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DEPARTMENT OF STATE TELEGRAM

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SUBJECT: STANDING CONSULTATIVE COMMISSION

1. DELEGATION REQUESTS APPROVAL DRAFT DOCUMENTS TRANSMITTED HEREIN WHICH ARE AGREED AD REFERENDUM BY TWO DELEGATIONS. THESE DOCUMENTS REPRESENT COMPROMISE WORKED OUT OVER PAST WEEK IN SESSIONS OF WORKING GROUP ON SCC. THEY CONFORM FULLY TO GUIDANCE GIVEN DELEGATION IN REFTEL.

2. BASIC DOCUMENT -- MEMORANDUM OF UNDERSTANDING BETWEEN GOVERNMENTS ESTABLISHING SCC -- IS IN CONFORMITY WITH ORIGINAL US MEMORANDUM TABLED NOVEMBER 24, AND CONTAINS SOME ADDITIONAL FEATURES PROPOSED BY SOVIETS WHICH WE BELIEVE USEFULLY ADD TO PROVISIONS ESTABLISHING SCC.

3. SECOND DOCUMENT ENTITLED "PARAGRAPHS FOR INCLUSION IN THE REGULATIONS FOR THE STANDING CONSULTATIVE COMMISSION," IS AGREED AS A JOINT DRAFT TEXT TO PROVIDE CONCRETE GUIDELINES FOR THE SCC IN DRAWING UP DETAILED REGULATIONS. THIS DOCUMENT WAS LARGELY RESULT OF SOVIET INITIATIVE, BUT AGAIN, WE BELIEVE THAT IT IS USEFUL IN FACILITATING WORK OF SCC IN DRAWING UP DETAILED REGULATIONS ONCE IT FIRST MEETS. FURTHERMORE, SOVIET SIDE INSISTED ON AGREEMENT ON SUCH A GUIDELINES PAPER AS PRICE FOR AGREEING TO OUR BASIC MEMORANDUM OF UNDERSTANDING. ITS PROVISIONS ARE HELPFUL AND NON-CONTROVERSIAL. MOREOVER, FLEXIBILITY OF SCC IN MODIFYING

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ITS OWN REGULATIONS OVER TIME IS PRESERVED BY PARA. 5 IN BASIC MEMORANDUM OF UNDERSTANDING.

4. DELEGATION BELIEVES THAT MEMORANDUM OF UNDERSTANDING SHOULD BE SIGNED BY HEADS OF DELEGATIONS ON BEHALF OF GOVERNMENTS PRIOR TO CONCLUSION OF CURRENT SESSION, BE REFERRED TO IN COMMUNIQUE, AND BE MADE PUBLIC. AUTHORIZATION REQUESTED.

5. WILL NEED TO OBTAIN PRIOR APPROVAL OF SWISS AUTHORITIES TO DESIGNATION OF GENEVA AS PERMANENT SEAT OF SCC CONTAINED IN MEMORANDUM OF UNDERSTANDING. DELEGATION REQUESTS AMBASSADOR DAVIS BE INSTRUCTED TO OBTAIN NECESSARY APPROVAL.

AGREED IN THE SCC WORKING
GROUP AD REFERENDUM TO
DELEGATIONS

DRAFT DECEMBER 5, 1972

MEMORANDUM OF UNDERSTANDING
BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF
SOVIET SOCIALIST REPUBLICS REGARDING THE ESTABLISHMENT
OF A STANDING CONSULTATIVE COMMISSION

I.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS HEREBY ESTABLISH A STANDING CONSULTATIVE COMMISSION.

II.

THE STANDING CONSULTATIVE COMMISSION SHALL PROMOTE THE OBJECTIVES AND IMPLEMENTATION OF THE PROVISIONS OF THE TREATY BETWEEN THE USA AND THE USSR ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972, THE INTERIM AGREEMENT BETWEEN THE USA AND THE USSR ON CERTAIN MEASURES WITH RESPECT TO THE LIMITATION OF STRATEGIC OFFENSIVE ARMS OF MAY 26, 1972, AND THE AGREEMENT ON MEASURES TO REDUCE THE RISK OF OUTBREAK OF NUCLEAR WAR BETWEEN THE USA AND THE USSR OF SEPTEMBER 30, 1971, IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XIII OF SAID TREATY,

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ARTICLE VI OF SAID INTERIM AGREEMENT, AND ARTICLE 7 OF SAID AGREEMENT ON MEASURES.

III.

