

5. *Paragraphs 3(iii), (iv) and (v)*. Procedure suggested in our paper was not intended to correspond in all details to the wording of the neutral memorandum for two reasons:

(a) the neutral memorandum was presumably discussing the nature of a permanent scientific Commission as part of a comprehensive treaty, whereas our proposal relates to an interim Commission (e.g., a permanent Commission might involve a much more elaborate organization which would monitor all seismic events, whereas we have proposed reports to the Commission only in the case of doubtful events);

(b) the neutral memorandum was intentionally vague in a number of respects and we have tried to draft a more precise proposal.

There is, however, no essential inconsistency between our paper and the neutral memorandum and the procedure set out in paragraph 5 of the latter document could, for example, be employed by the Commission under our proposal before a decision was made that an on-site inspection would be necessary. In any event, it was assumed in drafting our paper that the Commission would not decide that an on-site inspection was necessary unless it was unable to satisfy itself by other means as to the nature of a doubtful event which had been placed before it. If an on-site inspection were refused after the Commission had so decided, we would expect that in practice it would not be possible to satisfy the Commission by producing evidence from other sources but we have nevertheless felt it desirable to allow for this possibility (e.g., to take account of the unlikely circumstance that a state could show by other means that a doubtful event had in fact been a large chemical explosion). This point is also relevant to the comment at the bottom of page 2 of your reference telegram with respect to paragraph 3(v) of our paper.

6. *Paragraph 3(iv)*. The notion that a state in which an unidentified event had occurred would have to satisfy two-thirds of the Commission that it was not a nuclear explosion is of course the heart of our proposal insofar as it places the onus on the "accused" party to prove that it is "not guilty" and thereby makes it very difficult to refuse an on-site inspection. We recognize that this formula underlines the importance of the membership of the Commission, but we would hope that a composition such as that suggested in the paper would protect essential Western interests.

7. With regard to paragraphs 4(a) and 4(b) of the paper (paragraphs 2 of your reference telegram) we are open to suggestions as to additional functions which might be appropriate for the interim Commission. It would be worth bearing in mind, however, the point raised in our note on these paragraphs, that care should be exercised not to suggest functions which might appear to be outside the competence of such a body.

8. The intent of paragraph 5 of the paper was to provide for a review by the UNGA before allowing the negotiations to lapse. (It would of course not repeat not apply if these had been any violation of the arrangement.) In reply to Dean's question, it was not our intention that the nuclear powers would commit themselves in advance to be bound by any decision reached by the UNGA in these circumstances.

9. Please pass above comments to your Western colleagues, making any drafting changes you may consider necessary to make them suitable for transmission to them.

{H.C.] GREEN