



DEPARTMENT OF STATE
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NSC review completed - may be declassified in full

TO : See Distribution List Below

SUBJECT: CBW SIG Issues

Attached for the information of addressees is a summary of issues pertaining to the CBW question. The summary is intended to define issues for decision, and is circulated as a supplement to the paper circulated on September 29.

The members of the SIG might wish to consider the attached as the basis for a future decision document which the SIG could begin developing at its meeting on October 5.

L. Paul Bremer, Jr.
L. Paul Bremer, Jr.
Executive Secretary

Distribution:

- OVP - Ms. Nancy Bearg Dyke
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SECRETChemical and Biological Weapons Arms ControlISSUES FOR DECISION

- How to proceed on the issue of Soviet compliance with the Biological Weapons Convention (BWC) raised by the 1979 anthrax outbreak in Sverdlovsk and recent evidence on the use of lethal mycotoxins in Southeast Asia.
- Whether and, if so, how to proceed with chemical weapons (CW) arms control negotiations.

BACKGROUNDBWC Compliance

The US is a Party to and, together with the UK and USSR, a Co-Depositary for the 1975 Convention prohibiting the development, production, and stockpiling of BW -- activities which the US unilaterally renounced in 1969. In March 1980, as a result of disturbing new intelligence, the US requested bilateral technical consultations with the Soviets, in accordance with the BWC, regarding concerns that the 1979 outbreak of anthrax in Sverdlovsk was related to activities prohibited by the BWC. The US has made six such demarches to the Soviets and has not received an explanation which would satisfactorily resolve US concerns.

In September 1981, the US informed the UN and announced publicly that it had obtained evidence regarding the use of lethal mycotoxins (substances covered by the BWC) in Southeast Asia. Therefore on October 1, 1981, the US made another demarche, to the Soviet Charge in Washington, detailing US concerns about the use of chemical weapons and mycotoxins in Southeast Asia and Afghanistan, and raised once again the matter of the Sverdlovsk incident. The Charge's preliminary response was to reject our concerns as part of a propaganda ploy.

CW Arms Control

Since mid-1977 the US, pursuant to the agreement reached at the 1974 Moscow Summit, has been actively engaged in bilateral, US/Soviet negotiations and multilateral efforts in the 40-nation Committee on Disarmament (CD) aimed at achieving a complete, effective and verifiable prohibition of CW development, production and stockpiling. Progress was made initially on a number of key issues in the US/Soviet talks. Since 1979, however, the negotiations have been stalled by Soviet intransigence over verification. Additionally, the US retaliatory capability in the CW area, as well as US bargaining leverage in the bilaterals, has been eroded in recent years as a result of the Carter Administration's decisions to forego CW modernization.

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OPTIONSBWC Compliance

On the question of how to proceed on the issue of Soviet compliance with the BWC, the IG recommends that the SIG approve the strategy outlined below to follow-up the demarche made October 1:

- Use the 36th UN General Assembly debate, particularly debate in the First (Political) Committee on the issue of reports of CW use in Afghanistan, Laos and Kampuchea, and discussions in the CD and other appropriate international fora to continue to expose the CBW activities of the Soviets and their friends to international scrutiny and criticism;
- Support convening a meeting of States Parties to the BWC to seek to strengthen its verification and compliance mechanisms in light of Soviet non-compliance, and to provide an additional forum for maintaining international pressure on the Soviets about their CBW activities; and
- After assessing the results of the steps above, the SIG and/or NSC would consider the possibility of utilizing the final two remedies provided by the BWC -- i.e., taking the issue to the UN Security Council for action (an effort the Soviets will certainly veto) and/or withdrawing from the BWC.

CW Arms Control

The questions of whether and, if so, how to proceed with CW arms control negotiations have not been resolved by the IG. The IG has, however, agreed that the primary US objective in this area is to ensure that the current CW modernization plans proceed so that the US has a credible and effective retaliatory capability which corrects the existing imbalance in US vs. Soviet CW capabilities and, if appropriate, which would enable the US to regain negotiating leverage in the area of CW arms control.

Regarding the question of whether to proceed with CW arms control negotiations, it is generally recognized that agreement in the foreseeable future on a complete and verifiable prohibition of CW development, production and stockpiling is remote under the best of circumstances. The Soviets continue to refuse to deal realistically with outstanding issues or to make the significant concessions in the verification area which are required for a verifiable prohibition. A new and strengthened US position on verifica-

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tion, such as that considered by the IG, would be even more difficult for the Soviets to accept because of its increased intrusiveness and greater reliance on additional measures to supplement National Technical Means (NTM). The question, therefore, is not really whether the US will renounce chemical weapons now and not proceed with CW modernization. The question is whether the US will continue to be involved in the negotiating process. The US would participate in these negotiations with long-term (and low) expectations that an effective agreement -- which is fully acceptable to the US and which meets all our verification demands -- will be concluded.

If it is decided that the US should continue to proceed with CW arms control negotiations, it is then necessary to decide how we should proceed. Specifically decisions must be made on:

- (1) The type of agreement -- i.e., whether the US will continue to support efforts aimed at concluding a complete prohibition of CW development, production and stockpiling; or alter its position somewhat and seek a more limited prohibition, such as agreed stockpile limits and annual production quotas, toxicity thresholds, or regional deployment restrictions, while maintaining a complete prohibition as a long-term objective.
- (2) The forum for negotiations -- i.e., whether the US would continue to negotiate bilaterally with the Soviets, or shift its previous emphasis on bilaterals to multilateral negotiations in the CD.

RECOMMENDATIONSBWC Compliance

That the SIG recommend to the NSC the strategy recommended by the IG.

Approve _____

Disapprove _____

CW Arms Control

- (1) Whether to proceed with CW arms control:

(a) That the SIG recommend to the NSC that the US proceed with CW arms control negotiations.

Approve _____

Disapprove _____

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(b) Alternatively, that the SIG recommend to the NSC that the US not proceed with CW arms control "negotiations," but support CW arms control "discussions" in the CD (i.e., no drafting of actual treaty text would take place).

Approve _____ Disapprove _____

(c) Or that the SIG recommend to the NSC that the US not proceed with CW arms control negotiations.

Approve _____ Disapprove _____

(2) How to proceed with CW arms control:

(a) That the SIG recommend to the NSC that the US resume bilateral US/Soviet negotiations on a complete CW prohibition, but present new and strengthened proposals on verification.

Approve _____ Disapprove _____

(b) Alternatively, that the SIG recommend to the NSC that the US resume bilateral US/Soviet negotiations, but on a more limited prohibition as an interim step toward conclusion of a complete prohibition.

Approve _____ Disapprove _____

(c) Or that the SIG recommend to the NSC that the US continue to support negotiation of a complete CW prohibition, but that the US would present a new and strengthened verification position and shift the emphasis from bilateral negotiations to multilateral negotiations in the CD.

Approve _____ Disapprove _____

(d) Or that the SIG recommend to the NSC that the US continue to support in principle the objective of a complete CW prohibition, but, in the near-term, pursue negotiations in the CD on a more limited prohibition.

Approve _____ Disapprove _____

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