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7th December, 1968

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Dear Matt,

I'm afraid I haven't anything at all considered or thought out to send you in reply to your letter of 20th November; and it is unlikely that the CBW project here will produce anything until the new year. Still, here are some thoughts:

Nabrit's speech in the General Assembly on 5th December 1966, just before the US voted in favour of the Hungarian resolution, contained the following: "What is essential today is to obtain from States a formal public expression of intent to observe strictly the objectives and principles of the Geneva Protocol. And this draft resolution before us does" (A/PV.1484).

Bunn drew attention to this "formal expression of intent" in the ENDC on 13th August 1968. As far as the UN goes, these seem to be the existing pressures for a clarification of US policy on CBW; if/as further discussion of CBW in the ENDC gets under way, more pressure will build up (hence, possibly, the British Ministry of Defence's strong opposition to Mulley's initiative).

It is presumably impossible now for any declared US CBW policy to be anything worse (from an arms control point of view) than no first use. But no first use of what? Are there any chances for a declared interpretation of "the objectives and principles" of the Protocol being an extensive interpretation (ie, one which proscribes nonlethal toxics)? The only ray of

hope here seems to be from the State Department's evasiveness on the Yemen issue, and the possibility that a contributing factor was a despair of convincing the world of a difference between upper respiratory irritants and lung irritants or vesicants.

Once the USA is committed to an extensive interpretation, the importance of modernizing the Protocol is presumably reduced. Continuing demands by the Russians for actual accession to the Protocol will then seem less reasonable, and will no longer serve as their contribution to Geneva or New York CBW discussions. Their own attitudes to CBW may be forced nearer the surface.

The Swedes made an interesting proposal in the ENDC on 25th August:

"some joint collective statement in the General Assembly or elsewhere might be useful which, without regard to the various positions and practices of the past as to the extent of the existing ban, would enable States to register adherence to a ban on all B and C means of warfare, comprehensively interpreted" (ENDC/PV.391).

If someone were to put forward a UNGA resolution along these lines, perhaps one which declared that the principles and objectives of the Protocol necessitated an extensive interpretation, the USA would be given an opportunity to alter and declare its policy in a relatively unexposed manner.

The US attitude at Geneva towards Mulley's working paper was that the drafting of a convention banning possession of B-weapons should be delayed until an ENDC working group or subcommittee had reported on the possibilities of verification (ENDC/PV.389). This could be interpreted in several ways, including (1) procrastination, to give everyone a chance to forget the whole CBW question; or

(2) a way of obtaining implicit acceptance of the idea of treating BW and CW separately from one another.

The proposed study by the Secretary-General of CB weapons effects, if it comes off, should defeat (1). As to (2), my own feeling is that so long as there is the remotest possibility of the USA accepting an extensive ban on first use, BW and CW should be treated together, so far as the drafting of an international convention is concerned. The argument that they should be treated separately because offensive BW hardware has not yet been developed is wrong and in any case invalid, as you presumably know better

than we.

My own hope is that the ENDC, if it takes up the CBW question again, will consider the possibilities of bans on possession of CB weapons for which the parent agreement does not include a verification mechanism: safeguards which are a lot less than perfect may nevertheless be adequate. One of my background papers for the SIPRI CW symposium discussed this in a cursory sort of way; and I see that the Swedes have already brought it up at Geneva (ENDC/PV.391): they suggested that the safeguards would emerge firstly by "control through public shame", then by a scheme for "verification by challenge".

I am sorry to have delayed replying for so long, and to have done so in such a disordered way: things are rather hectic here, with our present plan of getting something out on CBW before U Thant's study gets under way. I am just off to London for Christmas, so that added to the rush.

With best wishes,

Yours ever,



Julian Perry Robinson

PS. The sleep paper is enclosed: sorry not to have sent it on before.  
T.