EACH GOVERNMENT SHALL BE REPRESENTED ON THE STANDING CONSULTATIVE COMMISSION BY A COMMISSIONER AND A DEPUTY COMMISSIONER, ASSISTED BY SUCH ADDITIONAL STAFF AS IT DEEMS NECESSARY.

IV.

THE STANDING CONSULTATIVE COMMISSION SHALL HOLD PERIODIC SESSIONS ON DATES MUTUALLY AGREED BY THE COMMISSIONERS BUT NO LESS THAN TWO TIMES PER YEAR. SESSIONS SHALL ALSO BE CONVENED AS SOON AS POSSIBLE, UPON REASONABLE NOTICE AT THE REQUEST OF EITHER COMMISSIONER.

V.

THE STANDING CONSULTATIVE COMMISSION SHALL ESTABLISH AND APPROVE REGULATIONS GOVERNING PROCEDURES AND OTHER RELEVANT MATTERS AND MAY AMEND THEM AS IT DEEMS APPROPRIATE.

VI.

THE STANDING CONSULTATIVE COMMISSION WILL MEET AT GENEVA. IT MAY ALSO MEET AT SUCH OTHER PLACES AS MAY BE AGREED.

DONE IN GENEVA, ON DECEMBER ----- 1972, IN THE ENGLISH AND RUSSIAN LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

FOR THE GOVERNMENT
OF THE
UNITED STATES OF AMERICA

FOR THE GOVERNMENT
OF THE
UNION OF THE SOVIET SOCIALIST
REPUBLICS

AGREED IN THE SCC WORKING GROUP
AD REFERENDUM TO DELEGATIONS

JOINT DRAFT TEXT#

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DECEMBER 5, 1972

PARAGRAPHS FOR INCLUSION IN THE
REGULATIONS FOR THE STANDING CONSULTATIVE COMMISSION

1. THE STANDING CONSULTATIVE COMMISSION, ESTABLISHED IN ACCORDANCE WITH ARTICLE XIII OF THE TREATY BETWEEN THE USA AND THE USSR ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972, AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING THE ESTABLISHMENT OF A STANDING CONSULTATIVE COMMISSION OF DECEMBER -----, 1972, SHALL CONSIST OF A U.S. COMPONENT AND SOVIET COMPONENT, EACH OF WHICH IS HEADED BY A COMMISSIONER.

2. THE COMMISSIONERS SHALL ALTERNATELY PRESIDE OVER THE MEETINGS.

3. THE COMMISSIONERS SHALL, WHEN POSSIBLE, INFORM EACH OTHER IN ADVANCE OF THE MATTERS TO BE SUBMITTED FOR DISCUSSION, BUT MAY AT A MEETING SUBMIT FOR DISCUSSION ANY MATTER WITHIN THE COMPETENCE OF THE COMMISSION.

4. DURING INTERVALS BETWEEN SESSIONS OF THE COMMISSION, EACH COMMISSIONER MAY TRANSMIT WRITTEN OR ORAL COMMUNICATIONS TO THE OTHER COMMISSIONER CONCERNING MATTERS WITHIN THE COMPETENCE OF THE COMMISSION.

AGREED AD REFERENDUM BY DELEGATIONS

5. EACH COMPONENT OF THE COMMISSION MAY INVITE SUCH ADVISERS AND EXPERTS AS IT DEEMS NECESSARY TO PARTICIPATE IN A MEETING.

6. THE COMMISSION MAY ESTABLISH WORKING GROUPS TO CONSIDER AND PREPARE SPECIFIC MATTERS.

7. THE RESULTS OF THE DISCUSSION OF QUESTIONS AT THE MEETINGS OF THE COMMISSION MAY, IF NECESSARY, BE ENTERED INTO

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RECORDS WHICH SHALL BE IN TWO COPIES, EACH IN THE ENGLISH AND THE RUSSIAN LANGUAGES.

8. INFORMATION CONCERNING THE ACTIVITIES OF THE STANDING CONSULTATIVE COMMISSION IS CONFIDENTIAL AND MAY BE MADE PUBLIC ONLY WITH THE EXPRESS CONSENT OF BOTH COMPONENTS OF THE COMMISSION.

9. EACH COMPONENT OF THE COMMISSION SHALL BEAR THE EXPENSES CONNECTED WITH ITS PARTICIPATION IN THE COMMISSION.

10. THE REGULATIONS FOR THE STANDING CONSULTATIVE COMMISSION SHALL ENTER INTO FORCE ON THE DAY OF THEIR SIGNATURE BY THE COMMISSIONERS.

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