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DEPARTMENT OF STATE

Washington, D.C. 20520

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March 1, 1972

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See S/S 7204581 for White House Comments dtd 3/7/72

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

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Subject: Stockholm Conference on
the Human Environment:
Draft Declaration

Attention **MRS. MULLETT**
Keep this study together.

Preparations for the Stockholm Conference on the Human Environment have included the development of a draft Declaration on the environment which will be presented to the Conference for adoption. At the last meeting of the Intergovernmental Working Group (IWG) of the Preparatory Committee which was assigned the task of developing this Declaration, the Japanese introduced a draft principle urging the end to nuclear testing. The United States Delegation was instructed to oppose this proposal on the grounds that the subject of nuclear testing was more appropriately dealt with in other forums.

The Japanese were, however, able to generate considerable support in the IWG and the draft reported out by that Group, with explicit United States reservation, reads as follows: "Man and his environment must be spared the serious effects of further testing or use in hostilities of weapons, particularly those of mass destruction."

The only other reference in the draft Declaration to military aspects is contained in a paragraph of the preamble which reads as follows: "Meanwhile immense resources continue to be consumed in armaments

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and armed conflict, wasting and threatening still further the human environment." A copy of the report of the IWG together with the full text of the draft Declaration is attached.

The fourth and final meeting of the Preparatory Committee for the Stockholm Conference will take place in New York, March 6-17. This Committee will consider the IWG report on the draft Declaration.

The Department of Defense has reservations concerning both paragraphs quoted above, as reflected in the attached memorandum from the Deputy Assistant Secretary of Defense for Environmental Affairs. Essentially, the Department of Defense believes that the paragraph relating to testing goes beyond current United States policy concerning nuclear weapons testing and that it may also place an undesirable restriction on the testing and use of conventional armaments. Furthermore, with reference to the preambular paragraph quoted above, the Department of Defense does not believe that resources consumed in armaments "waste and threaten" the human environment.

The Department of State, on the other hand, believes that both provisions cited above are consistent with United States policy and objectives, as expressed in United States voting positions on various UN General Assembly resolutions and in Presidential statements. The Department of State recommends, and is seeking Department of Defense agreement to, the following position for the forthcoming meeting of the Preparatory Committee: (1) that the United States Delegation withdraw its reservation on paragraph 21 of the principles and interpose no objection to it and to preambular paragraph 4; (2) that the United States Delegation reserve the right to make the United States interpretation of paragraph 21 (that nuclear test bans must be within the context of adequately verified agreements) known and recorded in the conference proceedings when the Declaration is

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adopted by the Stockholm Conference; and (3) that the United States Delegation actively resist any attempts to reopen the language of the Declaration as a whole.

The Department of State's position on this question is further elaborated in the response to the Department of Defense, copy attached. We expect to receive a favorable response on our approach from the Atomic Energy Commission by the end of the week.

Your approval of the foregoing position is being sought pursuant to your memorandum of February 17, 1972 regarding clearance of statements concerning nuclear test ban policy.

Theodore L. Eliot, Jr.
Theodore L. Eliot, Jr.
Executive Secretary

Attachments:

- 1. IWG Report
- 2. DOD Memorandum
- 3. State Memorandum

Clearances: IO - Mr. De Palma *DP*
 SCI/EN - Mr. Werten *W*
 ACDA - Mr. Strauss *S*
 IO/UNP - Mr. Black *B*
 EM - Mr. Martin *M*
 [unclear] - Mr. [unclear]

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