Chapter IX

Controversies Concerning the Control Organization

I

An Overview

Even though they were somewhat overshadowed by the dispute about technical matters and the coverage of the treaty, controversies concerning the nature of the organization which would oversee compliance with the proposed nuclear test ban were a prominent feature of the Geneva Conference on the Discontinuance of Nuclear Weapon Tests throughout its course. These controversies too were unresolved when the Conference held its final meeting on January 29, 1962.

The controversies began in the early days of the negotiations when the parties broadly outlined their positions. The positions were developed in detail and probed, and several compromises were arranged in the succeeding two years so that by mid-1960 the gap between the positions of East and West had been narrowed considerably. In 1961, however, this agreement evaporated.

Despite the fact that there is no provision for a control organization in the partial test ban treaty which was concluded in 1963, the negotiations on these issues are of considerable interest. To some extent these negotiations explain the absence of control machinery from the Moscow Treaty. Moreover, they are one of the few detailed discussions among the Soviet Union, the United Kingdom, and the United States about an international organization which might have significant functions with respect to these powers themselves as well as to other parties. Viewed more narrowly, the Geneva negotiations represent the first concrete discussion among the three nuclear powers of an arms control or disarmament organization since the late nineteen-forties. Although it is true that
related issues were raised in the talks concerning the creation of the International Atomic Energy Agency (IAEA), there was little real negotiation in this instance as the Soviet Union largely accepted the United States’ draft proposal (which however had been prepared with an eye to Soviet sensibilities), and in any case, IAEA’s control mechanism was not designed to apply to the nuclear powers. 1

The positions concerning the control organization advanced by the participants in the Geneva Conference were a product of several factors. They stemmed partially from each party’s understanding of the technical properties of the control mechanisms recommended by the Conference of Experts and the subsequent technical meetings. Such matters as their estimate of the reliability of the instruments, whether or not the instruments could be made tamperproof, and the clarity or ambiguity of the evidence that could be obtained of possible violations, affected their attitude toward the human elements of the control system. A related consideration involved estimates about the technical proficiency, reliability, and impartiality of personnel who might be recruited to staff the control system.

Their positions also implicitly reflected their basic assumptions about the societies which would be affected. Notions about the degree of openness of a given society and the degree of access that would be required to assure effective control and about the need for taking institutional action, for instance in the event of a violation, conditioned the concepts of a control organization which the participants advanced. Then too, their confidence in their unilateral means of obtaining information was also a factor.

In addition, each of the parties had had experience in functioning international organizations, especially the United Nations, and this affected their approach toward the constitution of a new organization. The West wanted to avoid a deadlock such as had occurred in the UN Security Council as a result of the Cold War. The Soviet Union, on the other hand, obviously had in mind the curtailment of its power in the United Nations when the center of activities shifted from the Security Council to the “veto-less” Gen-

eral Assembly, and the Secretary General assumed important functions far beyond those originally contemplated. All parties to the Conference wanted to avoid, if at all possible, problems which they had encountered in the past.

Finally, each of the parties viewed a control organization for a nuclear test ban as a possible precedent for other organizations in the field of arms control and disarmament, and this too had an impact on their positions. In the broadest sense, the Western powers on the one hand and the Soviet Union on the other pressed for an organization that would conform as closely as possible to their ideology and image of world order.

Because so many of the questions relating to the control organization involved both scientific and political aspects, United States proposals relating to these matters had to pass through the same process of interagency agreement as did broad policy positions concerning such matters as the continuation of the moratorium and the negotiations, and the threshold problem. This meant that all of the American positions had to be approved either by the Committee of Principals or by interagency working groups at a lower level. Since it proved impossible in practice to determine precisely whether a given question was essentially political, scientific, or military, and thus to identify the agency primarily concerned, for all practical purposes each agency involved had power to block the formulation of a position on almost any issue, or to insist that its concepts should prevail. Not only was this procedure of achieving agreement within the American government a time-consuming process, it also meant that the American negotiator was quite tightly bound to rather rigid instructions.

The two Western powers tended to move in unison on issues relating to the control organization, as they did in all aspects of the negotiations. Many proposals were advanced jointly. A submission of a separate proposal by one or the other Western power usually reflected a prearranged division of responsibility for the presentation of material, rather than unilateral action, and in most cases, joint approval could be assumed.

The United Kingdom felt a greater sense of independence on these matters, however, than it did on the broader questions relating to the coverage of the treaty. It often attempted to play a leading role on these issues within Western councils, and from
Controversies Concerning Control

British negotiators were particularly active during 1960, both before and after the collapse of the summit meeting. Occasionally, the British delegate even advanced proposals *ad referendum*, and Her Majesty's Government always ultimately accepted them and supported its delegate. In early 1960, the United Kingdom hoped to make it possible to consummate an agreement at the summit meeting. After the collapse of the summit meeting, the United Kingdom's primary objective apparently was to perpetuate the talks. The fact that the United States was in the midst of an election campaign, while the United Kingdom was not, having just completed a general election the previous year, may also explain why the latter was somewhat more active and flexible during 1960.

The Soviet Union generally left to the Western powers the task of presenting detailed proposals on the organizational aspects of the prospective treaty and expounded its position through comments and criticisms. It is true that the USSR tabled a “complete” draft treaty on the opening day of the Conference, but this was a bare skeleton.\(^2\) Thereafter it occasionally submitted memoranda on specific points, and very infrequently, formal treaty language. However, until mid-1960, the Soviet delegate was often able to respond more quickly to new suggestions than his American counterpart.

Discussions of a control organization were interspersed throughout the 353 meetings of the Geneva Conference. Only for a few days during this period was the possibility even mooted that a test ban treaty need not provide for any control organization. As recorded in Chapter VIII, on September 3, 1961, in an effort to stave off further Soviet testing, President Kennedy and Prime Minister Macmillan proposed that a treaty banning the testing in the atmosphere of nuclear weapons which created radioactive fallout should be signed immediately and stated that such a treaty could be monitored adequately by national systems. The USSR refused this offer, and it expired on September 9, 1961. On November 28, 1961, the Soviet Union proposed a draft treaty which would rely exclusively on national detection systems, and it maintained this proposal until the end of the Conference. With the

\(^2\)For the text, see *supra* pp. 122-23.
exception of those two periods, all three parties to the negotiations always acted on the assumption that any treaty would require the creation of some control organization. Even the phased treaty proposed by the United States on February 11, 1960, envisaged an extensive control organization and system from the outset.

While the discussions concerning a control organization went on continually throughout the Conference, there were certain periods when greater attention was devoted to these matters. The most notable of these were (1) the opening period of the Conference from October 31, 1958, through March 19, 1959; (2) the period immediately prior to the convocation of Technical Working Group II and during the early sessions of that body in late November and December 1959; (3) the period immediately prior to the summit meeting in the spring of 1960; and (4) the period from March 21 through May 31, 1961, when, following the Kennedy Administration's accession to power, the Western states advanced a series of compromise proposals. Bargaining, or the exchange of concessions, occurred only in the first three periods. These were the three periods in which the prospects for agreement appeared to be highest. Activity in the last period, that is in the spring of 1961, was confined to an exposition of positions, although it was not until this time that the West tabled an entire draft treaty.

II

The Initial Opposing Concepts of the Control Organization

The Western Blueprint

An analysis of the controversies during the Geneva Conference concerning the proposed control organization can appropriately begin by outlining the broad concepts which the two sides advanced initially. The basic Western ideas were set forth in a memorandum tabled by the British on November 13, 1958, a working paper presented by the United States on November 13, 1958, four draft articles tabled by the United States on December 15, 1958, and a draft annex I, concerning the Detection and Identification System.

4GEN/DNT/PV. 8, pp. 5-8.
5GEN/DNT/PV. 5, pp. 4-5.
6GEN/DNT/21.
introduced by the United States the following day. Oral presentations elaborated the points made in these documents and added others.

The Western blueprint was extensive. It was an amalgam of traditional concepts of international organization prevalent in the West and the technical system proposed in the report of the Conference of Experts. It provided for a Conference, a Commission, and an Administrator. All treaty signatories would be represented in the Conference, which would hold annual meetings and could convene in special sessions. The functions of the Conference would be to approve budgets recommended by the Commission, consider and approve reports, consider amendments to the treaty, and propose matters for consideration by the Commission. The Commission would consist of the Original Parties (the three nuclear powers in the Geneva Conference) as permanent members and an unspecified number of states elected by the Conference. It would be organized, like the Security Council of the United Nations, so that it could function continuously. It would oversee the installation and operation of the Detection and Identification System, appoint and direct the activities of the Administrator of the system, authorize nuclear detonations for peaceful purposes, and prepare findings with respect to violations of the treaty. Although at an early stage the Western powers allowed that some decisions of the Commission would require the unanimous agreement of the Original Parties, these were not specified. For most decisions, only some form of majority would be required. According to the Western plans, the Administrator would be responsible for the day-to-day operation of the detection system, most aspects of which would function automatically on the basis of predetermined criteria. Thus, although the Administrator would oversee on-site inspections, decisions concerning their dispatch would depend solely on whether or not certain criteria had been met.

