awaiting ratifications.^{1/}

Conclusion

The USSR, like the United States, has an obvious interest in having its Astronauts and space vehicles retrieved and returned. Presumably this interest grew with the realization that, as the Soviets set more ambitious goals, their spacecraft were more likely to come down either by accident or design, in places outside their territorial jurisdiction. The Soviet behavior in negotiating this Agreement apparently shows that they did not become

^{1/} The Soviet News Agency TASS announced on September 19, 1968, that the Soviets had ratified the Treaty. The US Senate gave its consent to ratification on October 8, 1968.

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seriously concerned with this contingency until 1967. Their initiative to conclude the treaty in the fall of 1967 coincided with approaches to the governments of the UK, the Malagasy Republic, India and Iran requesting their assistance in recovering a Soviet Cosmonaut or space vehicle which may land on their territory or in the Indian Ocean area.^{2/}

j. The Nuclear Nonproliferation Treaty

In 1961 the UN General Assembly adopted a resolution calling for an agreement by all states on the nonproliferation of nuclear weapons. In the following year, the United States and the Soviet Union began private bilateral talks on this issue. These discussions were lent new impetus on January 21, 1964, by a message from President Johnson to the Eighteen Nations Disarmament Committee (ENDC) proposing a nonproliferation agreement based on the UN resolution and a series of other moves, including a freeze on strategic

^{2/} From London, Telegram No. 2629, October 4, 1967 (LIMITED OFFICIAL USE); from USNATO, Telegram No. 462, November 16, 1967 (CONFIDENTIAL); from Tananarive, Telegram No. 302, October 4, 1967 (SECRET); Department of State Telegram No. 61869, October 30, 1967 (CONFIDENTIAL); from New Delhi, Telegram No. 5263, October 31, 1967 (CONFIDENTIAL).

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nuclear delivery vehicles.^{1/}

On August 17, 1965, the United States submitted a draft nonproliferation treaty to the ENDC banning the dissemination of nuclear weapons to the control of non-nuclear states and the acquisition or development of nuclear weapons by these states. Acknowledging that the US proposal had some merits, the Soviets nevertheless claimed that it was also necessary to prohibit "indirect access" to weapons, which they alleged would result from the US-proposed NATO multilateral nuclear force (MLF). On September 24, the Soviet Union submitted a draft treaty of its own to the UN General Assembly which was aimed, in part, in banning this kind of "indirect access."^{2/}

The United States sought, by means of an amendment to its draft treaty submitted on March 21, 1966, to the ENDC, to specify that the concept of nonproliferation meant not transferring nuclear weapons to the control of non-nuclear weapons states. Since the United States had no intention of

1/ Documents on Disarmament, 1964, p. 7 (UNCLASSIFIED).

2/ Documents on Disarmament, 1965, p. 347, p. 441

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giving up the control of nuclear weapons in any of the NATO defense arrangements under consideration, such arrangements would not constitute nuclear weapons proliferation. The Soviets continued to argue that the transfer of US nuclear weapons to the territory of non-nuclear weapons states would be tantamount to proliferation.^{3/}

The discussions in the ENDC did not resolve this key issue, but the United States and the Soviet Union agreed to continue their negotiations privately during the 21st UN General Assembly meeting scheduled to open in September. Prior to the close of the ENDC session, President Johnson underscored US determination to reach an agreement and expressed the hope that the Soviet Union would take steps to work out an "acceptable compromise." Speaking at a press conference on July 5, 1966, President Johnson said: "We are going to do everything within the power of our most imaginative people to find language which will bring the nuclear powers together in a treaty which will provide non-proliferation. We think it is one of the most important

^{3/} Documents on Disarmament, 1966, p. 159 (UNCLASSIFIED)

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decisions of our time, and we are going to do everything to bring people together on it."

Intensive discussions were held in New York and Washington in September and October, 1966, between Secretary Rusk and Foreign Minister Gromyko and between the ENDC Co-chairmen of both countries. The Secretary pointed out that the US and Soviet positions on the transfer of nuclear weapons to non-nuclear states were in effect very close. He observed that the two sides were in agreement on not transferring nuclear weapons, not providing other states with nuclear weapon technology, and not delegating control over the firing of nuclear weapons. This agreement constituted 99 percent of the issue before the two countries. He suggested that the remaining problem might simply be a matter of language. Gromyko acknowledged that the positions were similar and agreed that the two ENDC chairmen should continue their efforts to work out a satisfactory draft.^{4/}

^{4/} Memoranda of Conversation, Rusk with Gromyko, September 22, 1966; September 24, 1966; and October 10, 1966 (SECRET-EXDIS).

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Subsequent meetings between the ENDC representatives resulted in mutually acceptable language, thus removing the main stumbling block to a jointly-sponsored draft treaty.

Another important issue in the treaty negotiations was the providing of adequate inspection safeguards. A number of prospective European signatories were reluctant to accept inspection of nuclear facilities by the International Atomic Energy Administration, claiming that EURATOM could perform this task. The United States was anxious not to permit this difficulty to hold up consideration of the main portion of the treaty. At the Glassboro meeting between President Johnson and Premier Kosygin in June 1967, the US side urged a quick tabling of a joint draft treaty with or without a US proposal on safeguards. The Soviets were told that the safeguards issue was not one between the US and the USSR but between EURATOM countries and others, and that the United States was willing to submit a draft treaty with a blank safeguards proposal in order that all nations could discuss and form views on

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the treaty.^{5/}

At a meeting between Secretary Rusk and Foreign Minister Gromyko on June 27, 1967, it was agreed that the drafting of a safeguards article posed no insurmountable problem. At this meeting the question of assuring treaty signatories of assistance in the face of nuclear aggression was also discussed. Gromyko said that the Soviets were receptive to an earlier suggestion by the Secretary to provide such assurances by means of a joint statement. He said he would not exclude the possibility of using the UN Security Council for this purpose.^{6/}

On August 24, 1967, the United States and the Soviet Union tabled identical texts of a nonproliferation treaty at the ENDC; the article on safeguards, which was left blank, was to be taken up by the ENDC Co-chairmen. On January 18, 1968, a revised draft, containing a satisfactory compromise on the safeguards issue, was tabled by the two countries.

