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ACTION ACDA-19

INFO OCT-01 AEC-11 AF-08 ARA-08 CIAE-00 DODE-00 EA-11
EUR-14 PM-06 H-02 INR-06 10-11 L-03 NASA-04 NEA-09
NSAE-00 NSC-10 OIC-04 OST-01 P-03 PRS-01 RSC-01
SCI-04 SS-10 USA-12 IINRE-00 RSR-01 /164 W

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FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 1361
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SECTION 1 OF 2 GENEVA 4163

DISTO

SUBJECT: CCD: NEGOTIATION OF BW CONVENTION: FIRST PREAMBULAR PARA

REF: STATE 175047

1. SUMMARY. SINCE RECEIPT OF INSTRUCTIONS CONTAINED
IN REFTEL, WE HAVE DISCUSSED POSSIBILITY OF UTILIZING AUG 5
VERSION OF FIRST PREAMBULAR PARA WITH SOVD DEL AND WITH KEY NON-
ALIGNED DELS. REACTIONS HAVE BEEN SO UNANIMOUSLY NEGATIVE
THAT US DEL IS CONVINCED IT WOULD SERIOUSLY JEOPARDIZE
AND PROBABLY MAKE IMPOSSIBLE ANY CHANCE OF ACHIEVING
CONSENSUS IN FAVOR OF BW CONVENTION IN ACCORDANCE
WITH INSTRUCTIONS IN PARA 3 OF REFTEL. THAT DEL IS
AUTHORIZED TO AGREE TO PROPOSED CHANGES WE HAVE
INFORMED KEY DELS THAT WE WILL NOT INSIST ON AUG 5
VERSION AND WILL TABLE TREATY WITH VERSION RECOMMENDED
BY CO-CHAIRMEN. END SUMMARY

2. WE INFORMED SOVD DEL AND DELS OF SWEDEN
YUGOSLAVIA, INDIA, EGYPT, ETHIOPIA, AND MOROCCO THAT
US WOULD STRONGLY PREFER TO UTILIZE AUG 5 VERSION OF
PARA 1. IN EACH CASE WE EXPLAINED THAT PRESENT CONVENTION WAS ABOUT BW AND TOXINS AND THAT IT WOULD BE MORE ACCURATE AND CLEARER TO USE AUG 5 VERSION WHICH REFERRED SPECIFICALLY TO BW WEAPONS AND TOXINS. DELS WE CHOSE FOR CONSULTATIONS HAVE ALL PLAYED KEY ROLE IN COMMITTEE WORK ON BW CONVENTION. THEY INCLUDED SEVERAL, E.G., SWEDEN, MOROCCO, AND ETHIOPIA, THAT HAVE RECENTLY BEEN PARTICULARLY HELPFUL TO US IN COMMITTEE'S CORRIDOR WORK, AND WHOSE SUPPORT WILL BE IMPORTANT IN DEVELOPING A CONSENSUS. COMMENTS OF VARIOUS DELS ARE SUMMARIZED IN FOLLOWING PARAS OF THIS CABLE.

3. SOVIET UNION. ROSHCHEIN SAID THAT HE COULD NOT USE DIFFERENT PREAMBULAR PARA FROM THAT MOST RECENTLY AUTHORIZED IN HIS INSTRUCTIONS WITHOUT NEW GUIDANCE FROM MOSCOW. LEONARD ASKED SPECIFICALLY IF ROSHCHEIN COULD NOT AGREE TO ACCEPT PARA WHICH HAD ALREADY BEEN ACCEPTED IN AUG 5 VERSION. ROSHCHEIN SAID HE COULD NOT DO THIS ON HIS OWN AUTHORITY AND WAS CERTAIN THAT ISSUE WOULD HAVE TO BE CONSIDERED IN MOSCOW SINCE LATEST VERSION OF TREATY HAD BEEN REVIEWED BY FRENCH GROMYKO. ROSHCHEIN BELIEVED THIS COULD INVOLVE CONSIDERABLE DELAY AS TO SUBSTANCE, ROSHCHEIN SAID THAT HE COULD NOT SHARE OUR VIEW THAT AUG 5 VERSION WAS BETTER. HE ARGUED THAT THIS PREAMBULAR PARA HAD NO JURIDICAL EFFECT BUT WAS MERELY OF A HORTATORY CHARACTER, STATING SOMETHING THAT WAS A TRUISM. HE THOUGHT USE OF AUG 5 LANGUAGE WOULD HAVE VERY NEGATIVE IMPACT ON NON-ALIGNED DELS AND WOULD EVEN BE VIEWED NEGATIVELY BY HIS OWN AUTHORITIES. HE HOPED US DEL WOULD NOT INSIST ON THIS CHANGE.