Following the recommendation of the Conference of Experts, the Western plan envisaged the ultimate establishment of from 160 to 170 control posts. It went no farther than the Experts had in specifying the locations of these posts, merely repeating the specifications which the Experts had outlined concerning the maxi-

\[^6\text{GEN/DNT/22.}\]
mum permissible spacing between the posts and their distribution by continents and oceanic islands. The Western plan endorsed the Experts' recommendations concerning instrumentation. The initial Western position was that each control post should be operated by an international staff, which would consist of 32 individuals (the Experts had specified “about 30”), none of whom would be nationals of the host country. Roughly one-third of this staff would have to have relatively high-level technical qualifications, the equivalent of a British university degree, or an American master's degree. In addition to this technical staff, each post would require a communications staff of 8, who would also be recruited on an international basis, and an administrative and supporting staff of 21, who could be host country nationals. In sum, each control post would require a staff of 61, and the system of posts, depending on whether there were 160 or 170, a total of from 9,760 to 10,370, roughly one-sixth of whom would have to be highly qualified. In addition, the Western plan provided for “a sufficient number” (the Experts had recommended “about 10”) of ships to maintain control over ocean areas which did not contain islands suitable for the establishment of fixed-base control posts. Presumably, these would be staffed in the same manner as the land-based control posts. Although the Western powers agreed that a time schedule would have to be elaborated for the establishment of control posts, they did not give any indication of its nature. The Western plan also included provisions for daily routine aircraft sampling flights and special aircraft sampling flights.

The Western powers envisaged that on-site inspections of events which could not be identified as natural should occur on a routine basis, and that if a state attempted to block such an investigation it would be in violation of the treaty. The Western proposals provided for the establishment of several permanent groups whose sole function would be to conduct on-site inspections. The precise number and location of these groups would be determined by the Administrator with the approval of the Commission. Nationals of the country being investigated were to be excluded from the inspection team.

The Western proposals contained provision for a headquarters, consisting of (1) a data analysis and research center, (2) a central radiochemical laboratory, and (3) a central inspection office.
Among its other responsibilities, the headquarters would conduct research relevant to the concerns of the control system. The Administrator could also, with the approval of the Commission, let contracts so that research could be done by external agencies. The Western proposals envisaged the creation of "about 10" regional offices which would provide administrative and logistical support to the elements of the control system operating in their regions.

Although the Western powers thought that a control organization for a nuclear test ban treaty should be autonomous, they felt that it should have a relationship with the United Nations similar to that of the International Atomic Energy Agency, and that it should also have some relationship with any other organizations which might be established with functions relating to arms control and disarmament.\(^7\)

Had the Western proposals for a control organization been implemented, the staff of the organization would have been considerably larger than that of any international organization in existence. The UN Secretariat has a staff of somewhat more than 4,000; over twice that number would have been required to man the land-based control posts alone. Moreover, the control organization would have had more extensive powers with respect to the original parties than any other extant international organization. It would have been able to order an investigation on the territory of the superpowers against their wishes and to adopt a report concerning a possible violation on their part despite their opposition.

**The Soviet Concept**

In contrast, the concept of a control organization which the Soviet Union advanced initially was extremely limited. The draft treaty which the Soviet Union tabled on the opening day of the Geneva Conference merely stated that the parties to the agreement "shall institute machinery for control," and that this machinery "shall have at its disposal a network of control posts set up in

accordance with the recommendations of the Geneva Conference of Experts." The treaty would commit the three nuclear powers to agree to the establishment on their territories of "an agreed number of control posts." These were the only provisions for control machinery contained in the draft treaty; the Soviet view was that the details should be spelled out in a separate agreement. The similarity between this and earlier Soviet proposals concerning arms control and disarmament has already been noted. The Soviet proposal contained no provision for signature or accession by parties other than the three participating in the Conference.

Before long the Soviet Union agreed that detailed provisions concerning a control organization as well as the obligation to cease testing nuclear weapons should be contained in a single treaty, and on December 8, 1958, it tabled a draft outlining its view of the basic provisions of a control system. Although this moved the USSR's position much closer to that of the Western powers, there was still a great distance between the two.

The role of states other than the three original nuclear powers was obscure in the Soviet concept. They were mentioned only implicitly in the draft in a discussion of control posts. In his oral exposition, Mr. Tsarapkin stated that after the control system had been established among the three original parties, the question of the cooperation of other states in the control system would have to be considered, and that the discussion of these matters could be entrusted to a conference of the states parties to the treaty. There was no mention of a conference as a regular organ of the Control Organization in the Soviet draft.

In the Soviet concept, a Commission would be the central body in the Control Organization. Although the draft did not specify the composition of the Commission, Mr. Tsarapkin stated that the British suggestion that the Commission should consist of the three original parties as permanent members and four other states would be acceptable "provided that all major issues are settled by agreement among the three permanent members of the Commission." The Commission would "direct the entire activity

8GEN/DNT/1.
9GEN/DNT/19.
10GEN/DNT/PV. 21, p. 37.
11Ibid., p. 29.
of the Control Organization.” It would review evidence concerning events which could be suspected of being nuclear explosions and after reviewing additional data, including material from existing seismic stations, would inform the government concerned and request its opinion. After considering the reply of that government, the Commission would determine whether or not an on-site inspection was required. In the event of disagreement, the Commission would so inform the parties to the treaty and the Security Council of the United Nations. The Soviet draft contained no mention of an administrator or executive officer.

The Soviet draft contained provisions for land-based control posts, although no specific number was mentioned, and stated that they should be equipped in accordance with the recommendations of the Conference of Experts. In the Soviet view, the staff of each control post should consist of not more than thirty specialists and several supporting personnel. Of the thirty, four or five would be required to have a higher education and the remainder, a secondary technical education. All of these individuals would be nationals of the host country. In addition, one or two foreign control officers representing the side interested in carrying out control in the area concerned would be stationed at each control post. In the cases of control posts situated on the territories of states which were not members of either alliance system, there would be control officers from both sides. The control officers would place their seals on all instruments and would be present when data was removed and processed. They would countersign all reports to the control commission, and, when they disagreed with the chief of the control post, they would have the right to express their dissent. The control officers would have the right and the ability to check all instruments at any time, and they would enjoy diplomatic immunity. The host country would be responsible for providing appropriate means of communication for each control post so that around-the-clock transmission of information would be insured. The basic communication of each control post would be a daily coded telegraphic report. The Soviet plan called for control posts on ships, but did not specify how many. These would be staffed by personnel from the state which owned the vessel. In addition, there would be one or two control officers, including one who was a navigation
specialist. The draft also contained provision for regular air sampling flights.

In contrast to the Western view, on-site inspections were to be regarded as exceptional rather than routine. This difference was symbolized by the fact that while the Western plan provided for the inspection of “unidentified events,” the Soviet proposal provided for the inspection only of “suspicious events.” In the Soviet scheme inspection teams would be constituted on an ad hoc basis. The supporting and technical personnel would be nationals of the country involved, but the inspection team would also include “a very small number of control officers, whose duties would include checking all the team’s work to ensure that it was being properly carried out.”

The Soviet plan envisaged that the Commission would have at its disposal a technical apparatus—not a headquarters—which would consist of appropriate departments for processing and analyzing data and for providing the control organization with logistical and technical support and personnel. The Soviet draft held that the personnel of the technical apparatus should be recruited and approved by the Commission on the basis of equal representation of the two sides among the original parties. Among other things, this implied that the consent of the original parties would be required for all appointments. There was no provision for the conduct of research by the control organization. Nor was there any provision for regional offices.

The Soviet draft stated that the right of extraterritoriality should not extend to the territory and the premises of control posts and that the movements of personnel on the posts “must take place on regular terms and conditions and in accordance with the procedures existing for foreigners.” Personnel for guarding the posts would be supplied by the host country. These points were not covered in the initial Western presentations.

The Deep-Seated Differences Between the Concepts

Obviously neither East nor West expected its initial position to be accepted in toto. They and the world had had ample evidence of their differing approaches toward international organization, and if agreement were to be reached some compromises would clearly

---

12Ibid., p. 34.
be required. The foreknowledge of the disagreement and the expec-
tation of bargaining probably led both sides to overstate their
initial positions. This is not to suggest, however, that each side
did not, rightly or wrongly, conceive its scheme of a control or-
ganization as being optimally designed to satisfy its interests, and—
according to its own interpretation—perhaps also those of the
world. It therefore is worth considering the implications of the two
positions and their rationale, both as explicitly stated and implied.

In formal constitutional terms, the Western proposals repre-
sented what can be termed the vertical or hierarchical approach to
international organization, while the Soviet proposals represented
the horizontal approach. The Western proposals implied some—
although not much—diminution of state sovereignty and transfer
of authority to an international body. The Soviet proposal, in con-
trast, was designed with state sovereignty as its most basic assump-
tion. It could almost be characterized as a plan for legitimizing by
mutual agreement certain national intelligence activities. Mr. Tsar-
apkin repeatedly put this quite directly by saying, under our plan
you will "control" us and we will "control" you. He meant this in
the French sense of the word "control," that is in terms of gath-
ering information. The Soviet plan went little beyond this, and
in no case could the control organization take action against the
wishes of one of the original parties.

Some analysts have distinguished between two approaches to
the control of disarmament agreements by calling one the "impar-
tial" approach, and the other the "reciprocal" or "adversary" ap-
proach. In the first as the name implies the emphasis is on gaining
control through devices and personnel disassociated from the
principal parties, while in the second the principal parties them-
selves exercise control. In general terms, the Western proposals
were in the spirit of the first approach, and the Soviet, the second.

The differences between the Soviet and Western proposals
represented first of all deep-seated philosophical differences. The

\[13\text{See Fred C. Iklé and others, Alternative Approaches to the Interna-
tional Organization of Disarmament (RAND Corp., 1962, R-391-ARPA),}
\text{especially, pp. 3-4; Lawrence S. Finkelstein, "The Use of Reciprocal Inspect-
ion," pp. 82-98 in Seymour Melman (ed.) Disarmament: Its Politics and}
\text{Economics (1962); and Lawrence S. Finkelstein, "Arms Inspection," Inter-
national Conciliation, No. 540 (November 1962), pp. 5-89.}\]
West, and particularly the United States, has been committed for some time, at least on the level of declaratory policy, to the ultimate goal of an ordered and peaceful world, regulated by enforceable legal norms and powerful international institutions. In terms of this perspective, national defense forces are regarded as a temporary expedient, to be maintained and utilized only as long as this ultimate goal remains unachieved. At the time of the First World War when these concepts were originally formulated, the growth of democracy was viewed as an important means of achieving the ultimate goal as well as a basic component of it; but over the years as a result of increasing sophistication, or despair, or both, less emphasis came to be placed on this feature. Though subject to disagreement, the prevalent attitude in the West seems to be that the international goal can be achieved despite diverse domestic regimes. Being constantly exposed to and immersed in these views, and repeating them in public presentations, Western, and particularly American, policy-makers have tended to take them into account in formulating new positions. The gains of past experience are accepted and each new situation viewed as an opportunity for incremental advances. This applies a fortiori in situations which might involve the reduction of national armaments, given the rationale for the maintenance of national defense forces mentioned earlier. Thus the Western concept of a control organization was modeled after the United Nations and other existing international organizations such as the International Atomic Energy Agency, with the addition of certain new features.

