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PAGE 01 GENEVA 03043 01 OF 02 041907Z

51
ACTION ACDA-19

INFO OCT-01 AEC-11 AF-12 ARA-12 CIAE-00 DODE-00 EA-10
EUR-20 PM-05 H-02 INR-08 IO-13 L-04 NASA-04 NEA-13
NSAE-00 NSC-10 OIC-05 OST-01 P-03 PRS-01 RSC-01
SCI-06 SS-20 USIA-12 MSC-01 JUS-02 E-15 COM-08 INT-06
SFW-02 CU-05 AID-28 NSF-04 CEQ-02 AGR-20 RSR-01 /287 W
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R 041810Z SEP 70
FM USMISSION GENEVA
TO SECSTATE WASHDC 6807
INFO AMEMBASSY MOSCOW
AMEMBASSY MEXICO CITY
AMEMBASSY RIO DE JANEIRO
AMEMBASSY BUENOS AIRES
UBUN NEW YORK 4792
USMISSION NATO

Geneva 3043
04/16/70

~~CONFIDENTIAL~~ SECTION 1 OF 2 GENEVA 3043

FOUCHED TO ADDIS ABABA ANKARA ATHENS BELGRADE BRUSSELS BUDAPEST
BUCHAREST THE HAGUE LAGOS NEW DELHI OSLO OTTAWA PARIS PRAGUE
RABAT RANGOON RAWALPINDI ROME SOFIA STOCKHOLM WARSAW

DISTO

SUBJECT: CCD - WRAP-UP OF 1970 SESSIONS (SEABED TREATY)

② 1. SUMMARY: ACHIEVEMENT OF GENUINE CONSENSUS IN SUPPORT OF US-
SOV REVISED SEABED TREATY HAS BEEN MAIN ACCOMPLISHMENT OF 1970
CCD MEETINGS. ONLY ONE DELEGATION OF 25 IN CCD, THAT OF MEXICO,
SAID TREATY DRAFT SHOULD BE FURTHER AMENDED. PROSPECTS NOW LOOK
BRIGHT FOR ENDORSEMENT OF TREATY AT 25TH GA AND GA RECOMMENDATION
THAT IT BE PROMPTLY OPENED FOR SIGNATURE. END SUMMARY.

2. PLENARY STATEMENTS ON TREATY. OF 25 DELEGATIONS, 21 SPOKE
DURING LAST DAYS OF SESSION IN SUPPORT OF REVISED CO-CHAIRMAN

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46



Department of State

TELEGRAM

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PAGE 02 GENEVA 03043 01 OF 02 041907Z

DRAFT. THESE STATEMENTS CONSISTED PRINCIPALLY OF EITHER FORMAL EXPRESSIONS OF SUPPORT OR ACCEPTANCE (ARGENTINA, BRAZIL, US AND USSR AND OF THEIR ALLIES) OR STATEMENTS THAT DELEGATION FELT TREATY SHOULD BE APPROVED BY GENERAL ASSEMBLY AT 25TH SESSION. OF 12 NON-ALIGNED DELS, ALL SPOKE IN FAVOR OF TREATY EXCEPT MEXICO, WHICH RESERVED ITS POSITION IN FAVOR OF FURTHER DRAFTING CHANGE IN PARA 2 OF ART I ON GEOGRAPHIC SCOPE OF APPLICATION OF TREATY. ALL US ALLIES SUPPORTED TREATY, INCLUDING CANADIAN DEL WHICH LAST YEAR WAS ONE OF LEADING DELS SEEKING EXTENSIVE CHANGES IN TREATY. OF SOV ALLIES, ALL EXPRESSED SUPPORT FOR TREATY EXCEPT HUNGARY, BULGARIA AND ROMANIA, WHO REMAINED SILENT BUT WHO ARE EXPECTED TO SUPPORT TREATY AT GA.

3. ADOPTION OF CCD REPORT TO UNGA. FINAL TEXT OF PASSAGE IN REPORT ON SEABED TREATY, WHICH WAS ADOPTED WITHOUT OBJECTION, READS AS FOLLOWS: "DELEGATIONS EXPRESSED SATISFACTION WITH THE GENERAL CONSENSUS ACHIEVED AND THE SPIRIT OF COMPROMISE WHICH RESULTED IN THE INCLUSION IN THIS DRAFT OF AMENDMENTS RESPONSIVE TO THEIR SUGGESTIONS. HOPE WAS WIDELY EXPRESSED THAT THE DRAFT TREATY WOULD BE COMMENDED BY THE GENERAL ASSEMBLY AND OPENED FOR SIGNATURE AT AN EARLY DATE. THE TEXT OF THE FINAL DRAFT OF THE TREATY DISCUSSED ABOVE IS CONTAINED IN ANNEX A."