4. SWEDISH DELEGATION. AMB ECKERBERG SAID THAT HE NOW HAD SOME HOPE OF MAKING A POSITIVE STATEMENT ABOUT TREATY AFTER IT WAS TABLED. HE WAS SURE THAT IF AUG 5 VERSION OF FIRST PREAMBULAR PARA WERE INSERTED HE WOULD NOT GET AUTHORIZATION TO SAY ANYTHING GOOD ABOUT TREATY. HE COMMENTED THAT FIRST PREAMBULAR PARA HAD BEEN PARTICULARLY IMPORTANT ONE FOR NON-ALIGNED GROUP AS A WHOLE AND MANY DELS WOULD NOT BE ABLE TO UNDERSTAND WHY NEW LANGUAGE COULD NOT BE ACCEPTED BY US.
NEW LANGUAGE SEEMED SO REASONABLE TO ECKERBERG THAT HE BELIEVED IF IT WERE CHANGED, THIS WOULD RAISE QUESTION FOR MANY DELS WHETHER US WAS SINCERE IN SAYING IT WAS WILLING TO WORK EARNESTLY ON PROBLEM OF CHEMICAL WEAPONS. HE URGED THAT THESE VIEWS BE REPORTED TO WASHINGTON AND THAT MATTER BE RECONSIDERED.
5. Yugoslavia's Vukovic (acting head of Yugoslav disarmament delegation) commented that proposed change would be viewed by non-aligned as contrary to basic concept and approach of non-aligned. Despite our explanation, he could not see how there could be any objection to saying that elimination of C. and B. weapons through effective measures would facilitate the achievement of GCD. Most non-aligned deles had been willing to go along only reluctantly with separate treaty on B. weapons and toxins; and therefore, US refusal to accept clause that was very important for non-aligned would be "very difficult to swallow" and would do "real damage" to any prospect of consensus. He "begged of us" to make an effort with Washington to be able to accept language as recommended.

6. India's Jain (deputy of Indian del) said that he was certain that use of Aug 5 version for first preambular para would be viewed extremely negatively by non-aligned deles, including his own non-aligned...
HAD WORKED PARTICULARLY HARD TO HAVE BROAD LANGUAGE IN FIRST PARA, AND THEREFORE REFUSAL BY US TO ACCOMMODATE THIS VIEW WOULD BE VERY HARMFUL IN REACHING A CONSSENSUS.

EGYPT'S AMB KHALLAF SAID FIRST PARA WAS OF PARTICULAR IMPORTANCE IN VIEW OF HIS DELEGATION'S VIEW OF OTHER NON-ALIGNED IN ESTABLISHING BROAD FRAMEWORK FOR TREATY. IF CHEMICAL WEAPONS NOT MENTIONED THIS WOULD HAVE EXTREMELY NEGATIVE EFFECT ON DEVELOPING CONSENSUS IN FAVOR OF TREATY HE PLEADED WITH LEONARD TO INTERVENE WITH WASHINGTON TO AVOID THIS PARTICULAR CHANGE.

ETHIOPIA'S AMB IMRU ALSO UNDERLINED PARTICULAR IMPORTANCE OF FIRST PREAMBULAR PARA. HE THOUGHT THAT IF US WAS UNWILLING TO REFER TO ELIMINATION OF CHEMICAL WEAPONS EVEN IN CONTEXT OF ELIMINATION OF ALL MASS DESTRUCTION WEAPONS AND GCO, THEN SERIOUS QUESTIONS WOULD BE RAISED ABOUT IMPLICATIONS OF THIS POSITION.

MOROCCO'S KHATTABI (HEAD OF MOROCCAN DEL) CALLED LEONARD BACK AFTER REFLECTING ON PROPOSAL AND EXPRESSED SERIOUS CONCERN ABOUT ITS EFFECT WITHIN NON-ALIGNED GROUP. HE RECALLED THAT FIRST PREAMBULAR PARA HAD BEEN SUBJECT OF PARTICULARLY INTENSE DISCUSSIONS WITHIN GROUP IN PREPARATION OF CCD/341 AND REVERSION TO AUG 5 TEXT WOULD HAVE SIGNIFICANT CONSEQUENCES WITHIN GROUP. HE STRONGLY HOPED IT WOULD NOT BE NECESSARY TO INSIST ON THIS CHANGE.

CONCLUSION: IN VIEW OF REACTIONS REPORTED ABOVE AND IN VIEW OF US DEL'S JUDGMENT THAT OUR INSISTENCE ON AUG 5 LANGUAGE WOULD SERIOUSLY JEOPARDIZE ACHIEVEMENT OF CONSENSUS AGREEMENT AT THIS CCD SESSION WE HAVE UTILIZED THE AUTHORITY GRANTED US IN PARA E OF REFTEL TO AGREE TO VERSION OF PARA 1 AS RECOMMENDED BY BOTH CO-CHAIRMEN.