The Soviet Union’s ultimate goal, again at least on the level of declaratory policy, has been a world of Communist societies. In its view, non-Communist states and organizations dominated by these states have been hostile, or potentially hostile, to this goal. Thus, its view of international organization has been considerably different from that of the West and, given its long-run goals, it cannot have the same commitment to international organization as the West. For the USSR, cooperation in international organizations has been at best a temporary expedient, not a goal in itself.

14For a detailed elaboration of the Soviet attitudes toward international organization, see Alexander Dallin, The Soviet Union at the United Nations (1962); and also, Union of Soviet Socialist Republics, Academy of Sciences, Institute of State and Law, International Law (1960).
According to its doctrine, the fundamental problems of society could only be solved through transformation to Communist regimes. Moreover, distrusting all non-Communists, it could not conceive an impartial or neutral international organization. In the Soviet view, therefore, international organizations including non-Communist states ought to be instruments designed to facilitate temporary cooperation between opposing sides, and consequently ought to involve only minimal indispensable limitations upon sovereignty.

Of course the two sides had also had differing experiences in existing international organizations. Particularly during the early years of the UN and its affiliated agencies, the United States and the United Kingdom were usually in a controlling position, able to command a majority for positive action and to block proposals deemed undesirable. During the same period, the Soviet Union on the other hand was a permanent minority in these institutions and frequently saw them take action against its wishes.

Initial Compromises

Despite these deep-seated differences, it was possible to effect compromises between East and West in a number of instances, and by the time of the 1959 Easter recess, several agreements had been reached which narrowed the gap somewhat. Six articles of a draft treaty had actually been adopted. One of these was purely formal, stating that the treaty and major agreements concluded by the Control Organization would be registered with the United Nations in accordance with the requirements of Article 102 of the Charter. The others, however, had greater substance. One specified that the treaty would be of indefinite duration, subject to the inherent right of the parties to withdraw if the provisions of the treaty were not being fulfilled and observed. Another provided for the periodic review of the control system.

The remaining three articles, which had been adopted by mid-March 1959, specified the obligations of the parties to the treaty and the composition of the Commission. Each signatory would undertake:

(a) to prohibit and prevent the carrying out of nuclear weapons test explosions at any place under its jurisdiction or control; and
(b) to refrain from causing, encouraging, or in any way participating in, the carrying out of nuclear weapons test explosions anywhere.\(^{15}\)

The meaning of the first of these obligations was clear; that of the second, less obvious, and the debate did not clarify it. Nor was there ever any discussion of how compliance with the second obligation would be verified. The signatories would also agree "to cooperate promptly and fully with the Control Organization . . . and to assist the Control Organization in the discharge of its responsibilities . . . ."\(^{16}\)

In accepting the article on the Commission the negotiating states had implicitly agreed that other states would have a role in the Control Organization, for it provided that four other states would be members of the Commission. According to this article the four nonpermanent members of the Commission were to be chosen by a Conference in which all states would participate and which would have regular annual sessions.

The two sides also moved closer together in several other areas. The West agreed that control posts should be established first in the territories of the three nuclear powers. The Soviet Union allowed that there might have to be an administrator to oversee the operation of the control system. It also agreed that there could be from four to five "controllers" at a control post, rather than merely one or two.

Despite these compromises, there were still wide differences between the two sides. Although they agreed that the Commission should consist of seven states including the three Original Parties, they could not agree on the political distribution of the other four states. The West held that these four states should consist of one from each side and two neutrals. The Soviet Union on the other hand maintained that—considering the two-to-one preponderance of the West among permanent members—this formula would not yield a balanced Commission. It argued that the four nonpermanent members should consist of one from the Western side, two from the Soviet side, and one neutral. There continued to be differences with respect to the staffing of control posts. The West also con-

\(^{15}\)GEN/DNT/14.

\(^{16}\)GEN/DNT/15/Add. 1.
tinued to insist on the necessity of permanent inspection groups, while the Soviet Union denied this. To buttress his case, Mr. Tsarapkin held that this concept had been rejected at the Conference of Experts. 17 Although this was true, it was also true that the Soviet position that permanent inspection groups were unnecessary had been rejected.

Perhaps the most fundamental difference related to voting in the Control Commission. On January 30, 1959, evidently drawing upon its experience in the United Nations Security Council, the Soviet Union submitted a comprehensive list of decisions which would require four affirmative votes, including those of the three Original Parties. This was the USSR’s strongest assertion that it would not agree to the proposed Control Organization’s being able to take any significant action against its wishes. Or, as Mr. Tsarapkin put it, claiming the familiar defense of the veto in the Security Council, this would insure the cooperation of the Original Parties.

Prior to the March 19 recess, the Western powers agreed that unanimity among the Original Parties should be required for: amendments to the treaty, revision of the detection methods, and appointment of the Administrator. They also agreed that it might be required, if appropriate safeguards could be worked out, for the determination of sites of control posts and routes for control aircraft flights. However, they would not go beyond that. They adamantly argued that the veto could not apply to the other decisions named in the Soviet list, especially those relating to on-site inspections and violations of the Treaty. This represented the most fundamental difference between the approaches of the two sides, and it was unresolved by the time of the Easter recess in 1959. In considering these issues, it is necessary to recall that the so-called “new seismic data” was introduced by the West prior to the submission of the Soviet veto list. Perhaps the Soviet Union would have taken the same position in any case, but the new data appeared to increase vastly the number of prospective on-site inspections and thus provided a further incentive for the Soviet Union to seek ironclad protection against imposed decisions.

17GEN/DNT/PV. 18, p. 16.
Further Compromises and Continuing Controversies, 1959–60

So far as concepts of the control organization are concerned, the period of the negotiations from the time that the Geneva Conference resumed on April 13, 1959, through the final meeting in 1960 on December 5 can be considered as a unit. Although the positions of the two sides shifted somewhat during this period, these shifts did not involve departures from the framework established in the initial phase of the Conference. Further compromises of course brought additional agreements, but some controversies remained unsolved. Since there was a basic unity to this period, the negotiations during it can be treated topically rather than chronologically. It is important to emphasize though that both sides constantly viewed the control organization as a whole and that each aspect was inextricably linked to the others. While this meant that trade offs were possible, it also meant that on important matters, piecemeal settlements were ruled out.

Areas of Agreement

During this period the three parties agreed to a preamble, eleven more articles, and two annexes for the prospective treaty. The preamble and ten of the articles were adopted during the seventeen meetings held from April 13 to May 8, 1959. This achievement was in large measure the result of the momentum established in the initial phase of the negotiations. In many instances the adoption of an article merely represented ratification of a tentative understanding achieved earlier. Several of the articles adopted during this period were of a formal character, and few fundamental issues were involved.

(1) "Formal" Articles

One article concerned authentic texts. It followed the standard form in international agreements. Another article provided that the annexes should form an integral part of the treaty. Since it was envisaged that the detailed specifications for the Detection and Identification System would be contained in an annex, this met the Western insistence that these provisions should have treaty force. A third article concerned amendments to the treaty and its annexes. It provided that amendments would enter into effect when they had been adopted by a vote of two-thirds of the members of the Conference and ratified by two-thirds of the parties to the treaty, including the Original Parties. This procedure was patterned after that specified in the UN Charter, and gave the Original Parties veto power.

(2) "Other States"

Two of the articles touched on the question of how other states should be brought into the Control Organization. The first of these defined the parties to the treaty. The USSR, the United Kingdom, and the United States were specified as the Original Parties. It was also agreed that this article should contain a second paragraph allowing other states to become parties, but no treaty language was worked out during this period. Actually, none was even proposed until mid-1960. The Western powers nevertheless felt satisfied that they had won their point that states other than the three nuclear powers should be allowed to become members of the Control Organization.

The second article relating to this matter concerned the signature, ratification, and entry into force of the treaty. According to this article, the treaty would enter into force as soon as the instruments of ratification of the Original Parties had been deposited, thus meeting the Soviet argument that bringing other states into the Control Organization should not be allowed to delay the implementation of the treaty; other states were given a period of six months in which to sign the treaty, but no time limit was set for the deposit of instruments of ratification or acceptance.

The article on the Conference also dealt with states other than the three nuclear powers which might become parties, in that it spelled out certain powers that they would have within the
Control Organization. These were minimal. The Conference would meet annually, and could be convened in special sessions. As has already been mentioned, it would have a role in the procedure for amending the treaty. Beyond that, its powers would be to elect the nonpermanent members of the Commission, approve the budget (although the way in which this would be accomplished and the majority required were left for later specification), consider the annual report of the Commission, approve reports to the UN, and approve agreements with other international organizations. In addition, the Conference could discuss any matter within the scope of the treaty, a provision reminiscent of Article 10 of the UN Charter relating to the powers of the General Assembly. It could also make decisions on matters specifically referred to it by the Commission, propose matters for consideration by the Commission, and request reports from the Commission. All decisions, except those on budgetary matters and on amendments, would be by a simple majority of parties to the treaty present and voting, unless the Conference itself decided that a two-thirds majority would be required. It was clear from these terms of reference that the Commission and not the Conference would be the dominant body in the Control Organization, and that states other than the Original Parties would have only limited rights and responsibilities.