4. SUCCESS OF SEABED TREATY AT CCD RESULTED FROM COMBINATION OF FOLLOWING FACTORS:

(A) AMENDMENT ON INTERNATIONAL VERIFICATION PROCEDURES. WILLINGNESS OF SOVDEL TO INCLUDE CLAUSE PROVIDING THAT PARTIES MIGHT UTILIZE ANY APPROPRIATE INTERNATIONAL PROCEDURES OF UN IN CARRYING OUT VERIFICATION PERMITTED INCLUSION OF CLAUSE WHICH, THOUGH FROM OUR STANDPOINT A TRUISM, WAS RESPONSIVE TO DEEPLY FELT DESIRE OF MANY DELEGATIONS, INCLUDING MOST US ALLIES AS WELL AS ALL NON-ALIGNED DELS. SOV DEL IN FACT CONDUCTED NEGOTIATIONS WITH LEADING MEMBERS OF NON-ALIGNED TO HELP THEM REACH FORMULA WHICH SOVS COULD AFFIRMATIVELY RECOMMEND TO MOSCOW.

(B) FURTHER NEGOTIATIONS. WILLINGNESS OF US TO ACCEPT OPERATIVE ARTICLE PLEDGING FURTHER NEGOTIATIONS FOR PREVENTION OF AN ARMS RACE ON SEABED WAS ALSO RESPONSIVE TO WIDESPREAD AND STRONG SENTIMENTS IN COMMITTEE. THOUGH FORMULA ACCEPTED BY US WAS SLIGHTLY DIFFERENT FROM THAT OF LONGSTANDING SWEDISH PROPOSAL, INTENSIVE CONSULTATIONS BY US DEL WITH OTHER DELS SUCCEEDED IN CONVINCING

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Department of State

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PAGE 03 GENEVA 03043 01 OF 02 041907Z

OTHERS THAT US FORMULATION REPRESENTED SATISFACTORY SOLUTION
OF PROBLEM. IN LAST ROUND OF STATEMENTS ACCEPTING TREATY, NO
DELS CRITICIZED FINAL FORMULA AS TOO NARROW OR OTHERWISE DEFICI-
ENT, AND MANY DELS EXPRESSED WARM APPRECIATION FOR ITS INCLUSION.
RIMESTAD

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PA/HO Department of State
E.O. 12958, as amended
August 6, 2007

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Department of State

TELEGRAM

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PAGE 01 GENEVA 03043 02 OF 02 041922Z

54
ACTION ACDA-19

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[REDACTED] SECTION 2 OF 2 GENEVA 3043

(C) AVOIDANCE OF LAW-OF-SEA COMPLICATIONS. US DEL'S ABILITY TO NEGOTIATE SERIOUSLY WITH ARGENTINE AND BRAZILIAN DELS ABOUT POSSIBLE CHANGES IN VERIFICATION ARTICLE WHICH WOULD AVOID PARTICULARLY TROUBLESOME LAW-OF-SEA ISSUES IN EXCHANGE FOR ARGENTINE AND BRAZILIAN SUPPORT OF TREATY, WHICH HAS NOW BEEN EXPRESSED FORMALLY IN PLENARY SESSIONS BY BOTH DELS, WAS MAJOR ELEMENT IN FINALLY MAKING MANY DELS PERCEIVE THAT NEAR UNANIMOUS CONSENSUS WAS POSSIBLE FOR SEABED TREATY. STRONG PERSONALITIES AND RESPONSIBLE APPROACHES OF NEW BRAZILIAN AMBASSADOR GUERREIRO AND ARGENTINE AMBASSADOR DE ROZAS UNDOUBTEDLY CONTRIBUTED TO ABILITY OF THEIR GOVERNMENTS TO TAKE PROMPT DECISIONS, IN ADVANCE OF OTHER NON-ALIGNED DELS, IN ORDER SUPPORT TREATY.

