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SALT TWO
SESSION I
A-113

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
GENEVA, SWITZERLAND

DATE: December 19, 1972

TIME: 10:30 a.m. - 1.00 p.m.

PLACE: USSR Mission, Geneva

SUBJECT: Standing Consultative Commission

PARTICIPANTS:

US	USSR
Mr. Sidney N. Graybeal	Mr. V. V. Smolin
Mr. John P. Shaw	Mr. E. N. Kochetkov, Interpreter

This is a summary of a lengthy and involved conversation.

Memorandum of Understanding

At the outset Smolin and Shaw discussed the Memorandum of Understanding. Shaw said that the Russian language text given to us last night seemed to conform with the English language version although he had yet to have a final confirmation from Krimer. Smolin also said that the Soviet side found the two versions to be in conformity. Agreement was reached on the manner in which the documents would be prepared.

"Basic Paragraphs"

Following some discussion, Graybeal stated that on the assumption that the Soviet side would accept the text of these documents, the U.S. side would be prepared to drop the reference to a Joint Draft Text and adopt a single footnote, namely, "Joint Draft Text agreed ad referendum by Delegations."

Smolin said he did not think his Delegates would accept this. The Soviet side had made many concessions.

After further discussion between the participants, Graybeal suggested that the U.S. side would be prepared to initial the document and would adopt a single footnote which would read: "Agreed ad referendum by Delegations," if the Soviet Delegation accepted the text. After a long discussion, Shaw suggested, on a personal basis, a footnote which would read "Joint Draft Text agreed by Delegations."

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State Department review

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Smolin said that such a solution might be possible, but then backtracked after a lengthy discussion, including his insistence on the placement of the footnote (!).

Graybeal then suggested adding the phrase "for use by the SCC" to the formula suggested by Shaw.

Smolin then checked out this formula and said that it might work but that he had only contacted some of his Delegates.

While Graybeal was then phoning this suggestion in to Garthoff, Smolin said that he thought the Soviet Delegation would be able to get approval of both documents by tomorrow morning.

Graybeal then reappeared, saying that he thought this footnote would be acceptable to his Delegates, although Garthoff had not been able to contact all his Delegates, with the addition of the phrase, "for use by the Standing Consultative Commission in formulating its Regulations in accordance with Article V of the Memorandum of Understanding."

Smolin, before departing to check again with his Delegates, asked Graybeal whether he was sure this formulation was acceptable to the U.S. side. Graybeal said he thought so.

Smolin, who returned, said that a "friend" was still checking with his Delegates," but in the meantime he had another variant. whereupon he promptly produced a draft of an agreed interpretive statement to be delivered by Ambassador Smith and Minister Semenov, replacing the footnote previously discussed.

Graybeal and Shaw expressed great skepticism that this would be an appropriate solution. Graybeal said there was a substantive matter, namely, that the U.S. side thought that this document should be an integral whole, namely, that it should include a footnote describing its status. Shaw pointed out the bureaucratic problems this new approach could cause in getting the approval of Washington in the very little time remaining. He also pointed out, later, that it ran completely contrary to the manner in which the two Delegations have prepared working documents in the past. Smolin asked whether the U.S. participants were rejecting a formal proposal made by the Soviet side.

Graybeal and Shaw said that they would check with their Delegates but they questioned that it was a practical approach.

During a brief drink following the session, Smolin penned in some changes to his draft statement -- see attachment. Graybeal said

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that this was a strange way for Smolin to handle a "formal proposal." Smolin then vigorously denied that this was a formal proposal. Shaw then produced his notes which indicated that Smolin had indeed made such a statement.

(NOTE: It seemed clear to the reporting officer that, judging by the course of events, Smolin had been improvising in regard to the tabling of this draft agreed interpretive statement.)

Attachment:

Soviet draft statement

SALDEL:JPShaw:wl

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The document that we are initialling today is a joint draft text which has been agreed by the delegations. It is understood that in accordance with Article V of the Memorandum of Understanding the Regulations will be finally agreed to and signed within the framework of the Commission by the Commissioners, ~~who will make use of the Basic Paragraphs of the Draft Regulations of~~ the Standing Consultative Commission. Both delegations as we believe proceed from the fact that agreeing on the Basic Paragraphs is an important step.

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