(3) Obligations of the Parties Concerning the Control System

Three of the articles which were adopted dealt with obligations of the parties to the treaty with respect to the control system. The first committed them to accept the placement on territory under their jurisdiction of the control components which would be established on the basis of the report of the Conference of Experts and installed and operated in accordance with the treaty and its annexes.

The second spelled out specific obligations of cooperation. These included: giving inspection groups "immediate and undisputed access" and refraining from any interference with them; providing "adequate and expeditious transportation" for on-site inspections; entering into arrangements for the utilization of existing aircraft flights for routine air sampling purposes; entering into arrangements for making aircraft available for special aircraft flights or permitting special flights by aircraft belonging to the control system; and, entering into arrangements for the utilization of ex-
isting weather and geophysical exploration vessels. It was agreed that another paragraph concerning the cooperation required for the high altitude detection system would be added to this article.

The third article of this group provided that representatives to the Conference and the Commission and the Administrator and other executive personnel, should enjoy such privileges and immunities as would be necessary for the exercise of their functions. The precise terms of the legal capacity of the Organization and the privileges and immunities of associated personnel were to be spelled out in an annex. This meant that these matters would have treaty force. Except for this feature, which is also found in the Rome treaties establishing the European Common Market and Euratom, the article paralleled those usually found in the charters of international organizations. Since the UN Convention on Privileges and Immunities has been ratified by the USSR and the United Kingdom, but not the United States, it is interesting that the United States readily agreed to this formulation, which was proposed by the United Kingdom. Perhaps all parties saw it as a way of circumventing the hurdle of Congressional ratification of a separate convention.

(4) “External” Relations

The final article on which agreement was reached in the four weeks from April 13 to May 8, 1959, concerned relationships with other international organizations. Its terms were simple. It merely stated that the Commission, with the approval of the Conference, could enter into an agreement establishing “an appropriate relationship” between the Control Organization and the United Nations, and that the same action could be taken with respect to “any international organization which may in the future be established among any of the Parties to this Treaty to supervise disarmament and arms control measures.”

The implications of the article, however, are interesting. First, it signified that the Control Organization would not be a part of the United Nations. Secondly, it also implied that the functions of this complicated mechanism would be limited to the control of nuclear explosions; that further measures of arms control and disarmament would require the creation of additional international organizations. Despite popular speculation that the underlying Western am-
bition was to establish a control organization whose functions gradually could be expanded,¹⁹ this possibility was never discussed in the Geneva Conference, and on several occasions it was implicitly rejected.

The only controversy surrounding the adoption of this article involved phraseology. The second paragraph of the original British proposal allowed appropriate relationships to be established with:

... any international arms regulation organization which may in the future be established among any of the Parties to this Treaty to supervise arms control measures.²⁰

Consistent with its general position in the disarmament debate, the USSR objected to control without disarmament and proposed that the paragraph read “international disarmament organization . . . to supervise disarmament control.”²¹ The final formulation mentioning both arms control and disarmament was a compromise between the Soviet and Western positions.

(5) How Much Emotion in the Preamble?

Related issues arose in the discussion of the preamble. Although the Western powers basically accepted a Soviet proposal, they insisted on changing the opening two paragraphs. The original draft read:

Pursuing the aim of putting a check to the nuclear armaments race and to the further improvement and creation of new, even more destructive types of these weapons of mass destruction;

Endeavoring to take a practical step towards the urgent objective of prohibiting atomic weapons and eliminating them from national armaments, as indicated by the United Nations.²²

The formulation which was adopted was:

Pursuing the aim of reducing international competition in armaments and in the development of new weapons of war;

¹⁹For example, see The Observer, February 15, 1959, p. 14.
²⁰GEN/DNT/39.
²¹GEN/DNT/PV. 76, pp. 10-11.
²²GEN/DNT/46.
Endeavoring to take a practical step towards the achievement of the objectives of the United Nations in the field of disarmament including the eventual elimination and prohibition of nuclear weapons under effective international control and the use of atomic energy for peaceful purposes only.

The change did little to alter the meaning of the preamble. Its principal effect was to eliminate some of the emotionalism directed against nuclear weapons, a constant component of Soviet policy until the nineteen-sixties. In addition to these paragraphs the preamble mentioned the desire of the signatories to bring about a permanent discontinuance of nuclear weapon tests; recognized that permanent, effective and continuous control was essential to achieve this objective; expressed the hope that other countries would join in the undertakings spelled out in the treaty; and asserted that a discontinuance of nuclear weapons tests would make possible "progress toward agreement on measures of disarmament." A more cautious way of expressing the last sentiment could hardly be found.

(6) The Organization, Its Headquarters, Transitional Arrangements

Beyond these achievements of the period from April 13 to May 8, 1959, agreement on three other matters was reached during the course of the Geneva Conference. On August 11, 1959, the three states adopted an article specifying the elements of the Control Organization. According to this article, the Control Organization would consist of: the Commission, the Detection and Identification System, the Administrator, and the Conference. The headquarters of the Organization would be in Vienna, which is also the headquarters of the International Atomic Energy Agency. The Soviet Union would not agree to this article until the Western powers had given assurances that the Administrator's powers would be limited and that he would be clearly subordinate to the Commission. As will be recalled, early Soviet formulations contained no mention of a chief executive officer.

Annex III dealing with the Preparatory Commission was adopted November 30, 1959. The provisions in this Annex are reminiscent of the Preparatory Commission which was established by the International Atomic Energy Agency Treaty. The Prepara-
tory Commission would come into existence on the day that the treaty was signed by the Original Parties, and would consist of one representative from each of the Original Parties. At this stage, the Preparatory Commission would plan and oversee the preliminary installation of the control system. Once the treaty came into force, the three Original Parties by unanimous agreement would co-opt four additional states from those that had signed the treaty, and the Preparatory Commission would then assume the functions of the Control Commission, until the latter could be formally constituted. It would also exercise the functions of the Administrator, until he was appointed. During this stage, the voting procedures would be those specified in the Treaty for the Commission. The Soviet Union accepted the draft for this annex, which the United States had tabled on July 27, 1959, almost in its entirety. The USSR insisted on only two changes: first, that the requirement for unanimity among the Original Parties be specified, rejecting Ambassador Wads-worth's contention that it was assumed; and second, that the task of recommending the location of regional offices be omitted, since it was not agreed that there should be such offices.

(7) Privileges and Immunities

The final section of the proposed treaty to be adopted was Annex II, dealing with privileges and immunities, which was accepted October 17, 1960. As this section developed in detail some of the conditions under which the Control Organization would operate on the territories of each of the parties, it was among the more important to be adopted.

The Soviet Union included a proposal on this matter in the draft basic provisions which it tabled on December 8, 1958, shortly after the negotiations began. This proposal merely stated that the foreign control officers should “enjoy diplomatic immunity equal to that of the staff of foreign embassies, legations and missions.” In addition, as was mentioned earlier, the proposal made it clear that “the right of extraterritoriality” would not extend to the premises of control posts and that movement of foreign personnel of the posts in the territory of the state must take place in accordance with

---

23GEN/DNT/PV. 115, pp. 4, 10, 11.
24GEN/DNT/19.
the procedures existing for foreigners. This proposal was consistent with the modest Soviet concept of the Control Organization.

In keeping with the Western concept of an elaborate control system, Western ideas called for much more specific provisions which would ensure that the Control Organization and its personnel would receive all the privileges and immunities they might require for the performance of their novel task. This approach led to the conclusion that the privileges and immunities would have to embrace those generally granted to international organizations such as the United Nations and NATO, and also include certain special features. However, not until a year later did the United States submit a proposal reflecting this line of reasoning. The delay in tabling a Western draft for this section of the treaty was due chiefly to the necessity of working out an agreed text between the two Western partners, with the United Kingdom favoring more detail and specificity than the United States. Furthermore, Western policy-makers saw no cause for according this matter priority over other proposals on which agreement was considered more urgent. The flagging pace of the negotiations and the technical complexity of the subject may also have contributed to the delay.

The draft as finally submitted by the United States on December 7, 1959, was modeled after the 1946 Convention on the Privileges and Immunities of the United Nations, the 1947 Convention on the Privileges and Immunities of the Specialized Agencies, the 1959 Agreement on the Privileges and Immunities of the International Atomic Energy Agency and, last but not least, the 1951 Agreement on the Status of the North Atlantic Treaty Organization, National Representatives and International Staff. That the Soviet Union offered no serious objection to this draft can be explained in part by the fact that it had previously agreed to substantially similar privileges and immunities in other contexts by having ratified the first and the third of these three agreements.

The discussion that preceded the acceptance by the USSR of the American draft was much less extensive than the Western dele-

25GEN/DNT/74.

26The United Kingdom has ratified all four of these agreements while the United States has ratified the last only. The United States has also ratified the 1947 Headquarters Agreement with the United Nations, which contains provisions on several topics covered in the other agreements.
gations expected. The section that occasioned the most argument involved the right of the Control Organization to exchange currency, but this disagreement was not very serious. The American proposal was that the organization should be entitled to the most favorable rate of exchange. After considerable verbal sparring, Ambassador Wadsworth explained that this provision was designed to prevent countries with completely managed currencies from hampering the work of the Control Organization by establishing discriminatory rates of exchange.\(^\text{27}\) He stated that this would be important because of the magnitude of the expenditures which would be involved. It was apparent that the provision was formulated principally because at that time the USSR maintained two rates of exchange: one of ten rubles to the dollar for tourists; and the other of four rubles to the dollar for other expenditures. The USSR strongly objected to this provision. Mr. Tsarapkin argued that the passage should follow the pattern of the UN Convention and that of the Specialized Agencies and merely give the Control Organization the right to convert currency. Although he argued generally that a country could not be forced to grant to the Control Organization an exchange rate which it had established for some special purpose, he actually seemed to be objecting more to the fact that the provision appeared on the surface to discriminate against the USSR, since in practice it was the only one of the Original Parties to which it would apply.\(^\text{28}\) The compromise finally worked out was to delete the provision, but to agree to include in the eventual financial regulations of the Control Organization—following the example of the United Nations—the requirement that all contributions must be assessed and paid in United States dollars unless the Administrator approved another currency.