(D) PROCEDURES UTILIZED BY CO-CHAIRMEN IN NEGOTIATING REVISED DRAFT. PROCEDURES ADOPTED BY CO-CHAIRMEN WERE EFFECTIVE IN TWO RESPECTS: FIRST, CO-CHAIRMEN DELS CONTINUED TRADITION OF MAINTAINING EXTREMELY CLOSE AND COOPERATIVE LIAISON THROUGHOUT NEGOTIATIONS;

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46

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PAGE 02 GENEVA 03043 02 OF 02 041922Z

THEY JOINTLY PLANNED CONSULTATIONS WITH OTHER DELS AND KEPT EACH OTHER INFORMED OF PROBLEMS AND OPPORTUNITIES VIS-A-VIS OTHERS;

WE ALSO NOTCED CONSIDERABLE EFFORT BY SOVDEL TO EXTEND INSELF

TO MAXIMUM IN EFFORT MEET POINTS OF USDEL, E.G., IN FORMULATING SUBSTITUTE RECOMMENDATIONS TO CAPITALS ON POINTS HELPFUL TO US. SECOND, CO-CHAIRMEN FOR FIRST TIME IN ANY CCD NEGOTIATIONS MADE SPECIAL EFFORTS BRING NON-ALIGNED DELS INTO GENUINE CONSULTATIONS ABOUT DRAFT FORMULATIONS BEFORE THESE WERE APPROVED BY MOSCOW AND WASHINGTON. USDEL CONTINUED PRACTICE OF FIRST CONSULTING WITH US ALLIES ON MAJOR DEVELOPMENTS, BUT UNLIKE SITUATION IN EARLIER CCD NEGOTIATIONS, BOTH WE AND SOVS BROUGHT NON-ALIGNED INTO DISCUSSIONS IMMEDIATELY AFTER INFORMING OUR ALLIES OF SIGNIFICANT DEVELOPMENTS. IN THEIR FINAL STATEMENTS ON TREATY, GREAT DELS EXPRESSED WARM, AND WE THINK GENUINE, APPRECIATION FOR PROCEDURES FOLLOWED BY CO-CHAIRMEN IN DEVELOPING NEW DRAFT.

5. PROSPECTS AT UNGA; WE THINK SEABED TREATY STANDS GOOD CHANCE OF OVERWHELMING APPROVAL AT GA AND THAT GA WILL RECOMMEND THAT TREATY BE OPENED FOR SIGNATURE. MEXICAN DEL IS ONLY CCD MEMBER STILL SUGGESTING FURTHER CHANGE IN TREATY. SINCE ARGENTINE AND BRAZILIAN DELS ARE SUPPORTING TREATY WITHOUT CHANGE, WE THINK DAMAGE POTENTIAL OF MEXICAN DEL WITH OTHER LA DELS AT NEW YORK IS LIMITED. IN TIME, IT IS POSSIBLE MEXICAN DEL MAY ACCEPT, IN LIEU OF CHANGE IN TREATY, US AND SOV DEL STATEMENTS OF EXPLANATION UPON TABLING TREATY WHICH WERE DESIGNED COVER MEXICAN OBJECTION. HOWEVER, DESPITE FAVORABLE SENDOFF OF TREATY BY CCD, FURTHER WORK WILL BE REQUIRED IN NY TO EXPLAIN WORTHWHILE CHARACTER OF SEABED TREATY, SINCE AMONG UN DELS NOT REPRESENTED AT GENEVA THERE INEVITABLY WILL BE SOME TENDENCY TO QUESTION LIMITED SCOPE OF TREATY. PROBLEM OF RELATIONSHIP OF TREATY TO SEABEDS COMMITTEE SEEMS MUCH IMPROVED FROM THAT WHICH EXISTED AT LAST GA, WHEN SOME COUNTRIES BELONGING TO BOTH CCD AND SEABED COMMITTEE WERE DISSATISFIED WITH TREATY, E.G., BRAZIL; HOWEVER, AT RECENT AUGUST MEETING OF SEABED COMMITTEE IN GENEVA RELATIVELY LITTLE INTEREST WAS SHOWN IN TREATY. IN CONCLUSION, WE THINK PRESENT PROSPECTS FOR TREATY SUCCEEDING AT NY ARE VERY GOOD.

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