^{5/} Department of State Telegram 217511, June 27, 1967 (SECRET-EXDIS).

^{6/} Memorandum of Conversation, Rusk with Gromyko, June 27, 1967 (SECRET-EXDIS).

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Following additional revisions, the treaty was opened for signature on July 1.

Taken together with the partial nuclear test ban treaty signed in 1963, the nonproliferation agreement indicated the mutual concern of both the United States and the Soviet Union over the dangers involved in the arms race and improved the atmosphere for joint consideration of other arms control measures. As Secretary Rusk told the Senate Foreign Relations Committee, during hearings on the non-proliferation treaty, "Despite our differences, the United States and the Soviet Union have a mutuality of interest in common with all humanity." ^{7/}

k. Strategic Arms Control

On January 21, 1964, President Johnson sent a message to the Eighteen Nation Disarmament Committee (ENDC) urging efforts to secure a freeze on the numbers and types of offensive and defensive strategic nuclear delivery

^{7/} Hearings before the Senate Committee on Foreign Relations, July 10, 1968.

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vehicles. The Soviet Union was critical of the proposal. In a press conference on March 2, Foreign Minister Gromyko claimed that it was a plan for maintaining armaments at their existing level rather than a scheme for disarmament and charged that the proposed verification procedures would require control over the most secret kinds of weapons and military production. The Soviets continued their opposition to the plan in meetings of the ENDC.^{1/}

In June 1965, President Johnson reaffirmed his determination to secure a limitation on delivery systems in another message to the newly convened session of the ENDC.^{2/} The issue was taken up at the United Nations in a speech on September 23 by Ambassador Goldberg and again pursued by President Johnson in a third message to the ENDC on January 27, 1966.^{3/}

Throughout this period the issue was undoubtedly under intensive consideration within the Soviet Union, and it soon became evident that Soviet opposition to the US proposals

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- 1/ Documents on Disarmament, 1964, p. 7 (UNCLASSIFIED)
2/ Documents on Disarmament, 1965, p. 281
3/ Ibid., p. 233; 1966, p. 5.

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for exploratory talks might be weakening. In May 1966, Secretary Rusk told Soviet Ambassador Dobrynin of our earnest desire to be able to divert funds from the arms race to the building of the Great Society; the Ambassador said his Government would be greatly interested in these remarks.^{4/} In January of the following year Ambassador Dobrynin told US officials that the Soviet Government would be prepared to hear any suggestions that the United States wished to advance on the question of curbing the arms race, so long as strategic offensive as well as defensive systems were to be considered.^{5/}

On January 27, 1967, President Johnson sent a personal letter to Premier Kosygin noting US willingness to consider limitations on offensive strategic weapons delivery vehicles as well as on defensive missiles. The President announced in a press conference on March 2 that the reply from Premier Kosygin had "confirmed...the willingness of the Soviet

^{4/} Memorandum of Conversation, Rusk with Dobrynin, May 18, 1966 (SECRET-EXDIS)

^{5/} Telegram to Paris No. 149117, March 4, 1967 (SECRET-EXDIS)

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Government to discuss means of limiting the arms race in offensive and defensive nuclear missiles."

Despite this assertion of readiness to talk, the Soviets continued to avoid naming a date for the initiation of discussions. In conversations with US officials, Soviet representatives referred to differing opinions on the issue in the Soviet Government; others vaguely cited unfavorable conditions for talks, such as the Vietnam conflict. At the Glassboro meetings between President Johnson and Premier Kosygin in June 1967, the US side urged the Soviets to name a time and place for meetings on missile deployment. The Soviet side, however, was not prepared to reply to this proposal.^{6/}

The issue was raised again by Secretary Rusk in a meeting on July 8, 1967, with Ambassador Dobrynin and on September 25 with Foreign Minister Gromyko, who was in New York to attend the 21st UN General Assembly session. At this latter meeting the Secretary said that the United States was ready, in accordance with the President's January 27 letter to

^{6/} Circular Telegram 217511, June 27, 1967 (SECRET-EXDIS)

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Premier Kosygin and their conversations at Glassboro, to discuss the limitations of missiles build-up at any time and at any level suggested by the USSR. Gromyko agreed that the subject was important, but beyond saying that he would see the problem was given careful consideration, he avoided making any commitments.^{7/}

In the spring of 1968, it became evident that the Soviets were edging closer to discussions with the United States on missile limitations. In April and May, Soviet Deputy Foreign Minister Kuznetsov hinted in speeches at the United Nations that an agreement to such discussions might not be far off. On June 27, Foreign Minister Gromyko told the Supreme Soviet that the Soviet Government was prepared to exchange opinions on the question of restricting and subsequently reducing offensive and defensive strategic nuclear delivery systems. Speaking at the signing of the Nuclear Nonproliferation Treaty on July 1, President Johnson announced that agreement had been reached between the two governments

^{7/} USUN Mission 7174, September 26, 1967 (SECRET-EXDIS)

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to "enter in the nearest future into discussions on the limitation and reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles."

The opening of the discussions was held in abeyance, however, as a result of the Soviet invasion of Czechoslovakia, which took place in August 1968.