Although the Soviet Union proposed certain other amendments to the United States draft, they either concerned matters of style, or involved making explicit matters which the Western powers agreed were implicit. For example, one Soviet amendment specified that diplomatic pouch privileges should be limited to official business.

As accepted by the three powers, Annex II closely resembled, both in general structure and in substance, the four international

\(^{27}\)GEN/DNT/PV. 222, p. 9.

\(^{28}\)Ibid., p. 14.
agreements which set the pattern for the original American proposal. All these documents have substantially identical provisions concerning the organization’s legal personality and the privileges and immunities with respect to its funds, assets, and communications. However, unlike the other agreements, the Annex contains no general provision for the settlement of disputes concerning its interpretation or application. In an early paper describing the outlines of the treaty, the United States delegation indicated that it would propose an article dealing with settlements of disputes arising out of the treaty. However, such an article was the subject of disagreement within the Western councils and was never proposed.

According to the Annex, representatives of parties on the Control Commission, defined to include all members of the official staffs except those whose duties were exclusively clerical, would be given both in the country of the Organization’s headquarters, and, when performing Commission duties, on the territory of another party to the treaty, the same privileges and immunities that were accorded by the respective governments to accredited diplomatic envoys. In addition, representatives of parties on any organ of the Organization together with the members of their official staffs, including clerks, would enjoy under the same circumstances (and also en route to and from meetings) enumerated privileges and immunities closely resembling those accorded to representatives of the parties in the agreements that served as models for the American proposal. Since these privileges and immunities would be accorded not for the personal benefit of the individuals but to assure their independence as officials, a party would have the duty to waive the immunity of its representatives where “in its opinion” the immunity would impede justice and could be waived without prejudice to the purposes for which it was granted. Moreover, the parties would not be required to extend privileged treatment to their own nationals or to aliens acting as their representatives.

As for the staff and experts employed by the Control Organization itself (as distinguished from the representatives of the parties and their national staffs), the top echelon, that is the Administrator and his deputies, would be given privileges and immunities “normally accorded” to diplomatic envoys. All other staff members

\(^{29}\text{GEN/DNT/9, par. 8.}\)
would be accorded enumerated privileges and immunities with respect to currency facilities, personal baggage, immigration restrictions, repatriation, import duties, taxes, as well as

Immunity from arrest or detention whenever assigned to a control post, an inspection group, or a routine or special flight; and at all times immunity from arrest, detention, or any legal processes with respect to words spoken or written and acts done by them in the performance of their official functions.30

Here, also, since the immunities would be granted in the interest of the Organization, the Administrator would be obligated to waive the immunity of any staff member or expert where it would impede justice and the waiver would not prejudice the working of the Organization.

A party's right to refuse privileges and immunities to its own nationals, unrestricted, as was seen earlier, with respect to its representatives on the Organization's organs, would be qualified in this section in two ways. A party would be required to grant to its own national serving as a staff member or an expert of the Organization only one immunity and one privilege: first, the immunity for his official acts, and second, the privilege of access to facilities with respect to currency and exchange restrictions so far as necessary for the effective exercise of his functions. With only one exception, which will be noted, the international agreements upon which the Annex is patterned contain no such restriction upon the immunities of international staff personnel vis-à-vis their own country; by implication, these agreements require the parties to make available to their own nationals on the international staff the full range of privileges and immunities. The reason for this is that the purpose

30The novel phrase "at all times" in the Annex provision quoted in the main text was probably not intended to indicate that a staff member would retain his immunity with respect to past official acts even after his relationship with the Organization was terminated. A more likely interpretation is that this phrase was intended as a juxtaposition to the clause "whenever assigned . . ." in the first part of the paragraph. However, even if this was the purpose of the phrase the better view would be that immunity with respect to official acts would continue after the termination of the official position.
Controversies Concerning Control

of international immunities is to protect the international responsibilities of international staff personnel and as one authority has written "they require protection against the State of which the official is a national as fully as, and perhaps more fully than, against any other State." It is interesting to note that the limiting provision of Annex II was strikingly similar to Article 23 of the Agreement on the Status of the North Atlantic Treaty Organization, National Representatives, and International Staff, and one can speculate that it was inserted in the American proposal with an eye on the United States Senate. As far as the Annex was concerned, this right of a party to refuse privileges and immunities to its own nationals was an important point as the negotiations made it clear that the control posts would be staffed in part by local nationals and that local nationals would be stationed on the territory of their own state, possibly also in other official capacities.

The exact extent to which an individual would be free from action by his government in other respects was not quite clear. There could be some question, for instance, whether the individual would remain immune from his government's action with respect to his official acts after his relationship with the Organization had come to an end, although the better view would require continuation of such immunity. Again, in the discussion of the laissez passer arrangements, Ambassador Wadsworth stated that they would have to include provision for enabling individuals to return either to their country of origin or to the country where the headquarters of the Organization was located. Then he went on in the next sentence to state that the laissez passer regulations should in no way prejudice the right of a government to prescribe whatever regulations it chose with respect to its own citizens.

In considering generally the extent of the limitations imposed by the Annex upon a party's control over access to and activities on its territory, it is pertinent that the Administrator would have

31C. Wilfred Jenks, *International Immunities* (London: Stevens & Sons, 1961), p. 112. Jenks concludes that while the principle of enforcing stipulated privileges and immunities of international staff personnel against their own States is clear, practice has always tended to lag behind it.


33GEN/DNT/PV. 193, p. 7.
been obliged to inform the party concerned in advance of any proposed assignment of staff members or experts to its territory, and that party would have had an “opportunity to comment” on the proposed assignment of any particular individual. This proved to be perhaps the most controversial issue of the Annex, but all three parties agreed that the opportunity to object to any individual should not be used often. In this context the Annex also provided that, if in a party’s view a staff member or expert posted on its territory had abused his privileges, the party would ultimately have the right to require that the Administrator arrange for an immediate replacement. A similar provision would apply mutatis mutandis in case of abuse of privileges by a representative of a party present in the territory of another party.

It is difficult to speculate whether the privileges and immunities defined in the Annex and fashioned after the patterns evolved for other international agencies would have met adequately the special needs and novel features of the Control Organization, particularly if applied to a large number of personnel at control posts and on inspection teams. Again, caution is in order if one desires to evaluate the significance of the Soviet acceptance of the American proposal, considering the lack of detailed Soviet comment and the limited discussion. The Soviet Union may have been content to concentrate its effort upon the important and controversial staffing provisions of the treaty on the assumption that, if these provisions were formulated to its satisfaction, it could probably agree to a standard grant of privileges and immunities in the Annex.

After the three states agreed to the Annex, they also agreed to a new and briefer article on privileges and immunities to replace that which they had already adopted in the text of the treaty. This article merely stated that the privileges and immunities which the Organization, its staff, and the representatives of parties shall enjoy,

84See GEN/DNT/PV. 146, p. 5; GEN/DNT/PV. 167, p. 13; and GEN/DNT/PV. 177, p. 5. There is no comparable provision for advance notification and opportunity to comment in the Conventions on the Privileges and Immunities of the UN or the Specialized Agencies or in the Agreement on the Privileges and Immunities of the International Atomic Energy Agency. But there are comparable provisions in Article XI, Section D and Article XII, Section A of the Statute of the International Atomic Energy Agency.
Controversies Concerning Control

and the legal capacity of the Organization "shall be as set forth in Annex II of this Treaty."

These were the last agreements achieved during the Geneva Conference, and the only ones achieved after the collapse of the summit meeting.

The Remaining Disagreements

Although the parts of the treaty which were adopted represented a significant measure of agreement, several disagreements remained. They centered on four principal issues: the staffing of control posts; the composition of the Control Commission; voting in the Control Commission, especially the privileges to be given to the Original Parties; and the role and structure of executive authority.

(1) National or International Control Post Staffs?

As stated earlier, at the outset the Soviet Union took the position the control posts should be completely staffed by nationals of the host country except for one or two foreign controllers. The Western powers, on the other hand, had held that host country nationals should be barred from serving on the staff of control posts. Each side took the position that the view advanced by the other would not provide a sufficient guarantee of its security. The West argued that in the event of a suspected violation host country personnel would be torn between loyalty to their own state and to the Control Organization and could not be counted on to choose the latter. The Soviet Union, on the other hand, argued that under a system of international staffing, it would have no assurance that Soviet nationals would in practice be given positions which would enable them effectively to exercise control over the other side, and cited the predominantly Western character of the secretariats of the major international organizations. To buttress their position, each side developed elaborate technical arguments about the possibility of muffling and fabricating seismic signals. These then called for equally elaborate rebuttals. One slightly ironic aspect of this debate was that at the time when the Western representatives in Geneva were arguing that the only way in which the proper operation of instruments could be assured was through an international staff, the Berkner Panel suggested the introduction of large numbers of
unmanned stations as one possible way around the difficulties with respect to technical issues which plagued the Conference. To put it more sharply, while Ambassador Wadsworth was arguing in Geneva that instruments could not be made tamperproof, American scientists in the United States were asserting that they could. Mr. Tsarapkin made the most of this contradiction.35

By the time of the recess on March 19, 1959, the Soviet Union had agreed that there might be as many as four or five foreign controllers stationed at control posts. On May 8, 1959, the Western powers met this compromise by agreeing that it might be possible for a limited number of host country nationals to serve on the staffs of control posts.36

Next, in mid-July, the West proposed that the staff of each control post could be divided into thirds: one third would consist of nationals of the USSR, another third nationals of the United Kingdom and the United States, and the final third nationals of other parties to the treaty.37 This same formula had already been suggested by the West for the headquarters of the Control Organization.38

The Soviet Union's immediate reaction, in both instances, was to question how the final third would be apportioned. It argued that there must be some way of maintaining a balance among countries allied with the United Kingdom and the United States, countries allied with the Soviet Union, and uncommitted countries. The West, on the other hand, maintained that it would be both politically and administratively difficult to elaborate a rigid formula to define eligibility for the third third. The Western powers argued that some countries would not easily fit into the three-fold categorization proposed by the Soviet Union, that international alignments of states were subject to change, and that too rigid restrictions should not be imposed on the Administrator, whose judgment in such matters should be trusted. The Soviet rebuttal was that without a rigid formula there would be nothing to prevent the Administrator from recruiting the third third solely from Western states, thus assuring the West two-thirds of the staff at control posts.

35GEN/DNT/PV. 100, p. 12.
36Ibid., p. 7.
37GEN/DNT/PV. 113, p. 5.
38GEN/DNT/PV. 68, p. 6.
On December 14, 1959, the USSR accepted the broad principle that the staff of control posts should be divided into thirds, subject to agreement on the third third, and proposed that the third third be divided equally among Western allies, Soviet allies and uncommitted countries. The Western powers were unwilling to accept this rigid formula. They did, however, propose various compromises. On May 9, 1960, they tabled detailed staffing regulations which would have required the Administrator to give preference to nationals of the host country in recruiting the third third if the control post happened to be on the territory of a state other than the Original Parties to the treaty, and to take into account the "legitimate interests" of the Original Parties. On June 29, 1960, the United Kingdom went even farther and suggested that personnel appointments to the third third should "be made in such manner and proportions as to maintain an equal balance between the interests of the Soviet Union on the one hand and of the United Kingdom and the United States on the other." Since these compromises were not acceptable to the Soviet Union, and the West would not go further, an impasse resulted. That was where matters stood at the end of 1960.

The differences between the two sides were not very great, but they nevertheless continued to exist. The two sides also disagreed on the nationality of the head of the staff of the control posts. The West maintained that he could not be a host country national while the Soviet Union maintained that he must be a host country national.

(2) Power Balance in the Commission

A second major difference concerned the composition of the Control Commission. Agreement had been reached fairly early that this body should consist of seven states, and that the three Original Parties should have permanent membership. The disagreement concerned the four other states. Even before the March 19, 1959 recess the Western powers had suggested that these four might consist of one state from the East and one from the West and two

39GEN/DNT/PV. 148, p. 11.
40GEN/DNT/89.
41GEN/DNT/PV. 221, p. 10.
uncommitted states, giving an overall balance of 3 (West), 2 (East), 2 (uncommitted); while the USSR had proposed one from the West, two from the East and one uncommitted state, giving an overall balance of 3 (West), 3 (East), 1 (uncommitted). Through 1960, neither side altered its position. The USSR made acceptance of its formula a part of its package proposal of December 14, 1959. The West countered on August 9, 1960, by raising the status of its formula of 3-2-2 from that of a suggestion to that of a formal proposal. The Soviet Union justified its position on the ground of parity between the two sides; and the West, on the ground of the necessity of reflecting actual alignments throughout the world and of avoiding too great a burden of decision on any one uncommitted state. Each side was in reality attempting to maximize its influence within the Commission.

(3) The Reach of the "Veto"

The question of voting rights in the Commission was closely linked to that of its composition, and in its package proposal of December 14, 1959, the Soviet Union actually tied the two together. As early as January 30, 1959, the Soviet Union had submitted a comprehensive list of seven categories of decisions which would require the affirmative votes of four members of the Commission, including the Original Parties, and thus be subject to a veto by the Original Parties. These included:

(a) revision of the Treaty and its annexes, and adoption of amendments thereto;
(b) any accusation against a State of a violation of the Treaty, and other matters relating to violations of the Treaty;
(c) appointment of the Administrator, definition or alteration of his terms of reference, recruitment of the main engineering and technical personnel of the Control Organization's headquarters, controllers and inspection groups;
(d) adoption of a decision to despatch inspection groups for on-site investigation of an event suspected of

42GEN/DNT/PV. 148, pp. 10-11.
43GEN/DNT/PV. 240, p. 6.
44GEN/DNT/29.
being a nuclear explosion, and adoption of decisions on the basis of the results of such investigation;

c) revision of existing methods and approval of new methods of observation and types of apparatus in the control system;

d) determination of location sites of the control posts and of the routes for control aircraft flights;

e) budgetary, financial, administrative, and economic matters connected with the Control Organization's activities, including matters relating to the recruitment and dismissal of the supporting and auxiliary personnel.

The Soviet Union was willing to have procedural decisions settled by a simple majority vote.

In the subsequent negotiations the Western powers sought to narrow the USSR's "veto list," as they called it, which had been put forward as an amendment to a paragraph of the proposed article dealing with the Commission. Two techniques were employed. One consisted of agreeing that unanimity among the Original Parties would be required with respect to a specified matter, but placing the statement of this requirement in the section of the treaty dealing with that particular matter. For example, the article which the three states adopted on amendments specified that amendments would go into effect only when ratified by two-thirds of the parties to the treaty including the three Original Parties. The other technique was to include substantive provisions which would be acceptable to the Soviet Union and render any specification of the voting requirement unnecessary. As a case in point, the Soviet Union agreed to remove the last part of section (g) relating to administrative personnel from its list when the Western powers agreed that the auxiliary and supporting personnel would be host country nationals.

By November 25, 1959, the Soviet Union had agreed or offered to delete all but one section of subparagraph (g) from the list.\(^45\) The deletion of subparagraph (a) has already been covered. The Soviet Union agreed to delete subparagraph (b) when the Western powers agreed that the Control Organization as such

\(^45\)See Mr. Tsarapkin's summary of the negotiations on these points: GEN/DNT/PV. 138, pp. 3-7.
would not make accusations of violations. The first part of subparagraph (c) was deleted when the Western powers agreed that the appointment of the Administrator would require the agreement of the three Original Parties and that his terms of reference could only be changed by amending the treaty. The USSR offered to delete the remainder of subparagraph (c) relating to the Control Organization’s staff if the Western powers would agree to the Soviet proposals on the distribution of the staff. It offered to delete subparagraph (d) if the Western powers would accept the proposal for an annual quota of on-site inspections. (The negotiations concerning this point have already been analyzed.) The Soviet Union agreed to delete subparagraph (e) on revisions in the system, because these would fall under the provisions relating to amendments to the treaty, since the components of the system would be specified in an annex. It agreed to delete subparagraph (f) when the Western powers agreed that the location of sites for control posts and of routes for control aircraft would be determined in agreement with the interested government. The Western powers protected their position by insisting that if the interested government rejected a proposal of the Commission it would be obliged to provide an alternative acceptable to the Commission. The Soviet Union accepted the requirement with respect to control post sites but not aircraft flights. The deletion of the final section of subparagraph (g) has already been mentioned.

Thus the principal remaining question related to those issues covered in the first section of subparagraph (g), namely “budgetary, financial, administrative and economic matters connected with the Control Organization’s activities. . . .” The essential issue in controversy was whether or not the agreement of all the Original Parties would be required for the budget. The Soviet Union argued that this was necessary because of the magnitude of the expenditures which would be involved. The West on the other hand maintained that to allow this would allow one of the Original Parties effectively to block the operations of the Control Organization, and argued instead that the budget should only require a two-thirds majority in the Control Commission and a simple majority in the Conference.

On December 14, 1959, as a part of its package proposal, the Soviet Union stated that it would agree to such a provision if its
proposal for the composition of the Control Commission were accepted; that is, the 3-3-1 formula.\textsuperscript{46} As the Western powers pointed out, under such arrangements the Soviet Union would have retained the ability to block the budget and in fact to block any section of the budget since the Soviet Union insisted that the Commission should not merely vote on the total budget but also on each individual section. In the December 14 proposal the Soviet Union also insisted that the share of the contributions to be borne by each of the Original Parties would have to be specified in the treaty.

The following year brought no resolution of these differences. Although the gap between the two sides on voting procedures in the Commission was narrowed considerably in the first twenty-seven months of the Geneva Conference, it nevertheless continued to exist.

(4) \textit{How Much Independence for the "Executive"?}

A final major controversy concerned the Administrator. As will be recalled, the original Soviet plan made no provision for a chief executive officer, and appeared to assume that the Commission would oversee the operation of the control system. However, prior to the March 19, 1959 recess, the USSR had agreed that an administrator might be required, but only after the West had affirmed that such an individual would be subordinate to the Control Commission and that his appointment would require the agreement of all the Original Parties. During the remainder of 1959 and 1960, agreement was reached on several aspects of the general functions and character of the office of the Administrator. It was agreed that he should view his task in international terms, not as a representative of any side. This was understood to mean that he would most likely be a national of an uncommitted country. It was also agreed that he would be responsible for the general management of the control system, and that in connection with this, he would prepare budget estimates, forward reports to the Commission, and encourage the staff of the system to participate in basic research.

Despite this broad area of agreement, there were various dis-

\textsuperscript{46}GEN/DNT/PV. 148, p. 11.
agreements. The two sides could not agree to treaty language defining the relationship between the Administrator and the Control Commission. The original United States proposal had contained the provision that the Administrator should be “responsible to the Commission in the performance of his duties,” and this was subsequently modified “... for the installation and operation of the control system.” On December 3, 1959, the Soviet Union sought to establish the dominant role of the Commission even more clearly, by suggesting that the relevant section should read:

He shall be responsible to the Commission and is directly subordinated to it in all his acts, and shall provide to the Commission such advice, reports and assistance as the Commission may request.

Although the distance between the two concepts was narrowed somewhat in the following month and a half, agreement could not be achieved. The West proposed as a compromise formulation: “He shall be responsible to the Commission and, under its supervision, shall carry out its policy directives” but would go no further. The USSR, on the other hand, never accepted this formulation.

The essential issue at stake was the freedom to be given the Administrator, and the position of the two sides was in accord with that which they have taken with respect to other international organizations, particularly the United Nations. The same issue arose in the consideration of various specific powers which the West proposed to give to the Administrator, such as appointment of his staff, the authority to determine the location of control posts and bases for inspection teams, and the authority to despatch special aircraft sampling flights and on-site inspection teams. The USSR consistently sought to eliminate these provisions and hedge the Administrator’s freedom. Where it did not succeed, the matters remained in dispute.

The original United States proposal had not specified any upper level staff other than the Administrator. On December 3, 1959, the Soviet Union proposed that two deputy administrators

---

47 GEN/DNT/PV. 25, p. 12.
48 GEN/DNT/PV. 106, p. 15.
50 GEN/DNT/PV. 155, p. 6.
should be appointed who “shall assist the Administrator in his day-to-day work and shall be entitled equally to participate in the preparation of questions for decision by the Administrator.” In his oral presentation, Mr. Tsarapkin made it clear that the two deputy administrators should represent the two sides, and asserted that their constant presence could do much to prevent friction, especially between the Control Organization and the Original Parties. This appeared to the Western powers to be an attempt to intrude national elements into what they conceived of as an international staff. At first the Western powers were disinclined to compromise their concept in this way.

Movement toward agreement was only possible because of the Western powers’ growing concern for another problem, on which the Soviet Union was willing to make concessions in return for counter concessions. At about the same time that the Soviet Union raised the proposal for two deputy administrators, the United States became worried about the problem of continuity in the executive authority, and proposed that the Administrator should continue to serve until his successor was appointed. Obviously the United States had in mind the situation in the United Nations when the permanent members of the Security Council could not agree to a successor for Secretary General Trygve Lie, whose term of office was extended over the most strenuous Soviet opposition until agreement was reached on the new chief executive. Because of that very situation, however, and because the Western proposal would for the future “legalize” what the Western powers had done in that instance in the United Nations, the suggestion was an anathema to the Soviet Union.

On April 18, 1960, the United States tried a different approach to assure a measure of continuity in the performance of the administrative function. In January of that year the United States had agreed that there might be one Deputy Administrator, and that his appointment would require the concurrence of the Original Parties. It now suggested that while the terms of both the Administrator and the Deputy Administrator would be three years, the initial term of
the Deputy Administrator would only be two years, so that the terms of the two officers would always overlap.\textsuperscript{55}

On June 21, 1960, the Soviet Union proposed that there should be three deputy administrators, a first deputy who would be a national of an uncommitted country, and who could serve as Administrator in his absence, and two representing the two sides.\textsuperscript{56} At the same time, Mr. Tsarapkin stated that the USSR would accept the Western concept of staggering the terms of the Administrator and the principal Deputy. After a series of informal meetings, Sir Michael Wright suggested \textit{ad referendum} that there should be five deputy administrators, a first deputy from an uncommitted state, and two from each side.\textsuperscript{57} The Soviet Union accepted this proposal on July 5, and the United States, the following day. However, agreement could not be obtained on the manner of appointment of the Deputy Administrators. The West felt that the Administrator should have some role in the selection of his principal assistants, but the Soviet Union insisted that they should all be appointed by the Control Commission.

Of course there were other differences among the three parties in the Geneva Conference, relating for example to communications and regional offices, but these four were the principal ones. Reviewing them, and considering them in conjunction with the agreements that were achieved, one can only conclude that in mid-1960, when progress in the negotiations fell sharply, issues relating to the Control Organization were not the principal obstacles to the adoption of a nuclear test ban treaty. Given the extent of the compromises which had occurred, it is hard to believe that further agreements could not have been arranged.

IV

The Renewed Western Effort

\textit{The April 18, 1961, Western Draft Treaty}

In fact, the West did offer further concessions. When the Kennedy Administration assumed power in January, along with reconsidering Western positions on such fundamental issues as the coverage of

\textsuperscript{55}\textit{GEN/DNT/PV. 195, p. 4.}

\textsuperscript{56}\textit{GEN/DNT/PV. 216, p. 6.}

\textsuperscript{57}\textit{GEN/DNT/PV. 223, pp. 3-7.}
the treaty and the phasing of the installation of the control system, it also reexamined Western positions relating to the structure of the Control Organization. New positions were formulated as a consequence. The principal explanations for the changes were two. First, President Kennedy wanted to make a determined effort to achieve a treaty, and so instructed his aides. Secondly, the membership of the Committee of Principals was modified. Perhaps the most crucial change was that Glenn T. Seaborg replaced John A. McCone as Chairman of the Atomic Energy Commission. Mr. McCone was the strongest personality on the Commission and as a consequence of his departure the AEC eased its position on several aspects of the proposed treaty and Control Organization. For example, at one point the AEC had taken the position that no instrument operated by Soviet technicians could be considered reliable. After agreement had been achieved within the United States government, the new positions were presented to the British, who readily agreed.

The new Western position, several aspects of which have already been discussed, was advanced in a series of oral presentations by Ambassador Dean starting March 21, 1961, and in the draft treaty tabled April 18, 1961.58 With one exception relating to the number of states on the Control Commission, this treaty incorporated the articles which had already been adopted in the Conference. Beyond that, it was based on previous Western positions, with certain modifications. Several of the changes were designed to eliminate outstanding controversies.

So far as staffing was concerned, the Western powers were willing to specify in the treaty that in all cases where deputies were appointed, a national of the United Kingdom or the United States should have a deputy from the USSR and vice versa. They were not, however, willing to go beyond their previous commitment with respect to the third third at control posts, and they continued to insist that the head of a control post could not be a host country national.

Perhaps the most far-reaching change in the Western position was with respect to the composition of the Control Commission. The new proposal was for a Commission consisting of eleven states: the three parties to the negotiations as permanent members; two

58For the draft treaty, see Geneva Conference, pp. 475-520.
states associated with the United Kingdom and the United States; three states associated with the USSR; and three uncommitted states; thus yielding a 4-4-3 composition with East and West represented equally. Actually Mr. Tsarapkin had casually mentioned this figure June 14, 1960, but the Western powers had not responded.\textsuperscript{59}

As another fairly significant concession, the new Western proposal provided that decisions in the Commission concerning the scale of contributions and the total amount of each annual budget would require the unanimous agreement of the three Original Parties. By accepting substantially the Soviet position the Western powers sought to eliminate the last major point of disagreement on the scope of the "veto." Thus, contrary to the United Nations pattern where budgetary decisions are made by the veto-less General Assembly, the budgetary control in the control organization would be subject to the veto. Finally, with respect to the four deputy administrators from the two sides, the new draft treaty provided that they should be appointed by the Administrator "on the recommendation, or with the approval," of the party or parties concerned.

The new Western position also contained other innovations, the most important of which related to the accession of other states to the proposed treaty. Although the three parties had at an early stage agreed that it should be possible for other states to accede to the treaty, they had never worked out the procedures for this. On July 26, 1960, the United States had tabled two draft paragraphs on this point.\textsuperscript{60} The paragraphs had two notable features. First, others could become parties to the treaty only if the Commission found that their adherence was "essential in order to achieve the fundamental Treaty purpose of a permanent discontinuance of nuclear weapons test explosions on a world-wide basis or that elements of control are required to be installed in territory under” their jurisdiction. Secondly, the two articles throughout used the phraseology "states or authorities." The obvious purpose of these two features was to allow the West to insist that certain states should accede to the treaty, and yet to avoid any impairment of the United States policy of nonrecognition of these or other states or their governments. The necessity of the adherence of the People’s Repub-

\textsuperscript{59}GEN/DNT/PV. 213, p. 10.
\textsuperscript{60}GEN/DNT/102.
lic of China was one obvious case which the authors had in mind. On the other hand, these provisions would enable the West to block the accession of certain states, for example, the Democratic Republic of Germany. Mr. Wadsworth patiently explained that no one would ever know whether a party acceded to the treaty as a state or as an authority. This terminology and the entire procedure, however, were totally unacceptable to the Soviet Union.

The new Western draft attempted to meet the Soviet objection by dropping the obnoxious words “or authority.” On the other hand, the West still opposed the Soviet proposal for automatic adherence of other states and would have the Commission screen membership applications. The new draft specified that in Commission decisions concerning adherence of new parties to the treaty, Original Parties “associated” with the candidate must abstain.

The question of the timing of the accession of other states was also altered in the new proposal. The six months’ time limit on signing in the article on signature, ratification, acceptance, and entry into force was dropped. At the same time, a schedule in the new Annex I specified a timetable according to which elements of the Detection and Identification System would have to be installed. Among other things it specified that within five years of the entry into force of the treaty twenty-one control posts would have to be established in Asia outside of the territory of the USSR. If this commitment were not fulfilled, parties would have the right to invoke the right of withdrawal under the duration article. Thus Communist China’s accession would have had to have been achieved within the five-year time period. Whether or not these arrangements would have insured this is far from clear.61

One final minor change was that according to the new Western draft the initial review of the effectiveness of the Detection and Identification System should occur three rather than two years after the coming into force of the treaty.

The Soviet Response

To the disappointment of the Western powers, there was little real negotiation on their new proposals. On March 21, 1961, the

61For a detailed discussion of this issue, see Ciro E. Zoppo with the collaboration of Alice L. Hsieh, *The Accession of Other Nations to the Nuclear Test Ban* (Santa Monica: The RAND Corp., 1961, RM-2730-ARPA).
day that the Conference resumed, before Ambassador Dean and Mr. Ormsby-Gore had an opportunity to speak, Mr. Tsarapkin launched an attack on the concept of a single executive head in international organizations, often illustrating his point by referring to the activities of the Secretary General of the UN in the Congo, and proposed that the Control Organization should have, rather than an Administrator, an Administrative Council, consisting of three members, representing respectively the USSR and its allies; the United Kingdom, the United States and their allies; and neutral states. According to Mr. Tsarapkin, this Administrative Council "would act as a single whole and would agree amongst themselves on all steps which they would undertake in the execution of their duties." In subsequent questioning he never went beyond this brief formulation in explaining how decisions would be taken in the Administrative Council. He never gave an answer to queries about whether or not voting would take place and unanimity be required, other than to say that the members of the Administrative Council would "act in agreement." Mr. Tsarapkin did state, however, that the proposal for the Administrative Council eliminated the necessity for having Deputy Administrators.

The Soviet proposal for an Administrative Council met firm opposition from Western negotiators, both because they felt that it would prevent the Control Organization from taking effective action, and because they feared the implications of any compromise on this issue, both for the UN and for other international organizations which might be established in the future.

Why the Soviet Union shifted its position is not clear. In breaking the moratorium on nuclear testing slightly over five months later, the USSR demonstrated that at that point, August 31, 1961, it was willing seriously to jeopardize the negotiations, and thus presumably had little interest in continuing them. Chairman Khrushchev had indicated as much in his meeting with President Kennedy in Vienna on June 3 and 4. Preparations for the extensive test series which the USSR initiated in the fall must have been well underway by the time that the Geneva Conference resumed on March 21. Thus Mr. Tsarapkin's move could be interpreted as designed to block the

63 GEN/DNT/PV. 298/Rev. 1, p. 32. See also GEN/DNT/325, p. 21.
Controversies Concerning Control

negotiations. At the same time, the Soviet Union was profoundly unhappy and disturbed with Secretary General Hammarskjöld’s activities in the Congo. Like the Western powers, it too was interested in implications of positions taken in the Geneva Conference for events and institutions elsewhere. Moreover, its fear of giving significant power to a single executive head of a control organization had been manifest throughout the negotiations, and the proposal for an Administrative Council was only a slight modification of its earlier stand on the question of deputy administrators.

The only one of the new Western proposals which the Soviet Union accepted was that relating to the composition of the Control Commission. On April 7, 1961, Mr. Tsarapkin agreed to the total figure of 11 and the 4-4-3 distribution. On the other hand, he continued to insist that the composition of the third third of the staff of control posts had to be specified in the treaty, and that the agreement of the original parties would be necessary for individual sections of the budget as well as for the total figure. He also argued that the contributions of the USSR, the United Kingdom, and the United States would have to be equal. The Western draft treaty provided for equal contributions only from the United States and the USSR. Basically, however, Mr. Tsarapkin paid little attention to the Western proposals.

Despite this rebuff, and the deep impasse on the question of the Administrator, the Western powers sought to keep the negotiations alive, and on August 30, 1961, the United States tabled further compromise proposals. The first of these would have given the Commission the right to dismiss the Administrator. This would have required only the concurring votes of any seven members.

The second proposal related to the composition of on-site inspection teams. In May 1960, the Western Powers had suggested that on-site inspection teams in the USSR should be staffed by Western nationals and vice versa. They had always maintained that host country nationals could not participate, although they were willing to allow the possibility of “one or more” host country observers. Originally the Soviet Union had proposed that on-site inspection

64GEN/DNT/PV. 286, p. 8.
65Ibid., p. 6.
66GEN/DNT/110/Add. 2.
teams should be composed of host country nationals, with one or two controllers from the other side. Subsequently it modified this stand and suggested that on-site inspection teams on the territories of the original parties should be divided equally between nationals of the USSR on the one hand, and nationals of the United Kingdom and the United States on the other. On-site inspection teams on the territories of other parties would be divided into thirds: one third from the USSR, one third from the United Kingdom and the United States, and one third from the host country. The draft treaty of April 18 had continued the previous Western position. Now, however, the United States proposed that in the case of inspections on the territories of the Original Parties, one half of the staff might consist of nationals of uncommitted states, the other half and the leader of the party being nationals of the other side.\textsuperscript{67}

These proposals were never discussed. During the evening of the day on which they were presented, the Soviet Union announced its decision to resume testing nuclear weapons, and on November 28, 1961, it tabled a treaty which would rely solely on national detection systems.

\section*{V

Conclusions}

It is obviously impossible to analyze fully the postures of East and West concerning the proposed Control Organization in isolation from their positions on other issues in the negotiations. One cannot, for example, estimate the significance of the agreements that were achieved without making some assumptions about the broad goals of the three states. Many comments and speculations can therefore best be postponed until a later stage. Some limited conclusions, however, can be drawn at this point.

The negotiations illustrated in detail the differing approaches of the United States, and to a lesser extent of the United Kingdom, on the one hand, and of the Soviet Union on the other, to the question of international organization. The Western position seemed to be dominated by a desire to establish a control organization involving if necessary thousands of personnel, the operations of which

\textsuperscript{67}GEN/DNT/110/Add. 3.
could not be blocked by any one party and which would be capable of providing incontestable evidence if a treaty violation occurred. Western policy-makers were haunted by the fear of a situation in which violations were known to be occurring, but could not be proved conclusively. Realizing that the main if not the only sanction in case of a violation would be Western resumption of nuclear testing, they seemed to feel that they could only take such a step if they had incontrovertible evidence of a violation.

Whether or not the Control Organization proposed in the Western draft treaty of April 18, 1961, would have yielded such incontrovertible evidence may be debatable. Some have argued that the Western powers made so many concessions to the Soviet Union and in so doing mixed the "impartial" and the "reciprocal" approaches with the result that, had an Original Party been interested in violating the treaty, it would have had ample opportunity to block the effective functioning of the Control Organization. Nevertheless, there can be no question about the aim of the Western powers.

The Western position implicitly contained several interesting assumptions, which deserve careful examination. First, it assumed that the evidence of a violation would most likely be ambiguous. Given the technical situation as it was understood during this period, all but underground shots of less than 50 kiloton yield or decoupled underground shots of larger yield would have been easily detected by systems independent of the Control Organization and would have been widely recognized as nuclear detonations. Moreover, single shots would have escaped detection easier than a series. Of course, certain categories of shots at high altitudes and in outer space would have been difficult to detect, but since detection in this environment relies almost entirely on mechanical means, this problem was hardly discussed in the negotiations concerning the Control Organization. The Western position therefore assumed that a violator would be interested in the kinds of technological developments that could be gained through testing in the yield ranges and in the environments where detection would be difficult. Whether or not this was a valid assumption is at least subject to question. Certainly when the Soviet

Union broke the moratorium it was equally if not more interested in very high-yield nuclear weapons, the detonation of which could not be concealed.

The Western position also assumed that domestic public opinion within the Western states, and the opinion of the uncommitted states, would be extremely important in determining the conduct of the Western governments. The Western position implied that Western governments would find it extremely difficult to take so serious a step as to denounce a nuclear test ban treaty on the basis of private information. Perhaps this assumption is correct, but it has never been proved. It also minimizes the ability of Western governments to influence and shape their domestic public opinion.

Finally, the Western position was based on the assumption, often explicitly stated, that it would be easier for the Soviet Union to keep clandestine activities secret than it would be for the Western powers. The most interesting aspect of this assumption is that during the period under consideration, because of important technological developments especially in the area of space reconnaissance, it was becoming less and less true.69

Apart from these specific policy considerations relating to possible treaty violations, the Western attitude seemed to have been influenced also by the more general philosophy that any progress toward control and reduction of armaments would require an international organization which would assure a degree of "openness" throughout the world and guarantee a measure of restraint on national action.

The Soviet position, on the other hand, was based on extreme reluctance to allow an international organization to be established which might take action over Soviet opposition. The rationale which it advanced most often for this position was that it needed to be in a position to prevent the Western powers from using the organization for espionage. The Western powers always minimized this argument, disavowing espionage aims and pointing out the limited incursions which would be involved. However, Russian regimes have traditionally maintained a tight veil of secrecy, and the Soviet gov-

ernment has frequently used or attempted to use secrecy to its military and political advantage. The Soviet fears served to confirm, and in a sense were in accord with, the Western belief that they knew and could know less about the Soviet Union than the Soviet Union did and could know about them. Thus Soviet secrecy became a subject of and a factor in the bargaining.

In addition, Mr. Tsarapkin often asserted that the Western powers might illegitimately use the Control Organization to promote their interests, and averred that past experience in international organizations proved this possibility. Clearly this position was based on a profound distrust of the West and of any international organization in which the West played a major role, and was deeply rooted in the Soviet Weltanschauung. The Soviet position is perhaps only understandable in these terms. If one assumes that others are by nature hostile, one obviously cannot allow them to have important powers. Thus, even if the USSR had no intention of breaking the treaty, it might desire to be in position to block any action by the Control Organization. Soviet policy-makers probably also desired to limit their freedom of action as little as possible.

Given the different assumptions, fears, and interests of the three states, it is significant that they achieved as much agreement as they did, even though this agreement was not lasting. It is also significant that they agreed to the broad outlines of such an extensive international organization to perform so modest a function. To many of the participants from both East and West, the Control Organization envisaged in the Geneva Conference seemed to be greatly out of proportion to the limited tasks that it would have been assigned.

70For an insightful discussion of Soviet attitudes toward secrecy and arms control agreements, see Alexander Dallin and others, The Soviet Union, Arms Control, and Disarmament: A Study of Soviet Attitudes (1964), pp. 142-58.